

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

- I. Pledge of Allegiance
- II. Announcements, Awards, Special Recognition
- III. Monthly Reports
- IV. Minutes – February 17, 2000
- V. Old Agenda Items
- VI. Consent Agenda
- VII. New Agenda Items
 - 03-00-01 Public Hearing – Consider Rezoning – GA 54 and Walt Banks Road
- **continued until March 16, 2000 – 5 – 0**
 - Public Hearing – Variance – Strong – **approved – 5 – 0**
 - 03-00-01 Appointments – City Attorney/Solicitor & Judge -
Appointed Mitch Powell as Judge - 4-1 with Tennant opposing
Appointed Eric Maxwell as Judge Prohac - 4-1 with Tennant opposing
Motion to allow Steve Brown to speak regarding the City Attorney - Failed 1-4 with
Lenox, McMenamin, Fritz and Brooks opposing
 - 03-00-02 Consider Authorization for City of Senoia directional sign on Rockaway Road - **approved 5-0**
 - 03-00-03 Consider Authorization and Funding – Pay and Classification Study – **approved 5-0**
 - 03-00-04 Consider Ordinance – Records Management – **approved 5-0**
 - 03-00-05 Reconsideration of Lifting Annexation Moratorium to Consider Annexation of Westside
- **approved 4-1 with Tennant opposing**
- VIII. **Council/Staff Topics - Tennant and Brooks volunteered to serve on selection committee for Library Commission Applicants.**

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

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

City Council of Peachtree City
Minutes of Meeting
February 17, 2000
7:00 p.m.

The City Council of Peachtree City met in a regular session, Thursday, February 17, 2000, at 7:00 p.m. in the City Hall Council Chambers. Mayor Robert L. Lenox led those attending in the pledge of allegiance. Other Council members present were: Carol Fritz, Annie McMenamin, and Dan Tennant. Bob Brooks was absent.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Mayor Lenox presented the Employee of the Month award to Police Officer Donald Speights.

Chief Murray recognized Andrew Debonis, a local youth. Debonis found \$50 and turned it in the Police Department. Since the money was never claimed, Chief Murray presented it to him as a reward. Murray commended Debonis for his honesty and integrity.

Tate Godfrey presented an award to Joe Morton for past service with the Chamber of Commerce.

MINUTES

McMenamin made a motion to approve the minutes of the February 3rd meeting. Fritz seconded the motion. Motion carried unanimously.

OLD AGENDA ITEMS

There were no old agenda items.

CONSENT AGENDA

There were no consent agenda items.

NEW AGENDA ITEMS

02-00-07 Crabapple Lane Residents – Georgia Power Transmission Power Lines

Rita Cole addressed Council on behalf of the Crabapple Lane residents regarding Georgia Power's plans to construct high voltage transmission lines and a substation in their neighborhood. Ms. Cole felt Georgia Power's plans would adversely affect their quality of life and would place their health at risk. She realized the Law of Imminent Domain prohibited Council from stopping Georgia Power's project. However, asked Council to show their support for the residents by writing letters to the Georgia Public Safety Commission and various elected officials.

Cole said she and her neighbors had met with the Georgia Public Safety Commission. They asked the Commission to stop the project, have the lines moved to another location, or to grant additional time for the residents to hire a private consultant to investigate many unanswered questions. She said Jim Hunt from the Governor's Office of Consumer Affairs, contacted them and offered to help mediate their situation.

Cole said there many unanswered questions. She pointed out that currently in Peachtree City all of Georgia Power's substations were located in areas zoned for industrial use. She questioned whether the City's zoning laws permitted high voltage transmission lines and a substation a residential area. She asked why Georgia Power did not include this project in a five-year plan and she questioned their urgent need to move forward with the project. She said Georgia Power was claiming that it did not have adequate capacity to provide service to residents without the new substation. However, she said had extensive conversations with representatives from Cowetta Fayette EMC who had assured her that they had adequate capacity to provide electricity to Georgia Power if needed. She also pointed out that the substation was being built in EMC's territory. Since Georgia Power could not service EMC customers, she questioned whether Georgia Power was merely positioning itself for future competition in the event of future deregulation. She also questioned who would pay to have the lines buried under Highway 74 as currently planned.

She said Crabapple Road was one of the oldest and most beautiful roads in the City. She requested Council consider designating it as an official scenic road.

Bonnie Beerbower addressed Council and described what the transmission lines and substation would look like. She pointed out that the substation would be located directly behind the Kedron Fire Station and visible at the main entrance to Peachtree City. She was also very concerned about the health hazards that could be attributed to high voltage power lines. She referenced the book "Power over People". She said, while it had not been proven that high voltage power lines caused cancer there was much evidence to suggest the power lines were dangerous. She asked if the City had given Georgia Power approval for their project.

Another resident, who did not state her name, addressed Council and said she was a cancer survivor. She said they had bought their home only a couple of months ago and did not know of Georgia Power's plans. She said the threat of cancer being caused by the power lines was a very serious issue and she could not put her family at risk.

Mayor Lenox said he had recently met with Georgia Power and asked many of the same questions being raised that night. He said he concluded there was nothing the City could do to stop the project and that Georgia Power would not consider an alternative location. He said Georgia Power would choose the most expeditious and inexpensive way to erect the power lines and construct the substation. Lenox said the City Attorney had advised Council that they had no legal right or authority to stop Georgia Power from erecting the transmission lines or from building the substation. He said the Public Service Commission was the only body that could control Georgia Power. Lenox also pointed out that one third of the power generated from the substation would be used by Cowetta Fayette EMC.

Dan Tennant commended the citizens for their efforts. He suggested Council adopt a Resolution of Support for their efforts.

Annie McMenamin asked what the outcome was from the citizens' meeting with the Public Service Commission. Ms. Cole said the issue of zoning was raised many times by members of the Commission, but they had not yet made a decision. McMenamin asked Jim Williams if the current zoning would allow the construction of high voltage transmission lines in a residential area. Williams said the proposed area was zoned AR, which was a holding category. However, he said transmission lines and substations were permitted uses in all zoning districts.

Rick Lindsey, City Attorney, addressed the issue. He said the City did not have any legal authority to stop Georgia Power. He suggested they could contact their state representatives and ask for assistance. He felt the citizens would not win a case in court because it has not been proven that high voltage power lines caused cancer.

McMenamin said the City had worked with the Public Service Commission the past to change zip code and area code boundaries. She felt this was a similar situation. She said citizens were simply asking their local elected representatives for legitimate help.

McMenamin made a motion to send letters to the Public Service Commission with copies to Georgia Power, Jim Hunt of the Governor's Office of Consumer Affairs, and State/Federal Representatives supporting Crabapple Lane residents in their request for additional time to hire a professional consultant to answer questions concerning Georgia Power's plan to condemn property and construct transmission power lines and a sub-station in their neighborhood and to possibly negotiate an alternative location. Fritz seconded the motion. Motion carried unanimously.

Lenox pointed out that if Georgia Power's predictions held true, there could be large power outages in Peachtree City. He felt it was important to ensure that the Public Service Commission was looking out for the best interest of all citizens in Peachtree City.

COUNCIL/STAFF TOPICS

There were no Council/Staff topics for discussion.

Lenox made a motion to adjourn into Executive Session to discuss a legal matter. McMenamin seconded the motion. Motion carried unanimously.

EXECUTIVE SESSION

No action was taken in executive session. Meeting adjourned at 9:00 p.m.

City Clerk, Nancy Faulkner

Attest: _____

Mayor

Financial Services Monthly Report

Financial Services
January Monthly Report

STATUS OF FUNDS AS OF JANUARY 31, 2000

Fund	Cash	Investment	Total	Total Fund	YTD Interest
#1 General Fund	Balance	\$1,808,047	\$2,327,883	\$47,188	
Council Reserve Fund	\$519,836	\$245,070	\$1,022,527	\$7,717	
Library Sales Tax Fund	\$777,457	\$0	\$57,526	\$879	
Public Improvement Fund	\$57,526	\$1,324,636	\$2,263,675	\$13,708	
Police Station Lease	\$2,118,606	\$2,263,675	\$1,450,239	\$19,621	
Police Insurance Fund	\$0	\$660,286	\$130,854	\$13,090	
Self Insurance Fund	\$789,953	\$0	\$0	\$596	
Debt Service Fund	\$130,854	\$0	\$47,075	\$0	
Bond Fund	\$47,075	\$0	\$280,660	\$751	
Municipal Court Fund	\$280,660	\$0	\$0	\$3,547	
Develop & Impact Fees	\$0	\$0	\$0	\$55	
Neighborhood Parks/Rec.	\$246	\$0	\$246	\$4	
Federal Seizures Police Fd	\$7,441	\$0	\$7,441	\$0	
Confiscated Fund	\$2,991	\$0	\$2,991	\$17	
Police Tuition Account	\$145,849	\$124,192	\$270,042	\$3,637	
Escrow Account	\$4,878,494	\$6,425,907	\$11,304,401	\$110,810	

Grand Total

#1 Includes investments of \$250,000 for 54/Railroad Cartpath Overpass Project.

Budget Comparison

Revenues - By Major Category

Description	2000 Budget	Actual YTD	Difference	%
General Property Taxes	\$4,438,049	\$3,996,748	(\$441,301)	90.06%
Franchise Taxes	\$1,771,233	\$93,790	(\$1,677,443)	5.30%
Local Option Sales Tax	\$5,135,529	\$1,754,905	(\$3,380,624)	34.17%
Other Sales & Use Taxes	\$1,047,781	\$323,964	(\$723,817)	30.92%
Business Taxes	\$1,048,419	\$909,895	(\$138,524)	86.79%
Business Permits	\$395,717	\$159,312	(\$236,405)	40.26%
Non-Business Permits	\$15,346	\$2,345	\$143,966	1038.13%
Charges for Services	\$501,016	\$116,343	(\$384,673)	23.22%
Fines & Forfeitures	\$1,012,311	\$230,758	(\$781,553)	22.80%
Investment Income	\$109,999	\$55,785	(\$54,214)	50.71%
Rents & Royalties	\$163,558	\$94,737	(\$68,821)	57.92%
Other Revenue	\$6,273	\$1,584	(\$4,689)	25.25%
Total	\$15,645,231	\$7,740,166	(\$7,748,098)	49.47%

Purchasing Monthly Report

	2000	1999	PERCENT INC/(DEC)
TOTAL YTD	134	157	-5.09%
Purchase Requisitions Processed	19	18	-10.64%
City Store Requisitions Processed	6	4	-11.63%
Sealed Bids Requested >\$10,000	0	10	-58.15%
Written Quotes Req \$5,000-10,000	7	28	6.43%
Verbal Quotes Requested \$500-\$5,000	153	173	-15.33%
Total # Purchase Orders Issued	1	1	-6.45%
Total # of Bids Awarded	0	1	5.88%
Contracts Required >\$10,000	7	10	-34.08%
Total \$ of Fixed Assets Purchased	\$24,937	\$18,292	-27.03%

Collateral Analysis as of January 31, 2000

Security Location	Bank	Total Held
Bank of New York	First Union	\$5,853,784
Bank of New York	Peachtree National	\$5,550,000
		\$11,403,784

Budget Comparison

Expenditures by Division YTD

Division	2000 Budget	Actual YTD	Difference	%
Administrative	\$1,030,267	\$306,217	\$724,050	30%
Developmental	\$711,079	\$210,110	\$500,969	30%
Finance	\$454,711	\$140,859	\$313,852	31%
Leisure Services	\$2,574,391	\$775,857	\$1,798,534	30%
Public Safety	\$4,308,620	\$1,314,448	\$2,994,171	31%
Public Works	\$2,053,288	\$588,863	\$1,464,425	29%
Total	\$11,132,356	\$3,336,354	\$7,796,002	30%

Summary of Major Expenditures by City Manager

Description	Budget	Award	Savings (Shortfall)	Date
Hustler Turf Mower	\$17,000	\$13,813	\$3,187	1/19/00

2000 MONTHLY REPORTS

BUILDING PERMITS:

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

TOTAL INSPECTIONS:

PERCENTAGE OF OCCUPANCY:

Residential
Commercial
Multi-Family Residential

ENFORCEMENT:

Complaints
Warning
Stop Work Orders
Citations

PERMIT FEES COLLECTED:

POPULATION: Based on
2.9 of completed occupancy.

*Revised to reflect 2000 Census figures

BUILDING DEPARTMENT

1999 MONTHLY REPORT

1999
2000
YEAR-TO-DATE YEAR-TO-DATE

DEC

NOV

OCT

SEP

AUG

JUL

JUN

MAY

APR

MAR

FEB

JAN

25

14

0

33

8

645

454

11

3

0

152

228

11

6

17,833

32,432

15,942

33,409

DEVELOPMENT PERMITS:

BUILDING PERMITS:

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

TOTAL INSPECTIONS:

CERTIFICATE OF OCCUPANCY:

Residential
Commercial
Multi-Family Residential

CODE ENFORCEMENT:

Complaints
Warning
Stop Work Orders
Citations

PERMIT FEES COLLECTED:

POPULATION: Based on
3.05 of completed occupancy

CRIME REPORT - JANUARY 2000

PART I CRIMES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YTD 2000	YTD 1999
MURDER	0												0	0
RAPE	0												0	0
ROBBERY	0												0	0
AGGRAVATED ASSAULT	0												0	0
ARSON	2												2	1
AUTO THEFT	11												11	23
THEFT	0												0	0
BURGLARY	0												0	0
TOTAL PART I CRIMES	13												13	26
ALCOHOL/DRUG ARRESTS	19												19	8
DUI - TOTAL	14												14	8
DUI - ADULT	5												5	0
DUI - UNDERAGE	7												7	2
OTHER UNDERAGE	10												10	4
ALCOHOL ARRESTS														
DRUG ARRESTS														
ARRESTS	7												7	5
PROPERTY CRIMES	4												4	5
PERSON CRIMES	41												41	30
CITY ORDINANCES	126												126	120
*OTHER														
ADMINISTRATIVE AVERAGE RESPONSE TIME	5.15												5.15	4.06
CALLS ANSWERED	3595												3595	2840
TRAFFIC CITATIONS ISSUED	673												673	588
WARNINGS ISSUED	611												611	435
ACCIDENTS - TOTAL	60												60	75

TOP 5 ACCIDENT LOCATIONS - YEAR	TOTAL #
1. HWY 74/PEACHTREE PARKWAY	4
2. HWY 54/PEACHTREE PARKWAY	4
3. HWY 74/PASCHALL ROAD	3
4. HWY 74/CROSSTOWN DR.	3
5. HWY 54/ROBINSON RD.	2

TOP 5 ACCIDENT LOCATIONS - MONTH	TOTAL #
1. HWY 74/PEACHTREE PARKWAY	4
2. HWY 54/PEACHTREE PARKWAY	4
3. HWY 74/PASCHALL ROAD	3
4. HWY 74/CROSSTOWN DR.	3
5. HWY 54/ROBINSON RD.	2

**2000 Monthly Report
Fire/EMS Department**

2000 Y-T-D 1999 Y-T-D

	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Fire/Accident Calls												
Residential	4									4	2	
Business/Industrial	1									1	1	
Other	109									109	96	
Total Engine Response	114									114	99	
Dispatched Fire Calls	59									59	49	
Response Time Fire	4:44									4:44	5:16	
Rescue/EMS												
Trauma		46								46	45	
Medical		78								78	76	
Total # Patients		124								124	121	
Patients Transported		78								78	75	
Dispatched EMS Calls		113								113	112	
Total Medic Response		155								155	139	
Dispatched Fire/EMS Total		172								172	161	
Response Time EMS		4:16								4:16	4:36	
EMS BILLING												
Patients Billed											93	88
Revenue Generated											19,699	15,489
*Total Revenue Received											9,695	13,301

*Total Revenue Received

*Revenue Received On All Outstanding Patient Accounts

		1999 Year to Date												2000 Year to Date											
		18,018																							

PERSONNEL DEPARTMENT

2000 MONTHLY REPORT

REPORT PERIOD	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	2000 YTD TOTAL	1999 YTD TOTAL
1. Authorized Permanent Positions	211												211	199
2. Positions Open	16													3
3. Workers Comp. Claims Filed	3													3
4. City Veh./Equip. Accidents	1													0
5. Health Insurance Claims	\$51,319												\$ 51,319	\$ 59,020
6. Law Suit Legal Fees	\$ 598												\$ 598	\$ 1,079

1. Parks Monitor/Recreation. Assistant Building Official/Building (1); Building Inspector/Building (2); Equipment Operator/Public Works (1);

2. Police Officer/Police Department (5); Maintenance Worker I/Recreation (1); Parks Monitor/Recreation (1). Employee cut by saw (1) Recreation.

3. Maintenance Worker I/Public Works (5); Maintenance Worker I/Public Works (1); Parks Monitor/Recreation (1). Employee struck by falling tree top (1) Public Works; Employee cut by saw (1) Recreation.

4. Employee exposed to poison oak (1) Public Works; Employee struck by falling tree top (1) Public Works; Employee cut by saw (1) Recreation.

5. Firefighter damaged engine compartment door and bay door (1) Fire Department.

6. Firefighter damaged engine compartment door and bay door (1) Fire Department.

7. Employee exposed to engine compartment door and bay door (1) Fire Department.

8. Firefighter damaged engine compartment door and bay door (1) Fire Department.

9. Firefighter damaged engine compartment door and bay door (1) Fire Department.

10. Firefighter damaged engine compartment door and bay door (1) Fire Department.

11. Firefighter damaged engine compartment door and bay door (1) Fire Department.

12. Firefighter damaged engine compartment door and bay door (1) Fire Department.

13. Firefighter damaged engine compartment door and bay door (1) Fire Department.

14. Firefighter damaged engine compartment door and bay door (1) Fire Department.

15. Firefighter damaged engine compartment door and bay door (1) Fire Department.

16. Firefighter damaged engine compartment door and bay door (1) Fire Department.

17. Firefighter damaged engine compartment door and bay door (1) Fire Department.

18. Firefighter damaged engine compartment door and bay door (1) Fire Department.

2000 MONTHLY REPORT
PUBLIC SERVICES DIVISION

Public Services Division
Monthly Report

Activity Description

Unit	January	February	March	April	May	June	July	August	September	October	November	December	2000 YEAR-TO-DATE	1999 YEAR-TO-DATE
CART PATHS														
1. Const./Reconst./Overlay	50												1,610	
2. Drainage Maintenance	Hrs.	83											120	
3. General Maintenance	Hrs.	180											131	
4. Mowing	Hrs.	0											0	
5. Litter Removal	Hrs.	68											120	
FLEET MANAGEMENT														
1. Equipment Maintenance	Hrs.	43											23	
2. Equipment Repairs	Hrs.	121											134	
3. Vehicle Maintenance	Hrs.	76											73	
4. Vehicle Repairs	Hrs.	237											264	
5. Fleet Down Time	Hrs.	482											1,995	
LANDSCAPE														
1. Litter Removal	Hrs.	321											556	
2. Right-of-Way Mowing	Hrs.	0											0	
3. General Maintenance	Hrs.	874											646	
RECYCLING SITE														
1. City Employees Hours	Hrs.	151											157	
2. City Employees Salaries	Dls.	1,188											1,994	
3. Revenues	Dls.	731											574	
4. Participants	Num.	546											537	
a. Recycling	Num.	1,296											1,076	
b. Composting	Num.	68											21	
c. Mulch (Pick Up)	Num.													
SIGN MAINTENANCE														
1. Building Maintenance	Hrs.	20											19	
2. Subdivision Sign Maintenance	Hrs.	81											70	
3. Traffic Sign Maintenance	Hrs.	148											137	
STREETS														
1. Street Sweeping	Hrs.	8											16	
2. Pavement Patching	Hrs.	0											103	
3. Drainage Maintenance	Hrs.	576											51	
4. General Maintenance	Hrs.												245	
MISCELLANEOUS														
1. Vandalism	Dls.	139											51	
2. Complaints Answered	Num.	90											31	
3. Wash Police Cars	Hrs.	8											30	

January

POSITION PAPER
Proposed Rezoning, Lexington Commons
GA 54 East at Walt Banks Road
Director of Developmental Services
February 23, 2000

Situation:

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

Facts:

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

7. The Wood + Partners master plan called for the following distribution of space:

a. Retail	162,500 square feet
b. Restaurants	51,700 square feet
c. Theater	0
d. Offices	49,500 square feet
e. Assisted Living	28 units
f. Townhomes/Lofts	34 units
g. Single Family Detached	130 units

8. The Ozell Stankus master plan submitted with the rezoning application proposed the following distribution of space:

a. Retail	240,000 square feet
b. Restaurants	30,000 square feet
c. Theater	30,000 to 50,000 square feet (included in retail)
d. Offices	0
e. Assisted Living	60 units
f. Townhomes/Lofts	135 units
g. Single Family Detached	

9. In preparation for the Planning Commission meeting on January 24, 2000, the staff prepared a draft of an ordinance outlining the proposed requirements and conditions of an LUC district for this project (Attachment "C"). At its meeting on January 24, 2000, the Commission voted to recommend that Council approve the proposed rezoning; however a number of changes were made to the draft ordinance prepared by the staff (Attachment "D").

10. The main changes dealt with the proposed square footage. The staff wanted to see the maximum square footage defined for each major use within the district, as illustrated on the master plan. However, the applicant preferred that a total square footage be set for the project and he would then be free to apportion that area to prospective tenants as market opportunities presented themselves. The Commission agreed with the applicant and recommended that a total commercial area of 300,000 square feet be established. The staff felt this was a significant change in the proposed concept, and objected to it.

11. Other changes in the staff recommendations included the following:

- Increasing the maximum number of single family detached lots from 130 to 135 (the staff had no objections as long as the change did not affect minimum lot size or the open space requirement).
- Increasing the maximum number of multi-family units from 30 to 60, but limiting them to only second floor lofts (the staff had no objection and noted that the proposed assisted living units and townhouses had been omitted from the revised plan).
- Reducing the buffer area from a minimum of 16 acres to 20 percent of the total acres. This amounted to a decrease of 1.4 acres. (The staff did not object to this change).
- The Commission, the applicant, and the staff could not agree on any area restrictions for individual commercial tenants. This detail was left to be worked out at a later date.
- Increasing the minimum residential floor areas from 1,800 to 2,400 square feet and from 1,200 to 1,600 square feet. (the staff supported this change).
- Decreasing the greenbelt along Walt Banks Road from 100 feet to 60 feet (the staff did not object to this change); and
- Adding a new clause pertaining to a reversion of the zoning (the staff did not object to this change).

12. The Commission indicated the applicant would be allowed to include up to three restaurants with drive-thru capability. The staff objected to allowing any drive-thru facilities in a commercial project of this nature.

13. The applicant had not completed a traffic study prior to the Commission meeting, and the traffic impact of this project was not included in the Commission's recommendations. A traffic study was finally provided to the staff on February 14th. The conclusions and recommendations are presented as Attachment "E".

14. Based on an analysis of the traffic study, it has been determined that the proposed commercial development at Walt Banks Road would actually help to reduce traffic in the GA 54 West Corridor, and no special mitigation would be required in that area.

15. All utilities have informed us that they have sufficient capacity to serve this proposed project; however, it appears from the response of the Board of Education, this project may contribute to an existing overcrowding problem at Kedron Elementary and at Booth Middle School (Attachment "F").

Recommendations:

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

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

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

1006B.15.1

Effect on Other Zoning Districts.

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

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

1006B.15.2

Conformance with Master Plan.

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

1006B.15.3

Permitted Uses.

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

1006B.15.4

Conditional Uses.

No conditional uses shall be permitted in this district.

1006B.15.5

Other Requirements.

- a) Maximum Areas:
 - General Retail Space
 - Theater Space
 - Restaurant Space
 - General Office Space
- b) Maximum Residential Units
 - Single Family Detached
 - Multi-Family Loft Apartments

185,000 square feet
30,000-50,000 square feet
30,000 square feet
50,000 square feet

135 units
60 units

- c) **Minimum Open Space Area:**
At least 20 percent of the tract must be exclusively devoted to permanent green space in the form of park land, greenbelts, and buffers.
- d) **Commercial Tenants:**
1) No single commercial tenant shall occupy more than 50,000 square feet of floor area.
2) Only one tenant, a theater complex, will be permitted with a maximum floor area between 35,000 square feet and 50,000 square feet.
3) Only two tenants in addition to a theater will be permitted with a floor area between 25,000 square feet and 35,000 square feet.
4) In addition to the above, no more than three tenants will be permitted with a floor area between 12,000 square feet and 25,000 square feet.
5) No commercial establishment utilizing drive-thru service shall be permitted.
- e) **Single-Family Detached Residential:**
There shall be two types of single-family detached residential lots, Type "A" shall have a minimum width of 82 feet and shall be located adjacent to the greenbelt along the west property line of the tract. There shall be at least 22 Type "A" lots. All other lots shall be Type "B", and they shall have a minimum width of 52 feet.
- f) **Minimum Residential Lot Area:**
Type "A" 7,800 square feet
Type "B" 5,600 square feet
Multi-Family N/A
- g) **Minimum Residential Floor Area:**
Type "A" 2,400 square feet
Type "B" 1,600 square feet
Multi-Family Loft Apartments 800 square feet
- h) **Minimum Front Setback:**
Type "A" 30 feet from back of curb
Type "B" 15 feet from back of curb
All Other Uses 10 feet from back of curb
- i) **Minimum Side Setback:**
Type "A" 5 feet
Type "B" 3 feet
All Other Uses 0 feet
- j) **Minimum Rear Setback:**
Type "A" 20 feet
Type "B" 17 feet
All Other Uses 0 feet
- k) **Building Separation:**
If any buildings within the tract are not attached, there must be a minimum separation between them of 10 feet.
- l) **Parking:**
As set forth in Section 909.

- m) **Signs:**
As set forth in the Sign Ordinance and in accordance with a sign program for the tract which shall be approved by the Planning Commission as a part of the overall design criteria for the tract.
- n) **Maximum Building Height:**
Three (3) stories plus a basement.
- o) **Buffers:**
The following buffers and greenbelts shall be provided:
 - 1. A minimum 35-foot wide, City-owned greenbelt along the north property line adjoining the Mathis property;
 - 2. A minimum 50-foot wide, City-owned greenbelt along the west property line adjoining the Southern Trace and Parkway Estates subdivisions.
 - 3. A minimum 60-foot wide, City-owned greenbelt along the east property line adjacent to GA 54 in all areas where residential lots are platted;
 - 4. A minimum 60-foot wide landscaped buffer along the eastern property line adjacent to GA 54 in all areas where residential lots are not platted;
 - 5. A minimum 50-foot wide landscaped buffer along the southern property line adjacent to Walt Banks Road where residential lots are not platted;
 - 6. A minimum 60-foot wide greenbelt along the southern property line adjacent to Walt Banks Road where residential lots are platted.
- p) **Curb Cuts:**
The tract shall be limited to one curb cut on GA 54 and one curb cut on Walt Banks Road to serve the single-family detached lots.

The tract shall be limited to three commercial curb cuts on GA 54 (one at the existing median cut and two other right-in, right-out cuts about equally spaced between the median cut and Walt Banks Road). The tract shall be limited to one commercial curb cut on Walt Banks Road.
- q) **Architectural Concept:**
The overall tract must be developed in accordance with an architectural concept for the commercial and residential uses. The architectural concept shall be approved by the Planning Commission as a part of the overall design criteria for the tract.
- r) **Landscape Concept:**
In addition to an architectural concept, the overall tract must be developed in accordance with an approved landscape concept that includes islands at each entrance, all medians, and all landscape areas shown on the master plan.
- s) **Tree-Save Areas:**
In developing the tract, the developer shall make every reasonable effort to provide meaningful tree-save areas in addition to the required greenbelts and buffers.
- t) **Watershed Protection:**
The developer must take whatever steps are necessary to assure that the quality of stormwater runoff from the tract is properly controlled in accordance with established "best management practices."

- u) *Traffic Improvements:*
Based on the traffic study that was prepared for this project and a careful analysis of that study, the developer shall be responsible for the implementation of the following traffic system improvements:
- 1) *Install a new Roundabout at the intersection of Peachtree Parkway and Walt Banks Road; or*
 - 2) *Install a new traffic signal at the intersection along with left turn, right turn and thru lanes in all four directions:*
 - 3) *Install left turn lanes and right turn deceleration lanes at all school driveway intersections, at all church driveway intersections, at Southern Trace, and at all project intersections on Walt Banks Road;*
 - 4) *Install concrete curb and gutter on all new improvements to Walt Banks Road;*
 - 5) *All improvements shall be subject to the approval of the City Engineer*
- v) *If it is determined that the property will not be developed in substantially the same manner as depicted on the Ozell Stankus master plan referenced above, and each condition of that plan be substantially complied with, the zoning of this property shall automatically revert back to the zoning the property currently holds.*

1006B.15.6

Application of Requirements and Conditions:

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



SCALE: 1"=100'

0 50' 100' 200' 300' 400'



SOUTHERN TRACE COURT

HIDDEN CREEK LANE

McINTOSH HIGH

FLOYD FAIR ROAD

WALT DAVIS ROAD

ENTRY FEATURE

HWY. 84

RIGHT IN/RIGHT OUT
RESIDENTIAL &/OR
OFFICE OVER COMMERCIAL
2 STORY
4,100SF

TRAFFIC LIGHT

1 STORY RESTAURANT
10,700 SF

1 STORY RESTAURANT
9,000 SF
OFFICE OVER COMMERCIAL

1 STORY RESTAURANT
12,000SF

1 STORY RESTAURANT
17,000SF
ENTRY WALLS

TOWNHOMES
9 UNITS
OFFICE OVER COMMERCIAL
2 STORY 2,000SF

TOWNHOMES
5 UNITS
COLLECTOR
1 STORY 12,000SF

RESIDENTIAL COMMERCIAL
OFFICE OVER COMMERCIAL

RESIDENTIAL COMMERCIAL
OFFICE OVER COMMERCIAL

RESIDENTIAL COMMERCIAL
OFFICE OVER COMMERCIAL

A
80 X 110 LOTS

B
80 X 110 LOTS

B
80 X 110 LOTS

REQUEST FOR REZONING
CITY OF PEACHTREE CITY, GEORGIA

A request is hereby being made to change the zoning classification of
the following described property: 72+ acres of land at the corner of
Walt Bank Road and GA Hwy 54 (legal description
attached)

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

The proposed zoning classification is: LUC-15

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

Signature: Beverly Holder

Owner: ADAMS, LASSITER, HEARD, AND HENDRIX

Agent: Bob Adams Homes, Inc.

Address: 115 Lloyd Ave. Tyrone, GA 30290

Phone: 7-487-5334

Date: Jan 14, 00

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

Signature: James B. Lickhain

Title: DIRECTOR OF DEVELOPMENTAL SERVICES

Date: JANUARY 14, 2000

Request Number: 99-013 REZONED APPLICATION

Date of Planning Commission Public Hearing: JANUARY 24, 2000

Date of City Council Public Hearing: MARCH 2, 2000

Lexington Commons:

Lexington Circle
and
Lexington Park

Lexington Circle

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

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

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

Lexington Park

An Active LifeStyle Community in Peachtree City

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

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

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

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

PEACH TREE CITY



PROPOSED SITE PLAN
SP-02
99030
12/8/99



SITE DATA		33 ACRES TOTAL
TOTAL		
LOOK STORE	15,000 SF	
OFFICE	25,000 SF	
OFFICE FITNESS	13,000 SF	
OFFICE	11,000 SF	
NAME MAKERS	5,000 SF	
JOURNALS MARKET	8,000 SF	
RESTAURANT	1,000 SF	
BAR	4,000 SF	
RETAIL	1,000 SF	
DRUG STORE	32,000 SF	
WALK		
PAVE SHOP TENANTS	148,000	
SUB TOTAL		
RESTAURANTS	7,000	
RESTAURANT 'A'	5,000	
RESTAURANT 'B'	2,000	
RESTAURANT 'C'	24,000	
SUB TOTAL		
44-TH STREET THEATER	30,000	
	23,000	
CONVENTUAL	84,000	
CONVENTUAL COMPLEX	318,000	
TOTAL		

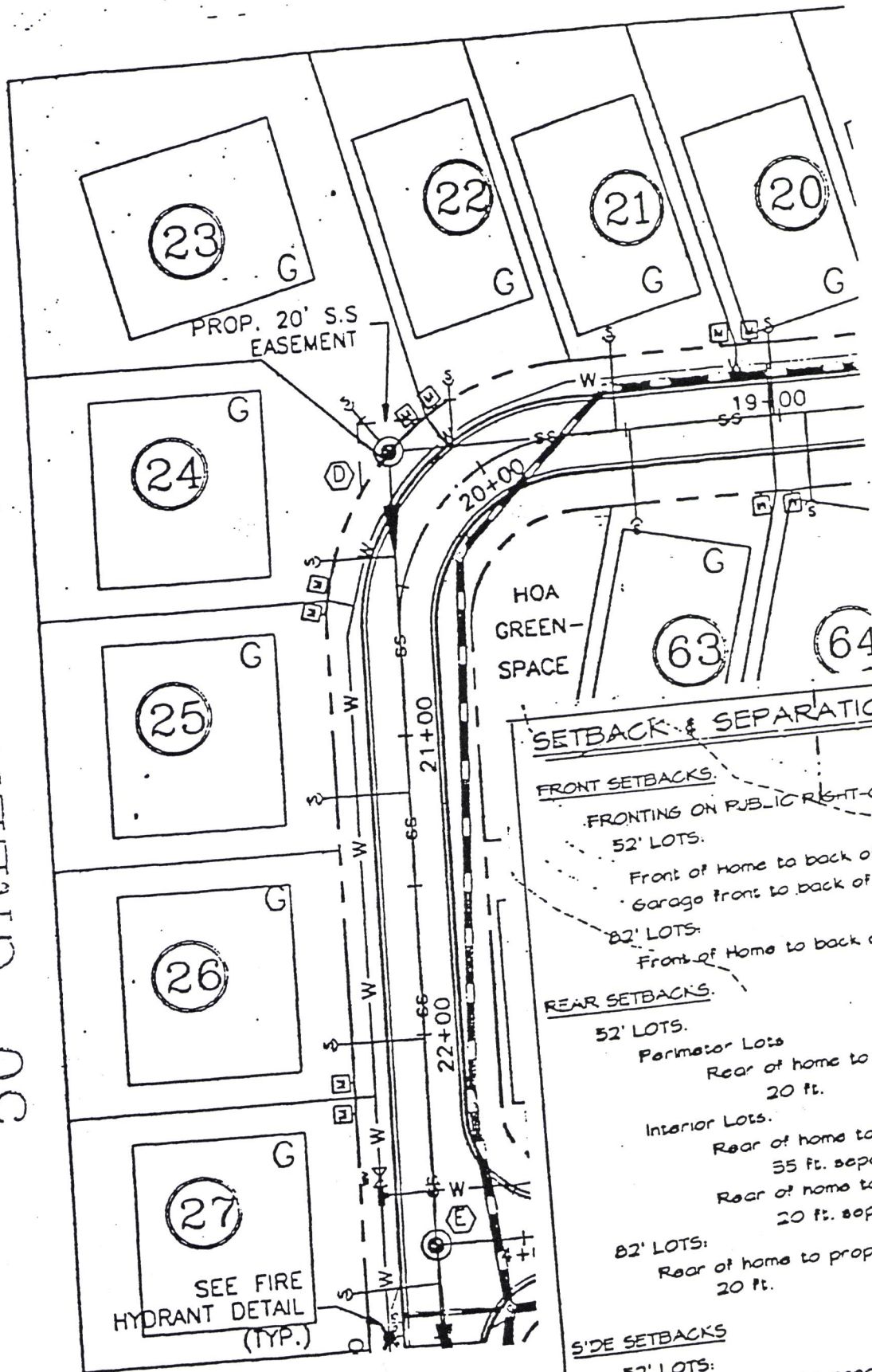
DEVELOPMENT SUMMARY COMPARISON
FOR
GEORGIA HWY 54 & WALT BANKS PROPERTY
PEACHTREE CITY, GA

Lexington Circle and Lexington Park

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

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

50' GREENBELT



SETBACK & SEPARATION MINIMUMS:

FRONT SETBACKS

FRONTING ON PUBLIC RIGHT-OF-WAY:

52' LOTS:

Front of home to back of curb 15 ft.
Garage front to back of curb 20 ft.

82' LOTS:

Front of home to back of curb 30 ft.

REAR SETBACKS

52' LOTS:

Perimeter Lots
Rear of home to property line:
20 ft.

Interior Lots:

Rear of home to rear of home:
35 ft. separation.
Rear of home to side of home:
20 ft. separation

82' LOTS:

Rear of home to property line:
20 ft.

SIDE SETBACKS

52' LOTS:

Side of home to property line 3 ft.
Side of home to side of home 10' separation

82' LOTS:

Side of home to property line 5 ft.
Side of home to side of home 20 ft.

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

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

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

Impact Analysis Report.

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

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

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

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

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

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

1006B.15.1. Effect on Other Zoning Districts.

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

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

1006B.15.2. Conformance with Master Plan.

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

1006B.15.3. Permitted Uses.

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

1006B.15.4. Conditional Uses.

No conditional uses shall be permitted in this district.

1006B.15.5. Other Requirements.

- a) Maximum Areas:
 - General Retail Space 150,000 square feet
 - Theater and Restaurant Space 50,000 square feet
 - General Office Space 90,000 square feet
- b) Maximum Residential Units
 - Single-Family Detached 130 units
 - Multi-Family 30 units
- c) Minimum Open Space Area:

At least 16 acres of the tract must be exclusively devoted to permanent green space in the form of park land, greenbelts, and buffers.
- d) Commercial Tenants:
 - 1. No single commercial tenant shall occupy more than 32,000 square feet of floor area.
 - 2. No three commercial tenants shall occupy a combined floor area of more than 80,000 square feet.
 - 3. No more than six commercial tenants shall occupy more than 12,000 square feet of floor area each.
- e) Single-Family Detached Residential:

There shall be two types of single-family detached residential lots. Type "A" shall have a minimum width of 82 feet and shall be located adjacent to the greenbelt along the west property line of the tract. There shall be at least 22 Type "A" lots. All other lots shall be Type "B," and they shall have a minimum width of 52 feet.
- f) Minimum Residential Lot Area:
 - Type "A" 7800 square feet
 - Type "B" 5600 square feet
 - Multi-Family N/A

- | | | |
|----|---|--|
| g) | Minimum Residential Floor Area: | 1800 square feet |
| | Type "A" | 1200 square feet |
| | Type "B" | 800 square feet |
| | Multi-Family | |
| h) | Minimum Front Setback: | 30 feet from back of curb |
| | Type "A" | 15 feet from back of curb |
| | Type "B" | 10 feet from back of curb |
| | All Other Uses | |
| i) | Minimum Side Setback: | 5 feet |
| | Type "A" | 3 feet |
| | Type "B" | 0 feet |
| | All Other Uses | |
| j) | Minimum Rear Setback: | 20 feet |
| | Type "A" | 17 feet |
| | Type "B" | 0 feet |
| | All Other Uses | |
| k) | Building Separation: | |
| | If any buildings within the tract are not attached, there must be a minimum separation between them of 10 feet. | |
| l) | Parking: | |
| | As set forth in Section 909. | |
| m) | Signs: | |
| | As set forth in the Sign Ordinance and in accordance with a sign program for the tract which shall be approved by the Planning Commission as a part of the overall design criteria for the tract. | |
| n) | Maximum Building Height: | |
| | Three stores plus a basement. | |
| o) | Buffers: | |
| | The following buffers and greenbelts shall be provided: | |
| | 1. | A minimum 35-foot wide, City-owned greenbelt along the north property line adjoining the Mathis property; |
| | 2. | A minimum 50-foot wide, City-owned greenbelt along the west property line adjoining the Southern Trace and Parkway Estates subdivisions. |

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

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

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

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

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

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

- t) Watershed Protection:
The developer must take whatever steps are necessary to assure that the quality and quantity of stormwater runoff from the tract is

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

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

1006B.15.6 Application of Requirements and Conditions:
The requirements and conditions specified in this Section shall remain in effect unless specifically amended or revoked by subsequent action of City Council in accordance with the established procedure for zoning amendments.

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

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

Mayor

Attest: _____

City Clerk

Attachment "A"

ATTACHMENT "C"
DRAFT SUBMITTED TO PLANNING COMMISSION
ON JANUARY 24, 2000
PAGE 5 OF 5

13. The following documents were distributed for review:
- 1999 Fayette County summary of residential and commercial building permits
 - Development Status Reports (week ending January 21, 2000)

APPROVAL OF MINUTES

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

PUBLIC HEARING

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

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

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

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

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

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

Several residents spoke in favor of this development.

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

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

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

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

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

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

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

The Planning Commission set the following understandings and conditions:

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

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

5. CONCLUSIONS AND RECOMMENDATIONS

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

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

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

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



FAYETTE COUNTY BOARD OF EDUCATION

P.O. BOX 879
FAYETTEVILLE, GEORGIA 30214-0879
PHONE: (770) 460-3535
FAX: (770) 460-8191

BOARD MEMBERS:
DEBBIE CONDON, CHAIR
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WOODY SHELNUTT

DR. JOHN D. DECOTIS
SUPERINTENDENT

February 21, 2000

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

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

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

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

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

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

Sincerely,


Dr. John DeCotis
Superintendent



Peachtree City

Georgia

March 12, 2000

Mr. and Mrs. Rodney Strong
319 Sandaline Lane
Peachtree City, GA 30269

RE: Variance Request – Lot 48 Windalier Ridge Subdivision, 319 Sandaline Lane

Dear Mr. and Mrs. Strong:

During a public hearing on March 2, 2000, the Mayor and Council of Peachtree City granted your request for a variance to the setback ordinance. The variance was granted to allow a corner of a proposed room addition to encroach 2.6 feet into the setback area.

Please retain this official notification for your records and advise any future homeowner of the situation. If you have any questions, you may call me at (770) 487-7657.

Sincerely,

Nancy Faulkner
City Clerk

cc: Zoning Administrator
Building Official

POSITION PAPER
Proposed Variance: Lot 48, Windalier Ridge Subdivision
Director of Developmental Services
February 21, 2000



Situation:

Mr. and Mrs. Rodney L. Strong own the property at 319 Sandalin Lane, Lot 48 Windalier Ridge Subdivision. They desire to construct a 12 foot wide by 20 foot long room addition at the rear of their home. The proposed room addition would encroach into the required rear setback area. An application for a variance has been submitted to allow the proposed encroachment (Attachment "A").

Facts:

1. The required rear setback in Windalier Ridge is 30 feet.
2. One corner of the proposed 12' x 20' room addition would encroach into the setback 2.6 feet (Attachment "B").
3. The proposed variance has been properly posted and advertised.

Recommendation:

The staff recommends that the proposed 2.6 foot variance be approved as requested. It represents a relatively minor encroachment and it is unlikely it would adversely affect any of the adjoining or nearby properties.

JBW/jir

Attachments: "A" - "B"

REQUEST FOR VARIANCE
ZONING ORDINANCE, CITY OF PEACHTREE CITY

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

319 Sandalwood Lane, Peachtree City, Georgia, 30269

The reason this variance is being requested is as follows: This variance is being requested in order to add an addition to the home of 12' x 20'. The 12' width would extend over rear setback by 1 foot. This request is needed in order to use the lot more efficiently due to the irregular shape.

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

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

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

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

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

Name: (Please type or Print) Rodney & Annette Strong

Address: 319 Sandalwood Lane Peachtree City, GA 30269

Phone: 770-631-9183

Signature: Rodney Strong / Annette Strong

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

Signature: James B. Wilkerson

Title: ZONING ADMINISTRATOR

Date of Acceptance: FEBRUARY 8, 2000

Date of Public Hearing: MARCH 2, 2000

ATTACHMENT "A" 1 OF 2

**DETAILED REPORT
for VARIANCE at
319 Sandalin Lane
Peachtree City, Georgia 30269**

Please grant a variance for property located at 319 Sandalin Lane, Peachtree City, Georgia, that will allow building a 12 x 20 addition to the home. The twelve feet width will extend over the rear setback by one foot. A lesser width would cause hardship to owners because any narrower width would decrease the aesthetic value of the room.

The addition is being built to accommodate a home office and recreation room. Because of the irregular shape of the lot, full use of the lot is inhibited. (See Exhibit A) Instead of the front setback being forty feet as required by zoning ordinances, it is more than fifty-seven feet from the street. The additional seventeen feet disallow efficient use of the land because of its irregular shape. Granting the variance will allow better use of the land lot and also increase the value of the property. Also, because the addition will only need to extend over the rear setback by one foot, it will not cause any harm or hardship to neighboring properties. In fact it will bring property value more in line with other high-end homes in the subdivision. The house is not centered on the lot, so extending the house on either side is impossible without infringing on the property lines of neighboring properties. Extending from the rear is the most efficient, cost effective, and value increasing alternative available.

Thanks

Rodney & Annette Strong

Rodney and Annette Strong
Homeowners

ATTACHMENT "A"

2 of 2

STATEMENT OF RICHARD P. LINDSEY FOR CITY COUNCIL MEETING

I asked for a few minutes to address you tonight. In the past couple of months, there have been several "letters to the Editor" printed in one local newspaper accusing our firm, and more particularly, Jim Webb, of a conflict of interest caused by our position as City Attorney and Jim's involvement in a new, locally-owned, community bank named The Bank of Georgia. The accusations of a conflict of interest apparently stem from the fact that Steve Black and Mike Rossetti, two other local businessmen, were also involved in starting this new bank while they were also employees and possibly owners or shareholders of local companies that from time-to-time sue the city over development issues. Please understand that the bank is not a partnership, but is a corporation. Mr. Webb, Mr. Black, Mr. Rossetti, and nine others organized the bank and sit on its Board of Directors. It has more than 300 shareholders and I believe most of these shareholders are Peachtree City residents.

When Mr. Webb first agreed to sit on the bank board, we reviewed our state ethical codes to ensure there was no ethical conflict. It is common practice for attorneys in Georgia (and quite probably city attorneys) to sit on bank boards. After these letters began appearing in the local newspaper, we contacted the State Bar of Georgia in order to obtain an official opinion of whether or not Mr. Webb's position on the bank would present a conflict of interest with our position as City Attorney. We were told that we would have to wait one-to-two years in order to obtain a written opinion from the State Bar. So, we again reviewed the ethical rules and conducted legal research. We even contacted the American Bar Association. After all of that, we arrived at the same conclusion - Mr. Webb's status as a shareholder and director of the bank does not, in and of itself, present a conflict of interest. We have even consulted with a journalism and ethics professor who has confirmed that there is no conflict of interest.

As with all clients, we must be ever mindful of potential conflicts which may arise between our clients and which may arise between our clients and our personal interests. Lawyers

in the State of Georgia are governed by a set of written Standards of Conduct. The pertinent standard reads as follows:

Except with the written consent or written notice to his client after full disclosure a lawyer shall not accept or continue employment if the exercise of his professional judgment on behalf of his client will be or reasonably may be affected by his own financial, business, property or personal interest.

Rule 4-102, Standard 30.

Presently, in our opinion, there is absolutely no conflict between Mr. Webb's involvement with the Bank of Georgia and our firm representing the City of Peachtree City. First, the Bank of Georgia was not open for business when these letters began appearing. Second, the Bank of Georgia had not made any loans to any person or company when they first appeared. Third, the Bank of Georgia has had no issues with - and quite probably has no contact with - the City of Peachtree City. There simply is nothing on which to base an allegation of conflict.

These letters to the Editor have also accused our firm of being intertwined with Pathway Communities. Let me state that we have not represented Pathways or PCDC in the entire time we have been attorneys for Peachtree City. I do not know if we have ever represented any of the many employees or former employees of that company in a personal injury claim, criminal defense claim, or domestic relations action. However, I do not believe that we have represented any of the principals or "major players" of PCDC or Pathways in such capacities.

To my knowledge, none of our present clients has a claim adverse to Peachtree City which would require our firm to either disqualify itself from representing both parties or would

require our firm to receive a written consent from such parties. Also, to my knowledge, none of the attorneys at Webb, Stuckey & Lindsey, LLC, has a financial interest which would be adverse to the City of Peachtree.

If we ever have a situation which presents a conflict of interest with the City of Peachtree City, believe me, we will immediately notify the Council and leave it to Council to determine the direction to take as far as our representation of the City. Our firm is vigilant in protecting itself and our clients from conflicts of interest. We use a computer program to assist us. Also, our attorneys routinely discuss new matters which are brought into the firm so that we can avoid the possibility of such conflicts.

Now, I would like to directly address the letters and the journalistic style of a particular local paper. I believe, in general, that letters to the editor began appearing in the local paper on a regular basis sometime during the last few years. These letters have become increasingly outrageous. They frequently contain misinformation and statements which are blatantly inaccurate. It seems that the same small group of authors sends most of these letters. On frequent occasions, an author has more than one letter per week printed in the newspaper. These letters appear so frequently that they are more like editorials, condoned and encouraged by the paper, than more traditional "letters to the editor." I have never seen a newspaper engage in this type of conduct. These letters are only rarely complimentary and invariably find something negative to discuss about our city and county government and our fine community. It is almost impossible to defend oneself against these constant allegations because the paper has the power of the press and can pick and choose what it elects to print. Thus far, council and our office have chosen to ignore them, feeling that the vast majority of our citizens know the real truth. However, the accusations contained in these most recent letters have continued to escalate and have now exceeded the bounds of fair comment.

As the City Attorneys, we expect to receive some heat from time-to-time over legal opinions that we give to the City. Such heat goes with the territory. As we all know, we simply tell you what we believe are the legal ramifications of your decisions and give you recommendations. We do not decide the course of action you take - - you do. We are not infallible and perhaps there have been times when our advice could have been second-guessed, but we have never given you advice that we believed to be wrong when we gave it. We feel that we have served this city with integrity and honor during our eight years and hope you feel we have done an excellent job.

The recent letters, however, have not criticized our opinions. These letters have attacked our ethics, have made claims that we have not properly represented the City, have made claims that we maintained improper and unethical relationships which have negatively affected our clients (and, in particular, the City), and have made claims that we improperly profited from our representation of the City. We can no longer stand by while the ethics of our firm and of its attorneys are attacked, especially when done so in the news media. There is absolutely no basis for these attacks and such attacks are clearly libelous.

To my knowledge, no lawyer in our firm has ever breached his or her ethical obligation to any of our clients by allowing his or her personal interests to interfere with our duty to properly represent our clients or ever placed his or her personal interests above the interests of our clients. Ever.

Additionally, we have not reaped some huge financial reward in representing the City. Rather, we have represented the City at hourly rates which are far below our standard hourly rates. We have also sent two, and sometimes three, lawyers to meetings and yet only charged for one lawyer. When training lawyers, we never make a charge to the City for such training. For the past two years, our firm's annual billings to the City have been just over \$100,000.00.

For both years, this represented less than one-thirtieth (1/30th) of the total income of our firm. In addition, in both years, we donated to the City, through the Development Authority, \$25,000.00 each year to sponsor the Summer Concert Series. We view the sponsorship as an act of good will and as a means of supporting our community. The implication that we have "gotten rich" off of the City is simply false and ludicrous.

We believe that the intent of these letters to the Editor and the newspaper's decision to publish them was designed solely to poison the community's feeling toward Mr. Webb and our firm regarding our representation of the City. It is also our belief that the misleading headlines attached to these letters were added by the local newspaper. Several days ago, my law partner wrote to the author of most of these letters and to the newspaper which printed these letters alerting them that these statements were defamatory. He demanded a retraction. Even after being given this opportunity to recant, no retraction or apology was made or printed. In fact, in an almost-unbelievable show of arrogance, the newspaper printed our letters as if there was something improper in our demanding a retraction, and then the paper published additional letters from this same small group of authors that again implied some wrongdoing. This has got to stop!

So our firm is left with a difficult decision. We can either withdraw our application to remain as City Attorney and let this kind of conduct go unchecked, or we can stand up and fight. The attorneys in our firm are not accustomed to standing by and allowing injustice to prevail. Someone has to bring a halt to this type of inappropriate journalism and the slurring of people with excellent reputations. We will not withdraw our application and cannot stand idly by while our firm and lawyers are libeled by these "Letters to the Editor," and, more importantly, the newspaper's willingness to print these untruths. Not one of these letter writers or the newspaper has asked Mr. Webb or me to comment on these allegations. If someone was interested in the truth, wouldn't they ask us about it? So, we choose to stand and fight and look forward to the

opportunity of righting these wrongs in a court of law. There is nothing more important to a lawyer and a law firm than their reputation; we will defend the reputation of our firm and the lawyers who work there.

Therefore, and with some regret, I am announcing to Council and to the public, that earlier today we filed suit in Fayette County Superior Court on behalf of Jim Webb and the law firm of Webb, Stuckey & Lindsey against Mr. Stephen Brown, Fayette Publishing, Inc. the publisher of The Citizen Newspaper and The Peachtree City Citizen Review, and its publisher Mr. Calvin Beverly, personally, for libel. This litigation is likely to be both lengthy and expensive; however, we are prepared to fight and fight we will.

Even though there clearly is no conflict of interest, so there can be absolutely no question about the appropriateness of our conduct while we litigate these baseless allegations, during the pendency of this suit, Mr. Webb will not represent the City. As all of you know, Mr. Ott and I have done the bulk of the City's work for the last few years. Mr. Webb has essentially supervised the City's litigation and consulted with us on strategy issues. He will voluntarily discontinue all such activity until these wrongs are righted. I consider this a loss to the city in that all of you recognize that Mr. Webb is one of the most respected trial lawyers in this state and, to the best of my knowledge, is the only lawyer in Fayette County who is certified in trial law by the National Board of Trial Advocacy. He is also the former State chairman of the General Practice and Trial Section of the Georgia Bar. Believe me, his credentials are impressive. His counsel on city matters will be missed.

On a personal note, I think that these libelous remarks have done a great disservice not only to Mr. Webb, his family and our law firm, but to the reputation of our town. Americans believe in freedom of speech and freedom of the press, but these constitutional rights are limited. People cannot just say or write anything. Newspapers cannot just print anything. They have an

obligation to tell, write, and print the truth. Newspapers have an additional obligation to print it objectively and accurately. They must balance the right of a free press and the public's need to know with the right of an individual to be protected from libelous remarks which harm his good name and professional reputation.

I hope this dispute can be resolved in a court of law where there are rules that control what can be said rather than this newspaper continuing to bring discredit to our town by reporting about this situation in a one-sided, distorted manner. As it goes forward there may very well be other parties added to this case before all the truth is known regarding the motivations for this conduct - - but our firm will not be trying this case in the newspapers. We will try it in a court of law where honesty and integrity will prevail.

Finally, so that everyone is clear about our intentions and our main purpose in filing this lawsuit, I am stating publicly that our current intention is that any monies which we may receive as a result of this lawsuit will be given to a local charity and not kept by any members of our firm.

Thank you for the opportunity to speak tonight.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: City Manager 

DATE: February 25, 2000

SUBJECT: Municipal Court Judge, Judge Pro Hac Vice and City Attorney/Solicitor

Six firms submitted proposals for Municipal Court Judge and six firms submitted proposals for City Attorney/Solicitor. Bid tabulation sheets and copies of each proposal are attached in the back of this package. Staff makes the following recommendations:

MUNICIPAL COURT JUDGE – Appoint A. Mitchell Powell of the firm of Glover & Davis for the following reasons:

Quality of Judicial Decisions - In my opinion, Judge Powell consistently has rendered right decisions in court cases before him based on his objective review of the facts. Complaints on his decisions and courtroom decorum are nonexistent. Throughout the history of City Court this has not always been the case. The Mayor, Councilmembers and staff were at times placed in a very difficult position when trying to explain or justify judicial decisions to citizens. However, during Judge Powell's tenure as City Judge, there have been, in fact, a number of compliments on his handling of cases not just from those found innocent, but also from some whom he found guilty.

Fairness and Compassion – Judge Powell has a reputation for being fair and compassionate to those who come before him. These two qualities are no doubt re-enforced as a result of the divinity degree he obtained when he left the legal profession for several years. In essence, it is imperative that a judge has an established reputation for taking defendants' comments and circumstances into consideration before rendering a verdict. It is essential that citizens feel the judge will listen, and that it is worth their time to come to court. Judge Powell has earned such a reputation.

Judicial Experience – Judge Powell has been our Municipal Court Judge since his initial appointment in 1992. The eight-years of experience he has gained is invaluable in evaluating testimony and determining the guilt or innocence of defendants. There is no substitute for this experience, which most justifiably comes at a higher price.

Fee - While there are two proposals with significantly lower hourly rates, staff feels it is worth the additional investment to retain the services of Judge Powell in this very critical, high profile position.

To conclude, I feel we owe it to our citizens to have a judge of Mr. Powell's experience and proven track record to serve them. Attached is a memo from the Director of Administrative Services further recommending the appointment of Judge Powell.

JUDGE PRO HAC VICE – Appoint Eric Maxwell. While his hourly fee is \$5 higher than that of Sharon Pierce, Ms. Pierce had advised staff that she expects to be paid the same hourly rate as the Judge. Mr. Maxwell's resume reflects that he is certified to hold judgeship both for Municipal Court and State Court, and he presently serves as Judge Pro Hac Vice for the City of Fayetteville and the State Court of Fayette County.

CITY ATTORNEY/SOLICITOR – Appoint the firm of Webb, Stuckey & Lindsey for the following reasons:

Fees - While Webb, Stuckey & Lindsey did not offer the lowest hourly rate, the firm's total fees would probably be the lowest due to increased portal to portal fees for those firms outside Peachtree City. This would be particularly true for the firms located in the Atlanta area.

Local Firm - When prices are reasonably competitive, it is the policy of Peachtree City to purchase goods and services from local businesses located in Peachtree City that pay City tax. The firm of Webb, Stuckey, & Lindsey was the only local firm submitting a proposal.

City Attorney Experience - The firm has eight years of city attorney experience, serving the city since 1992. The attorneys can answer many questions "off the top of their head," in many cases saving costly hours of research.

Depth of Firm – The firm has three principal attorneys to serve the city that are experienced and trained in the areas of city government. In almost every case, one of these attorneys is available at a moment's notice to respond to a need. However, there are several other attorneys with the firm who have done work for us. Thus, when timeliness is an issue, and it often is, the firm has the depth to respond immediately.

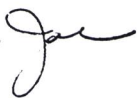
Availability – Since a number of the attorneys for the firm live in Peachtree City, city attorney service is available on a 24-hour basis. It is common for one of the attorneys to be at the Police Department on a daily basis meeting with a Police Officer or a detective on a case. In many cases, this is late in the evening when an officer is coming on or going off duty. Additionally, there are frequently several meetings a week with members of the staff.

Quality of Service – The lack of lawsuits against the city is indicative of the quality of service provided by the firm. In those isolated cases where the City has been sued, the firm has an excellent track record. Further, the firm is able to provide top-notch service for all the reasons discussed above. A key measurement of the firm's quality of service is "responsiveness."

To conclude, attached are memos from several staff members on city attorney services.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Jim Basinger
FROM: Jane Miller 
DATE: February 4, 2000
SUBJECT: Judge/City Attorney Appointment Recommendations

Since becoming Municipal Court Judge, Mitch Powell has taken our court to a much higher level of professionalism and efficiency. He is a very ethical person who believes in treating all people who come before him in court with fairness and courtesy. He listens carefully to defendants and police officers and then renders decisions based on what he has heard. He is knowledgeable about State law and municipal ordinances and is respected by the attorneys who practice in our court due to his competency and demeanor in the courtroom. I receive no complaints on Judge Powell from defendants or attorneys about his decisions due to the manner in which he conducts court and the fairness he displays. In addition to his courtroom performance, Judge Powell also provides the Court Clerk with timely answers to questions she may have and is always available to handle problems that may arise between court sessions. This, along with a willingness to continually evaluate court operations, has led to greater efficiency in court operations and a streamlining of court procedures. Losing Judge Powell could certainly be very detrimental to court operations and the reputation our court enjoys in the community.

I have dealt with the attorneys at Webb, Stuckey and Lindsey since they became the City's attorneys in 1992. For the past five years, I have had weekly contact with one or more of the attorneys due to issues they were handling for the City and due to their performance as court solicitor. They have consistently met or exceeded my expectations for availability, promptness, and thoroughness. As a local firm, they are able to come to City Hall on very short notice when issues arise that need their attention. Calls are always returned promptly. Their knowledge of municipal and state law and their capability for timely research, when necessary, have proven to be most beneficial to City staff. Additionally, since they have drafted many of our City ordinances, they not only know the ordinance requirements but also the history and intent of the ordinances. Staff respect our City Attorneys and depend on their expertise on a daily basis.

Our Court Clerk has been very pleased with the support she receives from the Judge and the City Attorney/Solicitor. I have attached a memo she forwarded to me that contains information about her interaction with our Judge and Court Solicitor. Their relationships with the court have enhanced the operation of our court through increased efficiency and responsiveness.

/jsm

Attachment

To: Jane Miller, Director, Administrative Services

From: Laura Ann Oles, Municipal Court Clerk

CC: Personal File

Date: 01/31/00

Re: **Recommendation for Municipal Court Judge and City Attorney**

I would like to take this opportunity to provide you with my personal input as to whom I would recommend for the above positions. I have worked with these individuals for the past eight years and feel that I know them extremely well.

Judge A. Mitchell Powell, Jr.

Judge Powell has been a loyal public servant of Peachtree City since 1992. Throughout his tenure, he has demonstrated to me his dedication and desire to improve and expedite the judicial functions within our Court System. He continuously goes far and above his responsibilities to serve the people of the city.

Judge Powell is extremely knowledgeable of our State Laws and City Ordinances. He dispenses his judgments in an unbiased, fair and professional manner. Since I deal with the judge on a daily basis, I can confirm that our working relationship has made for a more efficient Court System. In plain language, if it works, why fix it. I recommend that Judge Powell remain as our Judge.

Webb, Stuckey and Lindsey Law Firm

Mr. Rick Lindsey, has been serving as the City Solicitor since 1992. During that time, Rick has unselfishly provided his knowledge, professionalism, expertise, and fairness to assist me in the accomplishment of my duty as Court Clerk. Rick has always been available, on or off duty, to answer any questions I have that deal with matters of the Court.

Rick continuously advises not only me, but also our police officers on matters of law that could affect the outcome of many cases. Our working relationship has immensely improved the operation and expedience of cases in our Court System. I have never had a problem contacting Mr. Lindsey on short notice concerning matters of the Court.

It is my personal opinion that a change in the present court "team" would significantly affect the operation of our court system, as we now know it.

I would appreciate your informing the City Council of the comments that I have provided to you in this memo.

Laura Ann Oles

Court Clerk



POLICE DEPARTMENT

153 Willowbend Road • Peachtree City, Georgia 30269 • 770-487-8866 • Fax: 770-631-2512



JAMES V. MURRAY
Chief of Police

TO: JIM BASINGER, CITY MANAGER
FROM: JIM MURRAY, *JVM* CHIEF OF POLICE
DATE: FEBRUARY 15, 2000
SUBJECT: CITY ATTORNEY

Per your request, I have outlined below the services that are required by the police department with regards to the city attorney. As one of the main users of this service on a daily basis, the police department has a vested interest in the ability of this individual or individuals to provide immediate and accurate answers to complex questions almost every day. These issues include, but are not limited to, the following: Court, Criminal Matters, Civil Matters, Policy and Procedure, Personnel Matters, and Civil and Criminal Law. Contained below are issues we feel are important.

COURT: A weekly process that requires the Solicitor to coordinate the activities between the court and the officers, and answer all motions of discovery that have been filed. In 1999, a total of 133 motions of discovery were filed. These motions are hand delivered to the Solicitor for immediate attention as required under the law. These motions also require examination of evidence, which includes video. Because this evidence is part of the case file, the arresting officer must be there. Because of shift work, the Solicitor must work around the officer's schedule, which requires evenings, weekends and early morning meetings. Having a local attorney as Solicitor is a valuable asset in this area.

CRIMINAL AND CIVIL MATTERS: The police department deals daily on both criminal and civil matters. In most cases, this includes legal research that must be conducted by the city attorney's office. It is always nice to have numerous lawyers in the same offices that are available to answer questions or conduct research immediately. In addition, because Peachtree City is unique in its make up, being familiar with local ordinances and the past history on these issues is extremely helpful.

POLICY AND PROCEDURE: Because the police department is internationally accredited and state certified, all policies and procedures must be reviewed to make sure they follow civil and criminal law as applied to the daily operation within the department. This knowledge is derived through many years of dealing with situations that occur. This process takes a great deal of hands on inspection to make sure the 412 standards are adequate. The current city attorney has been a major part in this review process since our original accreditation process in 1992. During numerous challenges to these policies, we have prevailed with their professional assistance and have made important changes when required.

LOCAL CAMARADERIE: This is a very important and sometimes over looked issue when prosecuting cases in the local system. It was very obvious the last time we changed the solicitor and judge, both the police department and the solicitor spent countless hours and expense establishing their professional standards when dealing with cases. This is a long trial and error period, designed to challenge these positions and the individuals ability to adequately prosecute cases or establish their philosophical legal standings.

TRUST: This issue is very important to the police department and the officers that appear in court each week or deal with the city attorney on legal issues. Trust is a combination of experience and performance. This task of establishing a professional working relationship takes many years of interaction between these individuals.

It is the recommendation of the police department that a local legal firm, with adequate legal staff, be considered for this appointment. I am available to discuss this issue with you.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: City Manager
FROM: Jim Williams 
DATE: January 31, 2000
SUBJECT: Webb, Stuckey and Lindsey

The firm of Webb, Stuckey and Lindsey, acting as attorney for the City, has served the needs of the Developmental Services Division well. Their responses are always prompt and well thought out, and they have never failed to provide effective legal assistance whenever it was requested. In particular, I have come to appreciate the services of Stephen Ott. He returns calls quickly and never fails to provide timely and thoughtful answers to my questions.

The main strength of this firm is that it has good depth and experience in the primary areas of activity for a municipal government. This, coupled with the fact that the firm is local and is available for frequent meetings on short notice, has resulted in a consistently high level of service to the city over the years.

Their only weakness, as far as my division is concerned, is the lack of a staff attorney with experience in zoning and land use litigation. However, that weakness is shared with most other firms that would be interested in being our City Attorney, and it can be easily overcome by employing a firm that specializes in land use litigation to handle these infrequent matters.

Quotage

CITY OF PEACHTREE CITY
BID TABULATION SHEET

BIDDER NAME	MAILING ADDRESS	BID AMOUNT	BOND	AWARD
<i>Eric Maxwell</i>	<i>Raytownville</i>	<i>70.00 hr.</i>		
		<i>\$125.00 hr.</i>	<i>after hrs.</i>	<i>hrs.</i>
<i>R. Michael Whaley</i>	<i>Atlanta</i>	<i>\$400.00</i>	<i>per session</i>	
<i>Glenn & Davis, P.A.</i>	<i>Newnan</i>	<i>\$120.00</i>	<i>hr.</i>	
<i>Sharon J. Davis</i>	<i>Raytownville</i>	<i>\$65.00</i>	<i>hr.</i>	
<i>W. Lander Callahan</i>	<i>Peachtree City</i>	<i>\$100.00</i>	<i>hr.</i>	
<i>Goetz, Pihler & Jellner</i>	<i>Atlanta</i>	<i>negotiable</i>		

PROJECT: _____ Bids opened by: _____
_____ Witnessed by: _____
_____ Completed time: _____
DATE: _____ PAGE: _____

ERIC K. MAXWELL, P.C.

Attorney at Law
135 Brandywine Blvd.
Suite C
Fayetteville, GA 30214
770 461-1461
770 487-1003 (PTC)
770 460-1920 (fax)

January 5, 2000

Marcie Blind
151 Willowbend Dr.
Peachtree City, GA 30269

RE: Municipal Judge

Dear Marcie:

This letter is to express my interest in serving as the judge for the Municipal Court of Peachtree City. It is my understanding that the City is currently taking applications for this position. I meet all of the advertized qualifications for judge. I have been a licensed attorney since 1991.

Presently, I am the Pro Hac Vice Judge of the State Court of Fayette County and have held that position for the past three years. In that capacity, I hear both criminal (traffic, misdemeanor and ordinance violations) and civil cases.

I was appointed Pro Hac Vice Judge of the City of Fayetteville in January 1998 and continue to hold that position. As Judge, I routinely issue arrest warrants, search warrants, and conduct bond and first appearance hearings. I am state certified to hold both the State Court Judgeship as well as the Municipal Court Judgeship.

As you know, I was the city prosecutor for Peachtree City for 1993-1995. I am a trial attorney with an emphasis in personal injury. I do not maintain a criminal practice, however I am well versed in criminal procedure and law.

I moved to Peachtree City in 1973. I am a member of the Fayette County Bar Association and served as President for 1994. I am a member of the Georgia Trial Lawyers Association and the American Trial Lawyers Association. I am a member of the Peachtree City Rotary Club and will be its President for 2000-2001. I am a charter member of the Peachtree City Baptist Church.

I am willing to arrange my calendar to sit as the judge on the regular weekly basis. I would also be available after normal business hours and on weekends. I propose that I be compensated at \$70.00 per hour during normal business hours and \$125.00 for after hour business.

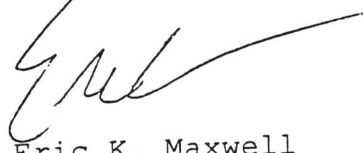
I propose that the City consider one of two (or a combination

of both) procedural changes. I would set an arraignment calendar for two of the monthly court sessions. Most cases can be disposed of on this first date i.e. pleas of guilty, nolo contendere or nol prosse. The other two monthly sessions would be reserved for trials. I would also recommend that the court have a morning and an afternoon session. I realize that in any change that I have suggested that a new problem is created, however, I have found that the Fayette State Court calendars move much more quickly using a combination of the two suggested changes.

If I am not selected a the judge, then I would like to be considered for the Judge Pro Hac Vice position.

I am more than happy to come for an interview. I look forward to hearing from you soon.

Sincerely,

A handwritten signature in dark ink, appearing to read 'E. Maxwell', with a long, sweeping horizontal line extending to the right.

Eric K. Maxwell

enc

cc: Jim Basinger

ERIC K. MAXWELL
Attorney at Law
135 Brandywine Blvd., Suite C
Fayetteville, Georgia 30214
770-487-1003
770-460-1920 (fax)
678-427-9492 (cell)

EDUCATION

Juris Doctorate, 1991
Walter F. George, School of Law
Mercer University

LEGAL EXPERIENCE

October 1997 - Present
Law Office of Eric K. Maxwell, P.C.
Private Practice
Primary Area of Practice – Personal Injury

January 1993 - October 1997
Webb & Lindsey
Partner

June 1991 - January 1993
Law Office of Eric K. Maxwell, P.C.
Private Practice

Intern Summer 1990
W. Fletcher Sams
District Attorney – Griffin Judicial Circuit

Clerk Summer 1989
Honorable Ralph H. Hicks
Chief Judge Fulton County Superior Court

PROFESSIONAL MEMBERSHIPS

State Bar of Georgia
Georgia Trial Lawyers Association
American Trial Lawyers Association
Fayette County Bar Association
Certified Municipal and State Court Judge

R. Michael Whaley

Attorney At Law

P.O. Box 95188
Atlanta, Georgia 30347

~~(404) 321-5787~~
770-775-0755

January 12, 2000

Marcie Blind
Purchasing Agent
Peachtree City
151 Willowbend Road
Peachtree City, Georgia 30269

RE: Position of Municipal Court Judge

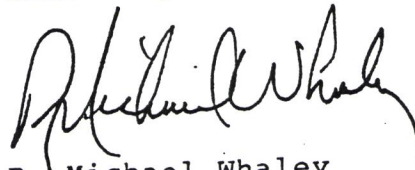
Dear Ms. Blind;

Enclosed please find a resume and Court Proposal for the municipal judgeship position.

I have served as a municipal court judge for several years in Cobb County and I have, now, relocated and would like to serve on the southside and not travel like I have in the past. I am, therefore, not going to continue filling my previous Cobb County positions which were requiring seven days per week. A cut back in those activities will give me greater flexibility.

For the past several years I have handled over thirty five thousand cases, annually, as I served as the judge in multiple jurisdictions. I am currently a certified Municipal Court Judge in Georgia and I look forward to an opportunity to meet, personally, with a representative of the city to expand upon these proposals and to become more acquainted with the specifics of the Peachtree City procedures.

Sincerely,


R. Michael Whaley

RMW/js
Enclosure

On the arraignment dates, the Solicitor would negotiate pleas and have a working knowledge of the cases as they come to trial. This, therefore, limits the required appearances for witnesses to when they will actually be needed.

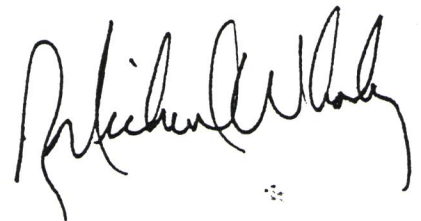
I regularly meet with attorneys prior to the actual call of the court calendar, in order to accommodate their conflicting schedules and to expedite the time spent in court by those representing themselves. My practice is to be available at least an hour before court is scheduled to convene. The Bar appreciates this consideration as it allows them to more timely get to other required courts. This extra effort, dramatically, improves the time one spends in the court.

The Court makes a special effort to counsel with young offenders and to be creative in handling matters involving persons with long time good records who have encountered a first time, isolated, problem. The Court feels that education and the modification of behavior is the major purpose of enforcement and the judicial process.

A traffic school program, funded by the offenders themselves, is an excellent way to deal with such matters and the Court used it effectively in other jurisdictions. This, and other alternative methods, are favorably received by the public as they respond to the understanding and compassion of the Court in recognizing long term good driving habits. Compassion, understanding, and humor, to reduce stress, is vital as the city meets the citizenry through the judiciary.

On the other hand, the Court, through years of experience, can detect when punishment, alone, is the only appropriate means of attempting to modify behavior. Repetitive conduct is dealt with accordingly. The Court avails itself of probation to motivate and monitor compliance with court orders. The public expects a strong stand on matters of public safety and the City and the Court must respond when applicable.

As an aside, in each court in which I have set, the court has become more efficient, more state compliant, and more a positive reflection on the city. As well, the cities' have experienced dramatic increases in revenues, public confidence, and police morale and performance.



**MUNICIPAL COURT JUDGE APPLICATION
CITY OF PEACHTREE CITY**

R. MICHAEL WHALEY
P. O. BOX 95188
ATLANTA, GEORGIA 30347
770-775-0755

DOB 1/2/45
GA BAR #750750
ADMITTED 1976
Life long Georgia resident

MARITAL STATUS

Married with 3 grown children

JUDICIAL EXPERIENCE - Certified

Municipal Court Judge
City of Smyrna
Municipal Court Judge
City of Kennesaw
Municipal Court Judge
City of Acworth

12 years
1986-1999
5 years
1994-1999
3 years
1996-1999

EDUCATION

Woodrow Wilson College of Law
JD Degree
National Law College Seminar
Chicago, Illinois
Numerous Training Courses in law
New Orleans Baptist Theological Seminary
Georgia State University
AA - Criminal Justice
BS - School of Urban Life

EMPLOYMENT

Private Practice of Law
Pastor - Baptist and
non-denominational congregation
Fulton County Asst. District Attorney
Asst. Chief Investigator - Fulton Co.
Police Instructor
Atlanta Police Department

1985-Present
1992-Present
1976-1985
1969-1975
1979-1985
1965-1969

SALARY REQUIREMENTS

\$400.00 per court session -In addition, I will appear at least one other day for the purpose of signing contempt warrants and will be on call 24 hrs. per day as needed for no added compensation.

CONTACT REFERENCES

Clerk Betty Longdin - Retired Dec. 1999
Clerk Peggy Newsome (O) 770-319-5347
Clerk Kristen Norton
Chief Dwayne Wilson - City of Kennesaw

(H) 770-436-3897
(H) 770-943-2548
(H) 770-422-1867
(O) 770-429-4535

GLOVER & DAVIS, P. A.
ATTORNEYS AT LAW

NEWNAN (770) 683-6000
PEACHTREE CITY (770) 487-5834

NEWNAN OFFICE:
P.O. DRAWER 1038
10 BROWN STREET
NEWNAN, GEORGIA 30264
FACSIMILE (770) 683-6010

PEACHTREE CITY OFFICE:
200 WESTPARK DRIVE
SUITE 130
PEACHTREE CITY, GEORGIA 30269
FACSIMILE (770) 487-3492

January 14, 2000

Honorable Robert Lenox
Mayor of Peachtree City
and Honorable Council Members
Peachtree City City Hall
151 Willowbend Road
Peachtree City, Georgia 30269

Dear Mayor Lenox and Council Members:

I realized, when writing this proposal, that I have been associated with Peachtree City in the capacity of either City Attorney or Municipal Judge for fifteen of the last eighteen years. Eight of those years I was City Attorney; the other seven I have served as Municipal Judge.

I have enjoyed and benefited personally and professionally from our association in both capacities. I, also, like to think the City has benefited from that association and that I have contributed in some ways to the Peachtree City success story.

I would be pleased to continue to serve as Municipal Court Judge, if the Council sees fit to appoint me to that position.

I have tried very hard to operate the Court efficiently and give everyone a fair and impartial hearing. I would continue that approach in the future.

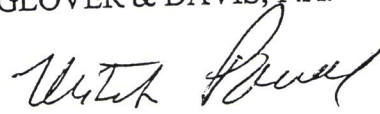
Honorable Robert Lenox
Page Two
January 14, 2000

If you or any member of Council or staff wish to discuss this proposal in more detail or if you have questions regarding it, I will be pleased to meet with you at your convenience.

Sincerely,

GLOVER & DAVIS, P.A.

By:



A. Mitchell Powell, Jr.

AMP,jr/psb

cc: Jim Basinger
Jane Miller
Brenda Rogers

PROPOSAL TO ACT AS
MUNICIPAL COURT JUDGE

A. MITCHELL POWELL, JR.

Qualifications for Judge:

I currently meet or exceed all qualifications including current certification as required by State Law.

Other Requested Information:

1. Number of years licensed to practice law in Georgia.

21

2. Resume of legal experience, education and other qualifications.

A. MITCHELL POWELL, JR., born Newnan, Georgia, June 2, 1953; admitted to bar, 1978, Georgia, Georgia Supreme Court, Georgia Court of Appeals and U.S. District Court, Northern District of Georgia. Education: Shorter College (B.A., cum laude, 1975); Mercer University (J.D., 1978); Harvard University (M.T.S., 1987) Member: Moot Court Board, Editor, 5th Circuit Survey, Mercer Law Review, 1977-1978. Associate Justice, Student Court, 1976-1977. City Attorney, Peachtree City, 1980-1986; 1989-1992. City Attorney, Newnan, 1982-1985. County Attorney, Coweta County, 1988-. County Attorney for Heard County, 1987-1997. Judge, Peachtree City Municipal Court, 1992-. Member: Coweta Circuit Bar Association; State Bar of Georgia.

3. Any previous experience as municipal court judge.

Peachtree City Municipal Court Judge - January, 1992 to present.

Also, appointed by the Georgia Supreme Court to act as hearing officer in cases involving ethics violations by members of the Georgia Bar Association.

4. Proposed format to be used in conducting municipal court.
Same as currently in place, unless need arises to make changes.
5. Salary Requirements.
\$120.00 per hour.

Sharon I. Pierce, P.C.
Attorney at Law
Suite A
175 Bradford Square
Fayetteville, Georgia 30215-1967

770/461-2340

770/461-0439 FAX

January 12, 2000

Ms. Marcie Blind
Purchasing Agent
City of Peachtree City
151 Willowbend Road
Peachtree City, Georgia 30269

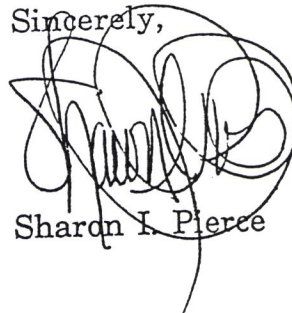
Re: Municipal Court Judge Proposal

Dear Ms. Blind:

Enclosed you will find my proposal for the position of Municipal Court Judge.

Should you or the Mayor or Council have any questions, please contact me at the above noted number.

Sincerely,

A handwritten signature in black ink, appearing to be "Sharon I. Pierce", written over a circular stamp or seal.

Sharon I. Pierce

Enclosure

Proposal of
Sharon L. Pierce
for the position of
Peachtree City Municipal Court Chief Judge

Qualifications

1. I am over twenty-one (21) years of age.
2. I am licensed to practice law in the State of Georgia.
3. I have actual courtroom experience as a judge in criminal cases.
4. I am available to issue warrants and perform bond hearings on an on call basis 24-hour a day.
5. I am available for day court one day per week and for occasional additional sessions.
6. I am already certified as a municipal court judge in the State of Georgia and attend annual training each year to maintain that certification.

Requested Information

1. I have been licensed to practice law in the State of Georgia since June, 1982. I have been in active practice since December, 1982.
2. Attached is a resume of my legal experiences, education and other qualifications.
3.
 - I served as Judge Pro Tem of the Fayetteville Municipal Court from March, 1988 through July, 1990. I have served as Chief Judge of that court from July, 1990 to date.
 - I have served as Chief Judge of the Tyrone Municipal Court from January, 1989 to date.
 - I have served as Judge Pro Hac Vice of the Municipal Court for the City of Peachtree City since March, 1992.
 - I served as Chief Judge of the Municipal Court of Luthersville from June, 1995 to December, 1995.
4. I have attached a proposed format to be used in conducting court sessions.
5. My minimum required salary for the position of Chief Judge is \$65.00 per hour.

Proposed Court Session Format

Order of Business

- Opening Statement
- Call of Calendar
- Administrative Motions (i.e., for continuances, transfers to Superior Court, requests for appointment of counsel, etc.)
- Probation Matters (i.e., walk-in hearings, revocation hearings)
- Guilty and Nolo Contendere Pleas
- Trials
- Hearings (on motions not related to trials, bond hearings, probable cause hearings, indigency hearings, etc.)
- Bond Forfeitures
- Bench Warrants for Failure to Appear/Letters of Reset
- Other Miscellaneous Court Business

Notes

1. In order to reduce costs to the city and to reduce the number of people in the courtroom, I would advocate offering split sessions with two (2) arraignment and two (2) trial sessions each month. Officers and witnesses would not be required to attend arraignment sessions and would be subpoenaed by the Clerk for trial sessions. In the event split sessions were in place, the above noted proposed order of business would be adjusted.
2. I would advocate for a position to be created for a public defender to represent individuals for a flat fee who are not financially able to afford legal services. The position would be awarded based on proposals from local attorneys. This would assure low cost legal fees for the city or the defendant, depending on the circumstances. I currently have a public defender in my Fayetteville court and have been very pleased with the arrangement.
3. I would be available to issue all State warrants for the police department and conduct first appearance and preliminary hearings for those warrants. Preliminary hearings would be scheduled to follow trials. These warrants are currently obtained through the Magistrate Court of Fayette County.
4. I would also be available to issue all City warrants for the police department and conduct first appearance hearings for those warrants and all other individuals who were unable to bond out of the Fayette County Jail. These services are currently provided by the Judge Pro Hac Vice.

Sharon L. Pierce
Attorney at Law
175 Bradford Square
Suite A
Fayetteville, Georgia 30215
(770) 461-2340

RESUME

Work Experience (Legal)

12/82 – Present	Attorney at Law Solo practitioner with a general civil practice
3/88 – 7/90	Judge Pro Tem, Fayetteville Municipal Court Fayetteville, Georgia (Shared regular courtroom/warrant duties with Chief Judge from 12/88 – 3/90; handled all courtroom/warrant duties from 4/90 – 7/90)
1/89 – Present	Chief Judge, Tyrone Municipal Court Tyrone, Georgia
8/90 – Present	Chief Judge, Fayetteville Municipal Court Fayetteville, Georgia
3/92 – Present	Judge Pro Hac Vice, Peachtree City Municipal Court Peachtree City, Georgia
6/95 – 12/95	Chief Judge (Temporary) Luthersville Municipal Court Luthersville, Georgia

Education

1973	Bachelor of Arts (Major: Political Science) Georgia State University
1981	Juris Doctor Atlanta Law School
1982	Master of Laws in Litigation Atlanta Law School

Other Qualifications

- Currently certified as a Municipal Court Judge in the State of Georgia
- Member of the Georgia Municipal Judges Association
- Member of the State Bar of Georgia
- Member of the American Bar Association, including the Judicial Administration Division
- Member of the National Association of Women Judges
- Former Department of Public Safety Instructor of both the Alcohol and Defensive Driving courses (Alcohol certification: 7/84 - 3/88; Defensive Driving certification: 7/85 - 3/88)
- Trained Continuing Judicial Education instructor of Judges in the area of bias in the courtroom

Community Involvement

In addition to the above-noted memberships, I am also currently affiliated with the following organizations:

Fayette County Chamber of Commerce
Fayette County United Way Board
Hopewell United Methodist Church
Leadership Georgia (Class of 1990)

I have been affiliated with the following organizations in the past:

Big Brothers/Big Sisters Fayette County Board
Fayette County Prevention Alliance
West Central Georgia and Atlanta Private Industry Council and Local Coordinating Council
Fayette County Hospital Task Force
Volunteer Basic Emergency Medical Technician with Fayette County Emergency Services
Fayette Community Schools Mentoring Program

References

Available upon request.

W. SANDER CALLAHAN
210 Terrane Ridge
Peachtree City, Georgia 30269-4020
(H)770.632.9867 / (cell)404.822.1176

14 January 2000

City of Peachtree City
Attn: Purchasing Office
151 Willowbend Road
Peachtree City, Georgia 30269

RE: Request for Proposals for Municipal Court Judge

via hand delivery

Dear Ladies or Gentlemen:

I am a resident of Peachtree City and request that you consider this letter my response to your solicitation of proposals for the position of Municipal Court Judge. I have attached a resume detailing my experience, practice and background for this position. I have served as lead trial attorney in criminal matters in state, federal and military cases.

I currently maintain my own solo practice with an office in downtown Atlanta, although I often work at home. My practice emphasizes trials in complex criminal cases. I also serve as an attorney, a major, in the United States Army Reserve (after nine years of previous service in the United States Naval Reserve). In addition to the quasi-judicial experience detailed below, I have experience drafting and reviewing search warrants in the military. I also have been a Visiting Instructor on search and seizure issues for the State Department of Transportation.

My practice has taken me to countless other municipal and magistrate's courts throughout the metro Atlanta area. I believe that this exposure to a wide variety of other similar courts would serve me well as the Peachtree City Municipal Judge. I further believe that my varied trial experience and my commitment to public service would ensure that I conduct myself as a municipal judge with maturity, professionalism and fairness to all parties concerned. In response to the particular information requested in the solicitation I offer the following:

Age: I am thirty-six years of age.

License: I have been a practicing and licensed attorney in good standing since 1988. I have, at various times, been licensed in the States of Georgia, Illinois, New York, Pennsylvania, Connecticut and New Jersey. I am currently licensed in Georgia (since 1993) and am in good standing with the State Bar of Georgia with no disciplinary actions or other complaints. I removed myself from active status with the other states upon moving to Georgia after concluding my active-duty military service. Finally, I have been admitted to practice before the U.S. Court of Appeals for the Eleventh Circuit as well as numerous federal district courts and in the U.S. military.

Courtroom Experience: I have extensive courtroom experience in criminal cases as a lead trial attorney in state, federal and military cases. In the State of Georgia I have tried criminal cases before the Superior Courts of several Georgia counties, primarily in the thirteen-county metro Atlanta area. I have also appeared and argued before the Supreme Court of Georgia and the Court of Appeals of the State of Georgia. I have made appearances in municipal, recorder's and magistrate's courts all over the State of Georgia, including every county in the metro Atlanta area. In the federal system I have argued cases before the United States Court of Appeals for the Eleventh Circuit and have tried criminal cases in the Northern District of Georgia and in the U.S. military. Finally, my extensive criminal trial experience has qualified me under American Bar Association standards for capital (death penalty) trials.

Availability for Day-Court: I will have no conflicts with regularly-scheduled sessions of court. Should a conflict arise between a session of Municipal Court and a court appearance in my private practice, the judicial duties should always take precedence over other court appearances in accordance with conflict resolution procedures in the state and federal courts.

Availability for Warrants: I will always be available for the issuance of warrants, as needed. Although my office is in Atlanta, I work many days at home. Moreover, I am rarely more than 45 minutes away from Peachtree City and have the flexibility in my schedule to be available as needed. I can also be reached by e-mail, fax and cellular phone.

Judicial Training and Certification: I am in complete agreement with the necessity for, and requirement of, judicial training and certification, over and beyond my annual continuing legal education ("CLE") requirements as a trial attorney in the State of Georgia and in the Judge Advocate General's Corps of the U.S. Army Reserve.

Judicial Experience: I have previous extensive experience of a quasi-judicial nature as an Article 32 Investigating Officer with the United States Navy. As an Article 32 Investigating Officer I conducted formal courtroom probable cause hearings and made charging recommendations. This position was similar to the function of a magistrate judge.

Proposed Format: I have appeared before many different municipal, recorder's and magistrate's courts throughout the metro Atlanta area and believe that such proceedings can be conducted expeditiously, efficiently and fairly. A standard format for municipal court should

include, at a minimum, the call of cases; time for informal pre-trial conferences and plea discussions with the solicitor; an opportunity, if needed, for formal pre-trial conferences with the judge; and the taking of guilty pleas. Of course, hearings can and should be scheduled as needed within this general framework. The actual format and length of court will depend upon the resources available, including a solicitor, a clerk, and a bailiff (if needed). There is no need for the added expense of a court reporter as long as an audiotape of proceedings is maintained, which can be done by a clerk or by the judge himself.

Salary Requirements: My minimum salary requirement is \$100 per hour for all time in service as a municipal judge. This simple flat rate would apply to all activities (including warrants), day or night. I seek no retainer fee nor any minimum annual requirement for time.

Summary: I am a very experienced trial attorney who desires to give something back to my community. As municipal court judge I would like to use all of my skills and experience, both as a lawyer and as a person, to see that this court becomes the model of efficient, fair justice. I would represent the city and the court to the utmost of my abilities. My resume is attached and a list of character references is also available upon request. Thank you for your consideration.

Sincerely,


W. SANDER CALLAHAN

W. SANDER CALLAHAN

Callahan Law Office
931 Ponce de Leon Ave., NE
Atlanta, Georgia 30306
404.875.9587 fax 404.897.5489

PROFESSIONAL LICENSES

Georgia
United States Court of Appeals for the Eleventh Circuit
United States Court of Appeals for the Armed Services
U.S. District Courts: Northern District of Georgia, Middle District of Georgia, Northern District of Illinois; Western District of Michigan

PROFESSIONAL EXPERIENCE

TRIAL ATTORNEY Nov 1998 - present
Callahan Law Office, Atlanta, Georgia
Criminal defense trial lawyer in federal and state courts

STAFF JUDGE ADVOCATE Mar 1999 - present
United States Army Reserve
Major serving as staff judge advocate and senior (disciplinary) case review officer for Fort Benning (Columbus), Fort Stewart (Savannah), and Fort Gordon (Augusta); duties include advising unit commanders on investigation, charging and prosecution of criminal offenses and conducting post-trial reviews of courts-martial

STAFF JUDGE ADVOCATE / SECURITY OFFICER Sep 1993 - Mar 1999
United States Naval Reserve
Principal legal advisor to reserve and active-duty unit commanders on investigation, charging and prosecution of criminal offenses and other disciplinary matters; security officer responsible for training and operations of 50+ law enforcement personnel; subject matter instructor on search & seizure issues; other duties include drafting and reviewing MOUs between local reserve commands and reviewing disciplinary / discrimination complaints on behalf of Assistant Secretary of the Navy

ADJUNCT PROFESSOR Mar 1999 - present
Embry-Riddle Aeronautical University
Adjunct professor teaching constitutional & aviation law

VISITING LECTURER Sep 1995 - present
Georgia Department of Transportation
Visiting Instructor on search & seizure issues for state D.O.T. Enforcement Officers' recertification / refresher courses

TRIAL ATTORNEY

Sep 1995 - Nov 1998
Nov 1993 - Dec 1994

Law Offices of Bruce S. Harvey, Atlanta, Georgia
Trial counsel in criminal actions in federal and state courts,
including the U.S. District Courts for the Northern and Middle
Districts of Georgia; Superior Courts throughout the state of
Georgia, including Fulton, Dekalb, Clayton, Douglas, Gwinnett, Cobb,
and Paulding; and appeals in the United States Eleventh Circuit Court
of Appeals, the Georgia Supreme Court and the Georgia Court of Appeals

TRIAL ATTORNEY

Jan 1995 - Aug 1996

Fulton County Public Defender, Atlanta, Georgia
Trial counsel in criminal felony trials

TRIAL ATTORNEY & INVESTIGATING OFFICER

Aug 1990 - Aug 1993

U.S. Navy (active-duty)
Investigating/Hearing Officer for Article 32, UCMJ criminal
investigations/probable cause hearings and charging decisions; trial
defense counsel in courts-martial, administrative hearings,
investigations, and other disciplinary proceedings; also claims and
legal assistance attorney

ASSOCIATE ATTORNEY

Dec 1988 - Jun 1989

Gorham, Metge, Bowman & Hourigan, Chicago, Illinois
Associate Attorney in civil/commercial practice group responsible for
research, discovery, depositions, and motions

MILITARY AWARDS

Navy Achievement Medal (4)
Expert Rifle/Marksman Pistol

PROFESSIONAL SKILLS TRAINING

National Institute of Trial Advocacy
Naval Justice School
The Judge Advocate General's School of the Army

EDUCATION

J.D. Northwestern University 1988
B.A. Northwestern University 1985

PERSONAL

Married with two children

GOETZ, TIBBS & ZAHLER

ATTORNEYS AT LAW

15 PIEDMONT CENTER, SUITE 1070
3575 PIEDMONT ROAD, N.E.
ATLANTA, GEORGIA 30305
TELEPHONE: (404) 841-9000
TOLL FREE: (888) 841-9001
TELECOPIER: (404) 841-6677

CHARLES M. GOETZ, JR.*
PHILIPPA V. TIBBS**
SCOTT M. ZAHLER***

* Also admitted in Washington, D.C.
** Also admitted in Oklahoma
*** Also admitted in Florida

OF COUNSEL:
GEORGE M. GEESLIN

December 29, 1999

Ms. Marcie Blind
Purchasing Office
Peachtree City
151 Willowbend Road
Peachtree City, Georgia 30269

RE: Proposal for City Attorney and Municipal Court Judge Services

Dear Ms. Blind:

Thank you for your letter dated December 27, 1999 regarding Peachtree City's decision to re-advertise for the positions of Municipal Court Judge and City Attorney. I previously submitted a Proposal for our firm to handle the City Attorney duties for Peachtree City. This letter is to provide notification of my desire to have the previously submitted Proposal considered for handling both City Attorney and Municipal Court Judge services.

If any additional information is needed, please do not hesitate to call. Thank you in advance for your consideration of our Proposal.

Regards,


Philippa V. Tibbs

GOETZ, TIBBS & ZAHLER

ATTORNEYS AT LAW

15 PIEDMONT CENTER, SUITE 1070
3575 PIEDMONT ROAD, N.E.
ATLANTA, GEORGIA 30305
TELEPHONE: (404) 841-9000
TOLL FREE: (888) 841-9001
TELECOPIER: (404) 841-6677

CHARLES M. GOETZ, JR.*
PHILIPPA V. TIBBS**
SCOTT M. ZAHLER***

OF COUNSEL:
GEORGE M. GEESLIN

* Also admitted in Washington, D.C.
** Also admitted in Oklahoma
*** Also admitted in Florida

November 5, 1999

Ms. Brenda Rogers
Peachtree City Personnel Manager
City Hall
151 Willowbend Road
Peachtree City, Georgia 30269

RE: Municipal Court Judge Position

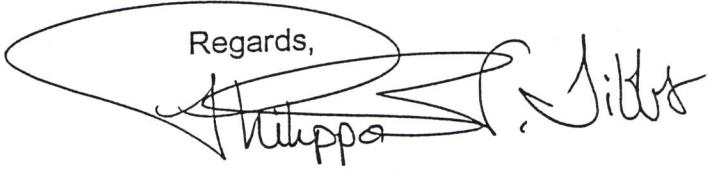
Dear Ms Rogers:

My extensive experience and background as a trial lawyer makes me perfectly suited for the Municipal Court Judge position for Peachtree City. I began my legal career in the area of general civil litigation in 1988 and have handled criminal matters in the areas of arson and traffic-related offenses.

Over the years, I have handled numerous trials and hearings before local, state, federal, appellate and administrative tribunals in both Georgia and Oklahoma. My experience also includes eleven years of participation with alternative dispute resolution in concluding matters.

I welcome the opportunity to serve as a Municipal Court Judge for Peachtree City and the salary I would expect to earn is negotiable. My resume is attached for your consideration.

Regards,


Philippa V. Tibbs

Enclosure

PHILIPPA VICTORIA TIBBS

GOETZ, TIBBS & ZAHLER
15 Piedmont Center, Suite 1070
3575 Piedmont Road, N.E.
Atlanta, Georgia 30305
Phone: (404) 841-9000, Ext. 22
Facsimile: (404) 841-6677
E-Mail: tibbspv@aol.com

EDUCATION:

University of Oklahoma College of Law
Norman, Oklahoma
Juris Doctor – May 1988

Honors:

American Jurisprudence Award – Criminal Law
Phi Delta Phi International Honor Legal Fraternity
Bess Zeldich Ungerman Scholarship Recipient

Oxford University
Summer Law Program – 1986

Langston University
Langston, Oklahoma
Bachelor of Science (*Magna Cum Laude*)
Business Education – May 1985

Honors:

Kappa Delta Pi Education Honor Society
Ernest L. Holloway Outstanding Student Award

EMPLOYMENT:

March 1998-present Partner – Goetz, Tibbs & Zahler
1992-1998 Senior Associate – Charles M. Goetz, Jr., Attorneys
at Law and predecessor firm

Atlanta, Georgia
Corporate & Business Law, Contract Law, Insurance Defense,
Products Liability, Premises Liability, Construction Litigation,
General Civil Litigation

1988-1992
1987-1988

Associate
Legal Intern
Edmonds, Cole, Hargrave, Givens & Witzke
Oklahoma City, Oklahoma
Insurance Defense, Products Liability, Medical Malpractice,
Premises Liability, General Civil Litigation

1990-1992

Adjunct Professor
Langston University
Oklahoma City Urban Campus
Instructed Undergraduate Level Business Law and Education
Courses

BAR ADMISSIONS:	1988	Oklahoma Bar Association
	1993	State Bar of Georgia
	1998	Illinois State Bar Association

COURT ADMISSIONS: Supreme Courts of Georgia, Oklahoma and Illinois
Georgia Court of Appeals
United States District Court, Northern & Middle Districts of Georgia
United States District Court, Northern & Western Districts of Oklahoma

PROFESSIONAL MEMBERSHIPS: American Bar Association, Oklahoma Bar Association, State Bar of Georgia; Illinois State Bar Association, Chicago Bar Association, Atlanta Bar Association, Oklahoma Trial Lawyers Association - 1988-1992, William J. Holloway, Jr. American Inn of Court CV - 1991-1992

CIVIC INVOLVEMENT:	1999-2000	Atlanta Volunteer Lawyers Foundation Board of Directors
	1998-1999	D.M. Therrell High School Law and Government Magnet Program Advisory Board
	1990-1992	CONTACT Crisis Helpline Board of Directors Oklahoma City, Oklahoma

BAR INVOLVEMENT:

NATIONAL:	1997-2000	Member, Tort and Insurance Practice Section Membership Committee
	1997-1998	Chair, Young Lawyers Division (YLD) Membership Committee
	1996-1997	Chair, YLD Communications Committee
	1995-1998	Member, YLD Long Range Planning Committee
	1995-1998	Member, YLD Cabinet
	1994-1995	Member, YLD Affiliate Outreach Project National Conferences Team
	1993-1998	Member, YLD Resolutions Committee
	1993-1994	Chair, YLD Awards of Achievement Committee
	1992-1993	Vice Chair, YLD Awards of Achievement Committee
	1991-1992	Member, YLD Awards of Achievement Committee

GEORGIA:	1999-2000	Chair, Atlanta Bar Association Law Week Committee
	1998-2000	Treasurer, Atlanta Bar Association, Atlanta Council of Younger Lawyers
	1997-1999	Member, Atlanta Bar Association, Police Scholarship Commission
	1996-1998	Board Member, Atlanta Bar Association, Atlanta Council of Younger Lawyers
	1996-2000	Member, State Bar of Georgia Committee on Standards in the Profession

STATE BAR OF GEORGIA/YOUNG LAWYERS DIVISION:

1996-97	Chair, Membership Committee
1995-96	Director
1995-96	Member, Nominations Committee
1995-96	Member, Elections Committee
1994-96	Member, Long Range Planning Committee
1994-96	District Representative
1994-95	Chair, Law School Placement and Forums Committee

OKLAHOMA: 1990-92	Board Member, Oklahoma Bar Association Young Lawyers Division (OBA/YLD)
1991-92	Member, OBA/YLD Long Range Planning Committee
1991-92	Member, OBA/YLD Desk Manual Committee

REFERENCES AVAILABLE UPON REQUEST

Attorney

CITY OF PEACHTREE CITY
BID TABULATION SHEET

BIDDER NAME	MAILING ADDRESS	BID AMOUNT	BOND	AWARD
Wells Sturkey & Lindsay	Peachtree City	\$750.00	Retainer	MO.
		\$130.00	Mr. Attorney	
		70.00	Mr. Paralegal	Clark
Foster & Foster	Gonakovo	\$125.00	Principle	
		\$100.00	Principle	
		\$75.00	Law Clerk	
Carol Summer DC	Atlanta	\$115.00	Mr.	
		90.00	Mr. Assoc.	
		60.00	Mr. Paralegal	
		\$8200.00	Retainer	
George Sparrow, Jr. PC	Augustville	\$500.00	Monthly	
		\$120.00	Mr. Attorney	
		\$60.00	Paralegal/Clerk	
Loetz, Binko, & Gable	Atlanta	\$165.00	Mr. Attorney	
		50.00	Mr. Clerk/Paralegal	

PROJECT: _____

Bids opened by: _____

Witnessed by: _____

DATE: _____

PAGE: _____

Completed time: _____

CITY OF PEACHTREE CITY
BID TABULATION SHEET

PROJECT: _____

Bids opened by: _____

Witnessed by: _____

Completed time: _____

DATE: _____ PAGE: _____

WEBB, STUCKEY & LINDSEY, LLC
Attorneys-At-Law

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

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

400 Westpark Court
Suite 220
Peachtree City, Georgia 30269

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

E-Mail:
rlindsey@wsl-peachtreecity.com

Web Site:
www.wsl-law.com

Other Offices
Atlanta, Georgia
Fairburn, Georgia

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

January 5, 2000

HAND DELIVERED

Ms. Marcie Blind
Purchasing Manager
City of Peachtree City
151 Willowbend Road
Peachtree City, GA 30269

RE: **Proposal for Position of City Attorney**

Dear Marcie:

Our firm is privileged to once again submit its proposal for the position of City Attorney, including Solicitor. Webb, Stuckey and Lindsey, LLC is a limited liability company with three principal owners. The firm was started in January 1992, as a partnership between James H. Webb, Jr. and Richard P. Lindsey. John M. Stuckey, Jr. joined the firm as a partner in 1998. Prior to joining Webb & Lindsey, Mr. Stuckey was a partner with Glass, McCullough, Sherrill & Harrold. Mr. Webb and Mr. Stuckey also were partners in the firm of Glover & Davis in Newnan, Georgia. As of the date of this proposal, the firm has thirteen lawyers: James H. Webb, Jr., John M. Stuckey, Richard P. Lindsey, Stephen D. Ott, Jonathan J. Wade, Carlton H. Jones III, H. Clay Collins, Christy R. Jindra, Susan M. Brown, William M. McHugh, Richard M. Golick, Stacey M. Robertson, and Stefanie T. McHugh. We employ three paralegals and ten other support members.

The firm has offices in Peachtree City, Fairburn, and Atlanta. The main office of the firm is located at 400 Westpark Court, Suite 220, Peachtree City, Georgia. All three offices are connected via one central computer system that provides instant access to all of our legal documents and a state-of-the-art legal library.

Webb, Stuckey & Lindsey, LLC is the largest law firm in Fayette County, and to our knowledge, the largest law firm south of Atlanta and north of Columbus and Macon. The firm is pleased to have served as counsel for the City of Peachtree City for the past eight years. The lawyers in the firm have departmentalized the matters handled on behalf of the City. James Webb handles the litigation and trial strategy for the City; Richard Lindsey handles the general day-to-day matters and the City Court; Stephen Ott handles all zoning issues and has begun to assist Mr. Lindsey with

the day-to-day matters as well as the court; the other members of the firm assist and support the firm in its representation of the City where needed.

The firm can be fairly characterized as a general practice firm which handles virtually all civil trial matters with the exception of tax, patent, and securities. The firm is highly experienced in several areas of the law including municipal representation, medical malpractice, personal injury, civil and criminal trials, regulatory matters, workers' compensation, business transactions, estate planning and probate, and computer and technology related issues.

In addition to its legal expertise, the firm is particularly proud of its civic and social involvement in both the City of Peachtree City and Fayette County. Mr. Ott is the immediate past-President of the Fayette County Bar Association. Our lawyers are active in the Fayette Metro Kiwanis, the Fayette County Chamber of Commerce, the Advisory Committee for the Fredrick J. Brown Jr. Amphitheater Summer Concert Series, the Atlanta Bar, the South Fulton Bar, the South Fulton Chamber of Commerce and many other county civic organizations. Members of the firm have donated considerable time, effort, and money toward Peachtree City's development and are proud of the fact that they have their main office in such a wonderful community. As you surely know, our firm proudly supported the Peachtree City Development Authority in its production of the Fredrick J. Brown, Jr. Amphitheater Summer Concert Series in 1999 by being the signature sponsor. We have renewed our commitment to this series again this year and have agreed to be the signature sponsor of the 2000 Summer Concert Series. While the firm receives some notoriety from being the sponsor, we view our efforts as supportive of our community, in general, and of Peachtree City, in particular.

In specific response to the issues raised in your Request for Proposal, we propose:

- 1) A retainer of \$750 per month to include attendance by at least one firm member at a minimum of two City Council Meetings per month plus any called meetings.
- 2) An hourly rate of \$130 per hour performed for the City by any lawyer of the firm. Before we made this proposal, we checked with Bill McNally's office and this is the rate the county is paying its attorneys. We have not requested an increase in the last four years.
- 3) The following rates would be charged for other non-lawyer employees of the firm:
 - (a) Paralegals - \$70 per hour
 - (b) Law Clerks - \$70 per hour

- 4) There are thirteen lawyers, three paralegals, and ten other support members. Our firm's attorneys offer a diverse variety of skills and experiences to our clients. A more complete description of the firm and its lawyers is enclosed. You may also view additional information about the firm at our web site, www.wsl-law.com. Some particular points of interest are:

James H. Webb, Jr. is one of the few lawyers in the state of Georgia to be board certified by the National Board of Trial Advocacy. He has given many lectures and seminars to other lawyers in the areas of medical malpractice and trial advocacy. Mr. Webb is a former chairman of the General Practice and Trial Section of the Georgia State Bar, which has approximately 3,000 lawyer members.

John M. Stuckey, Jr. is one of the best-known lawyers in the state who regularly appears before the Public Service Commission. He is also very well known in the state and national Republican parties and previously served as Chairman of the Georgia Republican Party. Mr. Stuckey regularly appears before the Georgia General Assembly and Senate to advocate for our clients. Mr. Stuckey has successfully represented his clients' interests before the Public Service Commission for more than a decade and before the state and federal courts for over twenty-five years.

Richard P. Lindsey has worked with Mr. Webb as City Attorney for Peachtree City for the past eight years. Mr. Lindsey has appeared as lead counsel for the City on numerous matters. Mr. Lindsey served on law review at the University of Georgia and clerked for United States District Court Judge William Acker, Jr. Mr. Lindsey has more than fourteen years of litigation experience.

Mr. Ott has seven years of litigation experience and has assisted with all aspects of representation for the City since 1995. He is now primarily responsible for land use and zoning issues and prosecuting criminal matters.

Jonathan Wade, Clay Collins, Carlton Jones and Christy Jindra each have more than ten years experience as attorneys in both the civil and criminal arenas. Each one has tried hundreds - and quite likely more than a thousand - cases. Furthermore, Mr. Jones is the Judge for the Fairburn Municipal Court and Mr. Collins is the Judge for the Palmetto Municipal Court. Mr. Collins also represents our clients before the Georgia General Assembly.

Richard Golick is the state representative from the Vinings area.

Mr. and Mrs. McHugh have the distinction of being the first husband and wife lawyer team we have hired; he is developing our trial practice area further and she is now leading our Elder Care and Estate Planning section of the firm.

Ms. Robertson is shouldering the responsibility of handling the daily work in our regulatory practice area with Mr. Stuckey.

Mrs. Brown practices in both the personal injury and business law sections of our firm.

- 5) Through our terms of service as City Attorney for Peachtree City for the past eight years, our firm has demonstrated extensive knowledge and understanding in the area of municipal law. In addition to providing counsel, drafting ordinances, reviewing legislation, rendering legal opinions, and attending council and committee meetings regularly, we successfully defended the City and two of its officers, to a jury verdict, in a lawsuit in which the plaintiffs' complained that the police officers had used improper and excessive force in arresting the plaintiffs. Likewise, we have litigated and won numerous pre-trial motions (including summary judgment) in several cases. In those cases where negotiation seemed the wisest course to take, our firm has provided professional and innovative advice to obtain the best results for the City.
- 6) During our tenure as City Attorney for Peachtree City over the past eight years, our firm has demonstrated extensive knowledge and competence during litigation on behalf of the City. The members of the firm have considerable litigation experience, in general, as well. A majority of our firms' practice is litigation based and we are well known and respected in the trial and appellate courts across Georgia. Mr. Webb, Mr. Lindsey and Mr. Ott have demonstrated their litigation ability on a continual basis on behalf of the City. A full review of our years of service, the previously mentioned experience of our lawyers and the attached biographical data, should give you adequate information to assess our firms' ability to competently represent the City before any court in the state.
- 7) As stated above, the firm's main office is located in Peachtree City in the Westpark Business Park. We have an office in Fairburn in one of the two turn-of-the-century train depots which we converted to a law office in 1997 and an office in Atlanta. Mr. Webb, Mr. Lindsey, Mr. Ott, Mr. Wade, Ms. Brown, Mr. Jindra, Mr. McHugh, Mrs. McHugh and our three paralegals are located in the Peachtree City office; Mr. Jones and Mr. Collins are located in the Fairburn office; Mr. Stuckey, Mr. Golick, and Ms. Robertson work in our Atlanta office. The majority of the support staff work in Peachtree City and we are able to relocate the staff as needed to accommodate any larger projects. It is important to note that the majority of all of the members of our

Ms. Marcie Blind
January 5, 2000
Page 5

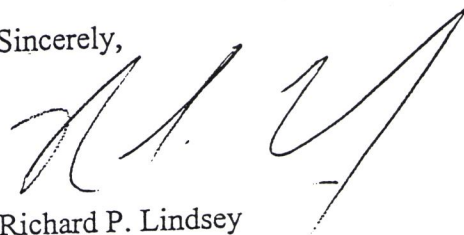
firm live in Fayette County. This means that we are readily accessible for emergency sessions and impromptu meetings as we have demonstrated during our current term of service to the City.

- 8) I have attached additional biographical data for each of the attorneys of the firm as requested.

If you need any further information with respect to our qualifications or this proposal, please do not hesitate to contact me. Once again, it would be our pleasure to represent the City of Peachtree City.

Best regards.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Lindsey', with a large, sweeping flourish extending to the right.

Richard P. Lindsey

RPL
Enclosure

FOSTER & FOSTER, P.C.

LARRY A. FOSTER
(1941 - 1995)

DON R. FOSTER*

ATTORNEYS AT LAW

114 S. MAIN STREET

P.O. BOX 814

JONESBORO, GEORGIA 30237-0814

TELEPHONE (770) 478-4000

FACSIMILE (770) 478-8927

ASSOCIATES
Christina M. Harris
Kenneth P. Robin

December 28, 1999

Via Certified U.S. Mail

Ms. Brenda Rogers, Personnel Manager
City Hall
151 Willowbend Road
Peachtree City, Georgia 30269

RE: Proposal for Representation

Dear Ms. Rogers:

Please accept this letter and my firm resume (a copy of which is enclosed) as my application for the City Attorney's position.

As you can see from my firm resume, I have personally practiced law since 1979. In that practice, my firm has represented the Clayton County Board of Education (my brother was school board attorney for 18 years), Clayton County Board of Commissioners since 1989, the City of Riverdale on two different occasions (1994-95 and 1998-present) the City of Morrow for a number of years, the Georgia Power Company and various banking institutions. Additionally, I represent various small and medium size corporations in all types of industry. At this time, I have approximately twenty (20) cases pending in federal district court and the U.S. Court of Appeals. I have handled in excess of one hundred cases in federal court.

Foster & Foster has a staff of qualified professionals who actively handle matters in the U.S. District Court, United States Court of Appeals and the United States Supreme Court. In addition, we handle matters in all state courts. Additionally, we draft ordinances, contracts and such other documents as are necessary for our clients including the county and the city. My firm represented the Downtown Development Authority of Forest Park in the 1980's.

To represent the city, I would require an hourly fee of \$125.00 for myself and \$100.00 for associates. Law clerks would be billed at \$75.00/hour. I do not require a fixed retainer; however, I will consider some type of agreed retainer plus hourly fee should the city be so inclined. I would anticipate one of my associates would handle the solicitor's duties with appropriate guidance from me, and I would be available as primary contact on all city attorney matters.

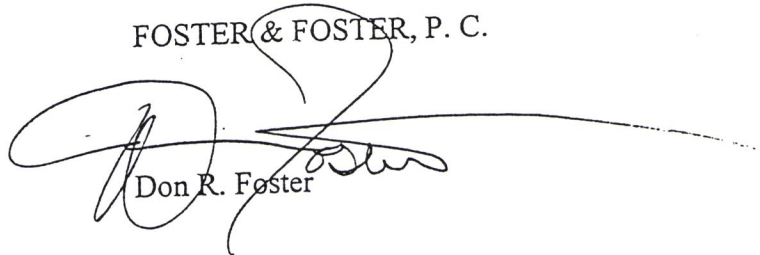
Ms. Brenda Rogers
December 28, 1999
Page 2

I believe the firm of Foster & Foster has the necessary expertise and personnel to handle all matters for the city, and I would consider opening a branch office within the city.

Thank you for your kind consideration, and if you would like further information or to meet with me, please contact me at your convenience.

Sincerely,

FOSTER & FOSTER, P. C.

A handwritten signature in dark ink, appearing to read "Don R. Foster", is written over the typed name. The signature is stylized with a large, looping initial "D" and a long horizontal stroke extending to the right.

DRF/cm

Enclosure

FOSTER & FOSTER, P.C.

LARRY A. FOSTER
(1941 - 1995)

DON R. FOSTER*

ATTORNEYS AT LAW
114 S. MAIN STREET
P.O. BOX 814
JONESBORO, GEORGIA 30237-0814

TELEPHONE (770) 478-4000
FACSIMILE (770) 478-8927

ASSOCIATES
Christina M. Harris
Kenneth P. Robin

December 28, 1999

Via Certified U.S. Mail

Ms. Brenda Rogers, Personnel Manager
City Hall
151 Willowbend Road
Peachtree City, Georgia 30269

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Foster & Foster has a staff of qualified professionals who actively handle matters in the U.S. District Court, United States Court of Appeals and the United States Supreme Court. In addition, we handle matters in all state courts. Additionally, we draft ordinances, contracts and such other documents as are necessary for our clients including the county and the city. My firm represented the Downtown Development Authority of Forest Park in the 1980's.

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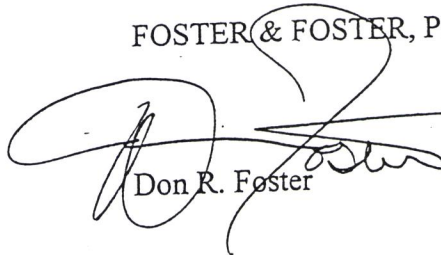
Ms. Brenda Rogers
December 28, 1999
Page 2

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Thank you for your kind consideration, and if you would like further information or to meet with me, please contact me at your convenience.

Sincerely,

FOSTER & FOSTER, P. C.



Don R. Foster

DRF/cm

Enclosure

FOSTER & FOSTER, P.C.

114 S. Main Street
P. O. Box 814
Jonesboro, Georgia 30237
Telephone: (770) 478-4000
Fax: (770) 478-8927

General practice in State and Federal Courts, Corporation, Real Estate, Probate, Negligence, Bankruptcy, Business, Education, Domestic Relations, Municipal and Zoning Law, Trials and Appeals.

FIRM PROFILE: Foster & Foster, P.C. was founded in 1988 by Larry A. Foster and Don R. Foster. This firm is a continuation of the firm that began with Larry Foster joining a firm known as Hutcheson, Kilpatrick, Watson, Crumbly and Brown in 1972. Don Foster joined the firm, then known as Watson, Brown, Foster and Murphy, in 1979. The firm has continued to operate as a unit since 1988. The offices of the firm have been in the same location since 1981. All members of the firm are involved in continuing professional development, and all partners and associates participate in continuing legal education seminars, professional association activities, and civic affairs in the area.

LARRY A. FOSTER (1941-1995)

DON R. FOSTER, born Atlanta, Georgia August 24, 1944; admitted to bar, 1979, Georgia; 1980, Florida; U.S. District Court, Northern District of Georgia; U.S. Court of Appeals, 5th and 11th Circuits, U.S. Supreme Court. Education: West Georgia College (B.S. 1967); Georgia State University, 1974-1975 MBA Program; Emory University (J.D. 1978). Phi Delta Phi. Adjunct Professor of Business Law, Clayton State College 1981-1993. Member: Clayton County (President 1985-1986) and American Bar Associations; State Bar of Georgia; the Florida Bar. Lt. (JG) USNR, 1968-1969. Practice Areas: Municipal, Corporate/Business, Litigation, Real Estate, Employment, General Civil Practice.

ASSOCIATES

CHRISTINA M. HARRIS, born Honesdale, Pennsylvania March 20, 1971; admitted to bar 1998, Georgia; U.S. District Court, Northern District of Georgia; U.S. Court of Appeals, Eleventh Circuit; Supreme Court of Georgia; Georgia Court of Appeals. Education: Pennsylvania State University (B.S. 1993); University of Richmond, T.C. Williams School of Law (J.D. 1996). Member: Clayton County and American Bar Associations. Practice Areas: Municipal, Employment Discrimination, General Civil Practice.

KENNETH P. ROBIN, born Oceanside, New York March 2, 1973; admitted to bar 1998, Georgia; U.S. District Court, Northern District of Georgia, U.S. Court of Appeals, Eleventh Circuit; Supreme Court of Georgia; Georgia Court of Appeals. Education: Pennsylvania State University (B.S. 1995); Emory University (J.D. 1998). Member: Clayton County Bar Association. Practice Areas: Municipal, Employment Discrimination, General Civil Practice.

KASEY G. WYATT, born Morristown, Tennessee July 8, 1974; admitted to bar 1999, Georgia, Education: University of Georgia (B.B.A. 1996), Georgia State University (J.D. 1999); Practice Areas: Employment Discrimination, Municipal, General Civil Practice.

REPRESENTATIVE CLIENTS INCLUDE: CITY OF RIVERDALE, PEACHTREE NATIONAL BANK, BANK OF AMERICA, TUCKER FEDERAL BANK, SOUTHTRUST BANK, CLAYTON COUNTY BOARD OF COMMISSIONERS, GEORGIA POWER COMPANY, KABOBS, INC., ITBK, INC.

APPROVED ATTORNEYS FOR: LAWYERS TITLE INSURANCE CORP.

CARYL B. SUMNER
A PROFESSIONAL CORPORATION

1720 Peachtree St. NW Suite 425 Atlanta, GA 30309 Phone: (404) 877-0038
Fax: (404) 892-9778

January 12, 2000

Ms. Marcie Blind
Purchasing Office
151 Willowbend Road
Peachtree City, GA 30269

RE: Proposal for City Attorney

Dear Ms. Blind:

I am pleased to present to you a Proposal for Legal Services of the City of Peachtree City, Georgia. I have enclosed with this letter seven original Proposals so that you, the City Manager, the Mayor and each member of the City Council may have an original copy.

I trust the attached Proposal, list of references and copies of resumes will provide you enough information. I do, of course, look forward to meeting with you, the City Manager and the Mayor and City Council to discuss this proposal.

Sincerely,



Caryl B. Sumner

CBS:kbh

CARYL BRINSON SUMNER
1720 PEACHTREE ST. NW, SUITE 425
ATLANTA, GEORGIA 30309

Office: (404) 877-0038
Home: (404) 768-8014

LEGAL EDUCATION

J.D., University of Florida, College of Law, 1981
Research paper. "1980 Modifications of Historic Preservation Law"
chosen for publication by the National Institute of Preservation Law

Honors and Activities:
Legal Protection of the Environment Book Award Recipient
Student Member, Curriculum Committee, College of Law

Research papers, "Historic Preservation in Gainesville, Florida"
and "1980 Modifications of Historic Preservation Law" chosen to
be placed in permanent collection, University of Florida Library

PRE LEGAL EDUCATION

MAT, Speech and Rhetoric, University of Florida, 1971

B.S. English and Speech, Florida State University, 1967

LEGAL WORK

1997-Present	Caryl B. Sumner, P.C.
1993-1997	County Attorney, Gwinnett County, Georgia
1992-1993	First Assistant County Attorney, Gwinnett County, Georgia
1988-1992	Assistant County Attorney, Gwinnett County, Georgia
1987-1988	Legal Consultant, Florida Preservation Services, Inc.
1985-1988	Legal Consultant, Strategic Planning Group, Inc.
1981-1987	Assistant County Attorney, City of Gainesville, Florida
1980-1981	Law Clerk for the firm of Watson, Folds, Steadham
1979-1980	Law Clerk for the firm of Scruggs, Carmicheal, et al.

Member: Georgia Bar
Florida Bar

Model Programs:

Historic Preservation Ordinance, State of Georgia
Historic Preservation Ordinance for the City of Gainesville

Green Space Preservation Ordinance for the City of Gainesville
Industrial Wastewater Pretreatment Ordinance for the City of
Gainesville

Publications: Co-author, Historic Preservation in Florida
Co-author, Impact Fees Under Georgia's New Statute

Activities: Initiated and developed real property procedures for Real Property
Division, Gwinnett County Department of Law

Member, Advisory Committee on Impact Fees for Governor's
Growth Strategies Task Force, State of Georgia

Former Member, Rotary Club of Duluth, Georgia

Leadership Gwinnett Alumni

Former Board Member, Gwinnett Clean and Beautiful

Former Chair of Local Government Law Section of State Bar of
Georgia

Consultant, Historic Preservation Law

Lecturer, University of Georgia, Continuing Legal Education

AREAS OF PRACTICE

Litigation
Condemnation
Impact Fees
Inverse Condemnation
Real Property, including commercial and residential acquisition
Public Utility Law
Downtown Redevelopment
Land Use
Environmental Law
Historic Preservation
Local Government Law

SEMINARS, ADDRESSES, AND PAPERS

Historic Preservation Law/Ethics & Conflict of Interest, University of
Georgia, South Georgia Workshop, 1999

Historic Preservation Law, Downtown Doing Business Differently
Seminar, 1999

New Economic Development Tools, Sustainable Communities: Tools for Economic Excellence Seminar, 1998

Ethical Considerations - Conflicts of Interest in Zoning Matters, Zoning and Government Regulation of Land Use, 1997

Practical Considerations for the Local Government Attorney, Nuts & Bolts of Local Government Law Seminar, 1997

When Does Regulation Go Too Far? Eminent Domain Trial Practice Seminar, 1996

Sovereign and Official Immunity, Seminar for newly elected local government officials, 1996

Update on Impact Fees, 38th Annual Institute for City & County Attorneys, 1991

Member, Panel Discussion, Impact Fees, Impact Fees, Exceptions, Linkage and Growth Management Seminar, 1990

Historic Preservation Ordinances: A Guide for City and County Attorneys, 37th Annual Institute for City & County Attorneys, 1990

WORK EXPERIENCE

Education:

1988-1990	Instructor, Historic Preservation Law, Georgia State University
1971-1973	Instructor, University of Florida, Comprehensive Logic Department
1969	Instructor, St. John's Junior College, Speech

Business:

1973-1977	Owned and operated The Kitchen, Ltd., gourmet catering
-----------	--

LAUREL E. HENDERSON

1720 Peachtree St., NW, Suite 425
Atlanta, Georgia 30309

(404) 892-9777(off)
(404) 892-9778(fax)

Education:

J.D. Magna Cum Laude, Georgia State University, 1987.
(rank #2 of 165)

Awards & Honors:

Outer Barrister's Guild (Legal Honor Society)

Knowles Scholar

American Jurisprudence Awards in Criminal Law,
Evidence, Civil Procedure, Labor Law, Litigation &
Wills

M.A., University of Missouri-Columbia, (Library Science),
1973.

Awards & Honors:

Beta Phi Mu (Professional Honor Society)

B.S. Ed., University of Missouri-Columbia, 1970.

Work Experience:

Practicing Attorney, Laurel E. Henderson, P.C., May 1,
1998 to present.

Practicing Attorney, Glaze & Glaze, P.C., 1987 to 1998.

Legal Publisher, City-County Code Corporation (formerly
Laurel Henderson & Associates), 1981 to 1989.

Legal Publisher, PRM Law Publishers, 1976 to 1981.

Seminars & Lectures:

Telecommunications Update, Institute of City and County
Attorneys, September 23-25, 1999.

Zoning and Land Use Update, Zoning and Government
Regulation of Land Use, November 14, 1997.

*Preserving Evidence in the Administrative Record; the
Governmental Perspective*, Zoning and Government
Regulation of Land Use, November 8, 1996.

*Constitutional Issues and Strategy in Land Use Litigation:
Free Speech Concerns with Regulation of Signage*, Institute
of City and County Attorneys, September 20-21, 1996.

Termination of Utilities and Collection of Delinquent Utility Charges, Georgia Municipal Association, City Attorneys Section, June 26, 1995.

Environmental Law Update: Erosion Control and Stormwater, Institute of City and County Attorneys, September 23-24, 1994.

Attorneys' Fees Under Section 1988, Rule 11 and Yost, Georgia Municipal Association, City Attorneys Section, June 11, 1989.

***Law-Related Work
Experiences:***

Internship with the Office of Solicitor General, Fulton County, Georgia, January to June 1987.

Internship with the Supreme Court of Georgia, Fall Quarter 1986.

***Community
Involvement:***

Guardian Ad-litem, Atlanta Volunteer Lawyers. AVL supports a pro-bono program which provides guardian ad-litem services for children who are involved in contested domestic cases.

Mentor, Project Prevent, Emory School of Medicine. Project Prevent provides mentors to at-risk adults and teenagers whose lives have been severely impacted by cocaine and other drugs.

Member, Canterbury Choir, St. Bartholomew's Episcopal Church.

PROPOSAL FOR LEGAL SERVICES

Submitted to the City of Peachtree City, Georgia

November 18, 1999

by Caryl B. Sumner

on behalf of Caryl B. Sumner, P.C.

PROPOSAL FOR LEGAL SERVICES

CARYL B. SUMNER, P.C. is pleased to submit this Proposal to serve as City Attorney to the City of Peachtree City, Georgia. The Proposal offers the services of two experienced and well-respected attorneys, Caryl Brinson Sumner and Laurel E. Henderson, who have chosen to concentrate their practices in local government law. Resumes of both attorneys are included with this Proposal.

Caryl Sumner is proposed as the named City Attorney under this Proposal with all primary services being offered through the firm, Caryl Sumner, P.C. Peachtree City would be a significant client, and Caryl is prepared to offer Peachtree City a primary commitment of her time as City Attorney. She currently holds no extended retainer arrangement with any other city that would interfere with her ability to be responsive to Peachtree City.

Caryl is well known and respected among the local government bar. She is a frequent speaker at legal seminars, is consulted by other attorneys, has served as legal advisor to a number of cities and counties, and serves as

lead counsel in a number of cases assigned by the Georgia Inter-Local Risk Management Agency (GIRMA). She has recently completed serving a two year term of office as Chair of the Local Government Section of the State Bar of Georgia. Her local government experience is particularly broad, having been the primary focus not only of her legal practice, but also her educational experience in law school.

Caryl began her career as a local government attorney upon graduation from law school in 1981. Caryl served as an Assistant City Attorney for the City of Gainesville, Florida. Caryl represented Gainesville Regional Utilities, the city's water, wastewater, and electric provider. Her representation of Gainesville Regional Utilities included representation in environmental, real property and licensing matters. The Industrial User Pretreatment Program created for the City was used as a model program by the State of Florida.

Caryl's representation of the City of Gainesville also included extensive work in the areas of land-use, zoning and historic preservation. Caryl drafted the City's historic preservation ordinance and the City's Green Space Preservation Program. Both programs were chosen as model programs by the State of Florida.

Another of Caryl's 'city' clients was the Downtown Development Authority. Caryl worked with the Authority to create a downtown development plan. The plan maximized the use of financial incentives for property owners and investors addressed the sensitive reuse of existing structures and the construction of compatible new development.

As an off-shoot of her work in historic preservation, Caryl co-authored the book, "Historic Preservation Law in Florida". The book remains in use today as the handbook of Historic Preservation Law in Florida.

Caryl came to Georgia in 1987 and joined the Gwinnett County Law Department. During her years of service in Gwinnett County, Caryl created the County Real Property Division and established procedures for acquisition and condemnation. While in Gwinnett County, Caryl worked extensively for the Departments of Transportation, Public Utilities, and Parks and Recreation. In these areas of representation, Caryl handled the daily operational tasks for the departments. These tasks included the drafting of contracts, legal opinions, and agenda items. Caryl's representation of the departments also included extensive litigation, particularly in the areas of condemnation and real property rights.

Caryl served as the County representative on the Governor's Task Force on impact fees. Caryl was one of the drafters of the state impact fee statute. Caryl co-authored the Georgia Municipal Association publication "Impact Fees in Georgia" as a result of this work.

Caryl became Gwinnett County County Attorney in 1992 and served in that capacity for five years. In the role of County Attorney, Caryl directed a staff of ten attorneys. Caryl oversaw all litigation and non-litigation matters involving the county. Such representation touched upon virtually every issue effecting local government.

Caryl left the county two years ago to enter private

practice. Caryl serves as City Attorney to the City of Mountain Park, Georgia. She also represents the Georgia Inter-Local Risk Management Agency (GIRMA) in various municipal lawsuits and the Georgia Department of Transportation in acquisition and condemnation projects.

While in Georgia, Caryl has continued her work in historic preservation law. Caryl has taught historic preservation law at Georgia State University. She drafted the historic preservation ordinance used as a model ordinance by the state of Georgia, and continues to lecture and practice in the area of historic preservation law.

Laurel Henderson serves as City Attorney for the City of College Park, Georgia. Her involvement with the City of College Park has included responsibility for day to day legal matters for the past four years. Laurel has made new law on behalf of local governments in the area of First Amendment Rights. She successfully defended an outright ban on billboards for the City of Morrow, and holds the only unanimous opinion from the Supreme Court of Georgia upholding local regulation of nude dancing in a case originating in College Park.

Laurel is also a well-known and respected member of the local government bar. Just as Caryl, she is a frequent speaker at legal seminars and serves as lead counsel in a number of cases assigned by GIRMA. Since leaving Glaze & Glaze, P.C., she has also served as lead counsel in several cases for DeKalb County. Her local government experience is particularly broad, having been the primary focus not only of

her legal practice, but also of her professional experience in ordinance codification prior to law school.

The strengths available to Peachtree City by utilizing the services of Caryl and Laurel are many, but particularly significant is that both possess long-standing, strong and varied experience as local government attorneys. Their practice strengths complement each other.

Caryl Sumner's practice areas of interest and expertise include local government law generally, litigation, condemnation, impact fees, inverse condemnation, real property, including commercial and residential acquisition, public utility law, downtown redevelopment, impact fees, land use and zoning, environmental law, and historic preservation law.

Laurel Henderson holds particular expertise and interests in local government law generally, constitutional law (particularly powers and authority of governments), First Amendment, litigation, land use and zoning, personnel, workers' compensation, licensing and regulation, legislative drafting and interpretation, contracts, telecommunications and alternative dispute resolution.

Together, these two attorneys cover the waterfront of local governmental issues and concerns and possess the expertise to handle just about any problem that can be anticipated to arise in the City. Both have assisted with the drafting and review of state-level legislation affecting local governments. Both have the capacity for significant input into legislative issues through good relationships with the Georgia Municipal Association.

Not only do Caryl and Laurel possess the ability to perform the City's legal work, they will be the attorneys primarily responsible for carrying out that legal work on a day-to-day basis. The attorneys who appear in meetings will be the same attorneys actually performing the work and creating the work product for the City. To the extent other associates might be utilized on occasion to assist in work flow, those activities will be closely and actively monitored, and primary responsibility will never shift from the responsible attorney. The City therefore gains directly from the acquired experience of its counsel, both in terms of quality of work and in terms of efficiency.

Qualifications are not the sole issue upon which decision of the appropriate person for appointment as City Attorney turns. Philosophy is also important. Caryl and Laurel both recognize that policy determination is the province of the Mayor and Council. All appointed persons, including the City Attorney, act within that policy. It is the duty of the City Attorney to bring factual information and legal precedent to the attention of the Mayor and Council so that that body holds the information necessary to make its determinations. It is the City Attorney's further duty to advise the Mayor and Council on changes in the law and what those changes may mean for City operations. However, policy formulation and direction of change remains always with the Council.

Caryl and Laurel emphasize a proactive approach to legal representation. That means they look for problems before they arise, recommend issues be addressed and spend considerable time in laying a foundation for proper action. Research precedes drafting. Legal opinions are based on facts and applicable law.

Remaining current with changes in the law is vital. With a proper background and full disclosure to the governing body, successful outcome is maximized.

Caryl and Laurel both believe a primary duty of a City Attorney is to find the means to accomplish the Mayor and City Council's objectives. Every creative solution possible to accomplish those objectives...Failure to present full information up front can result in rather nasty surprises down the road. While it is necessary for the City Attorney to understand the Council's intentions and be sensitive to them, withholding undesirable information does a disservice to a governing body in the performance of its duty.

Law is fact specific. Always. A minor change in fact may precipitate an entirely different result. It is the attorney's duty to analyze the law and facts fairly and accurately, without regard to desired outcome. Only in doing so, can an attorney truly advise her client, so that the client can make an informed decision. Once that decision is made, it is the duty of the City Attorney to support it consistently and to the best of her ability.

As you will see from her resume, Caryl and her husband, Ed Sumner, Chief Legal Counsel to the Georgia Municipal Association, live in College Park, a short distance from Peachtree City. In order to best meet the City's needs, Caryl would propose to be at City Hall in Peachtree City on a regularly scheduled basis for as many hours as the City deems necessary. Caryl could, for example, spend a regularly scheduled day or afternoon at the City on whatever day is most convenient for the city. For other matters, Caryl or Laurel can easily arrange to be present at the City whenever the city wishes.

Caryl and Laurel's hourly rate is \$115.00 an hour. As noted earlier in the Proposal, Caryl and Laurel will actually perform the work and create the work product for the City. If the need arises for an associate or paralegal, the hourly rate for an associate would be \$90.00, and the rate for paralegals would be \$60.00. Caryl will hire an attorney to serve as counsel to the firm of Caryl B. Sumner, P.C. The attorney will serve as Solicitor for Peachtree City. The solicitor will be available to the City at a fee of \$95.00 an hour. This attorney will also be available to work with Caryl and Laurel on Peachtree City work, if necessary.

As a retainer, for two council meetings a month, for meetings averaging three hours each, we would request a retainer of \$8200.00

Caryl Brinson Sumner, P.C. appreciates the opportunity to submit this Proposal for City Attorney and to acquaint the Mayor and Council with information concerning Caryl and Laurel's backgrounds. Caryl and Laurel are always available for questions and discussions and welcome the opportunity to meet with the Mayor and Council to discuss the City's needs and expectations.

Respectfully submitted,

A handwritten signature in cursive script that reads "Caryl Sumner".

Caryl B. Sumner
President, Caryl B. Sumner, P.C.

REFERENCES

Jay Barnet, Mayor
City of Mountain Park, Georgia
100 Mountain Park Road
Mountain Park, Georgia 30075

Ken Swanson
Gallagher Bassett Services, Inc.
P.O. Box 941938
Atlanta, GA 31141-0606

Karen Thomas, County Attorney
Gwinnett County Department of Law
75 Langley Drive
Lawrenceville, GA 30245-6900

Andrew J. Whalen, III, Esq.
Mullins & Whalen
101 S. Hill Street
P.O. Box 133
Griffin, GA 30224

Proposal for Legal Services

Prepared for Peachtree City
January 14, 2000

George N. Sparrow Jr. P.C.

719 W. Lanier Ave, Suite B

Fayetteville, GA 30214

770-460-5280

770-460-5281 (fax)

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Introduction

The two main principles that we believe guide municipal representation are to find legal methods of accomplishing desired goals and to provide legal guidance to avoid litigation. A city attorney should be governed by a sense of responsibility to the citizens. An analogy we like to use is to envision the representation of the city as the representation of a corporation with the citizens as shareholders, the City Manager as CEO, the Council as the Board of Directors and the Mayor as Chairman of the Board.

While we feel this proposal provides you with all of the information you requested, it seems necessary for us to address one item not mentioned in your request. If a firm other than your present counsel should be selected, some thought must be put into a method of transition.

We have considerable experience at local government law and recognize there must be a large amount of pending work that must be either be transitioned to new counsel or completed by the current counsel. This is certainly true, and perhaps more critical and difficult, as it relates to any pending litigation.

We would suggest that each matter be handled on a case-by-case basis depending on its complexities, status and time frame from completion. Administrative matters can often times be transferred without too much interruption. If chosen as City Attorney we would like the opportunity to consult with the City and the present counsel on formulating a detailed plan for transitioning all pending matters.

In closing, we appreciate the opportunity to offer our proposal for providing legal services to the City. If any questions arise regarding our proposal we are available at any time to answer any questions you may have.

We view the opportunity to serve the City of Peachtree City as one involving huge responsibilities and commit our best effort and expertise.

Fees

Prepaid monthly fee to cover attendance at all regular and called Council Meetings	\$500.00
Hourly rate for attorneys	\$120.00
Hourly rate for paralegals/clerks	\$60.00

Firm Biography

George N. Sparrow, Jr., P.C. is a general practice firm offering legal services in the areas of local government, commercial and residential real estate, corporate and business, wills, trusts, estates, and other matters.

The firm presently consists of two attorneys, George N. Sparrow, Jr. and Leonard Presberg.

George N. Sparrow, Jr. has practiced law in the Atlanta metropolitan area since 1969 and represented the City of East Point, Georgia for roughly twenty years. He has lived in Fayette County for over twenty years, served as co-chair in the initial organization of the local government committee of younger lawyers section, has lectured in zoning and building codes to the Annual City and County Attorney Seminar of the State Bar of Georgia, and currently holds the highest Martindale-Hubble rating of "AV." Please see the attached resume for more extensive outline of details and experience.

Leonard Presberg has practiced law in Fayette County since 1997 and has worked primarily in the areas of real estate, corporate and business, wills and trusts, and civil litigation. Prior to moving to Fayette County, Mr. Presberg spent a year clerking with four judges of the Circuit Court of Richmond, Virginia. The Circuit Court is essentially the same type of Court as the Superior Court is in Georgia. The cases Mr. Presberg worked on were primarily criminal cases. For more information please see the attached resume.

In addition, we have obtained a commitment from an individual with extensive experience in local government law and as a prosecutor in municipal courts to join our firm. Because of his present employment we are not authorized to release his name but we are certain his experience, credentials and personality will meet with total confirmation by the city of Peachtree City.

REPRESENTATIVE CLIENTS:

American Community Bank of Georgia (Mr. Sparrow is a founding director); First Union Mortgage Corporation; First Union National Bank of Georgia; Norwest Mortgage Corporation; Regions Bank; Interstate Truck & Equipment, Inc.; Laser Products, Inc.; Nale, Inc.; Mortgage Matters, Inc.; Market Street Mortgage Corporation; Avalon Mortgage, Inc.; Southern Crescent Mortgage & Investment Corporation; Homesouth Mortgage Corporation; Bank of America.

REFERENCES:

American Community Bank of Georgia; First Union National Bank of Georgia; Nale, Inc.; McMullan & Company; Comer Properties.

Narrative of Experience

Municipal Law

The senior member of the firm, George N. Sparrow, Jr., served as counsel to East Point, Georgia for approximately twenty years. In that capacity Mr. Sparrow engaged in matters from litigation (see below) to preventative law such as developing sustainable personnel evaluation and promotion systems. Mr. Sparrow was involved in the passage of much of the present enabling legislation for local authorities through his active involvement guiding the legislation through the Georgia General Assembly. Mr. Sparrow was also involved in complex negotiations for the City of East Point with developers regarding major commercial development, in providing counsel to East Point's Municipal Electric and Water Authorities, and in municipal finance and bond issues.

Municipal Court

The senior member of the firm, George N. Sparrow, Jr., has extensive experience in working with elected officials and police officers in establishing court and other prosecutorial procedures for the successful operations of municipal courts. Mr. Sparrow did not serve to prosecute all cases as City Attorney for East Point, but was simply brought in as a special prosecutor for the more complex or difficult cases. Over the nearly twenty years of municipal court work Mr. Sparrow has prosecuted hundreds of cases. Mr. Sparrow's experience is primarily in criminal law and procedure, as can be observed on his attached resume. The individual from whom this firm has obtained a commitment has extensive experience at prosecution of cases in a municipal court, engaging in such activities as the sole prosecutor for a local municipality.

Litigation

George N. Sparrow, Jr. has headed a firm involving as many as twelve attorneys and, as city attorney, handled and oversaw all cases of the City of East Point, Georgia in all state and federal courts. This litigation has involved claims of every type and character from personal injury to constitutional issues. Mr. Sparrow served as one of the lead counsel in nationwide litigation (with other attorneys from such distant points across the nation as Alaska to Puerto Rico) over the 1980 decennial census. When initially engaged on behalf of the City of East Point there was a backlog of two hundred cases that were concluded over a two-year period by motion trials, settlement and otherwise on terms considered to be victorious by the city. Other cases included defense through trial of a number of section 1983 and related charges against police officers and employment related cases involving, among others, charges of discrimination.

Office Location

Our office is located in the City of Fayetteville at 719 West Lanier Ave, Suite B, Fayetteville, GA 30214.

Attorney Biographies

George N. Sparrow Jr.

BIOGRAPHICAL DATA

Age: 58

Grew up in Tifton, Georgia

Married: Gail Nolan Sparrow (1966). Mrs. Sparrow teaches in Fayette County public schools.

Children:

George N. Sparrow, III, age 27

Gregory N. Sparrow, age 21

PROFESSIONAL BACKGROUND

Practice of law since admission to the State Bar of Georgia in 1970. Nature of practice has been general, local government, real estate, corporate and business.

EDUCATIONAL BACKGROUND

Walter F. George School of Law, Mercer University (Juris Doctor Degree, 1969)

University of Georgia (Bachelor of Science Degree in Forestry, 1966)

Abraham Baldwin Agricultural College (Associate Degree in Science, 1963)

PROFESSIONAL EMPLOYMENT HISTORY

1969: Staff Attorney for the Constitution Revision Commission.

1970 to date: Private law practice and senior partner of various law firms with numerous law partners including Honorable George T. Smith, Rowland Barnes, George L. Barron and others.

Engagements include Attorney to City of East Point, Georgia.

ADMITTED TO PRACTICE FOR THE FOLLOWING COURTS

All courts of the State of Georgia including Georgia Court of Appeals and Georgia Supreme Court; United States Court of Appeals for the Fifth Circuit; United States Court of Appeals for the Eleventh Circuit; Supreme Court of the United States; all United States District Courts of the State of Georgia.

MEMBERSHIPS

American, Georgia and Atlanta Bar Associations; The Association of Trial Lawyers of America; American Judicature Society; present and past sections of the State Bar of Georgia and American Bar Association including General Practice, Corporate, Banking, Local Government, Real Property, Probate, Younger Lawyers Section (Co-Chairman Local Government Committee, Atlanta Council of Younger Lawyers); Atlanta Airport Rotary Club; South Fulton Chamber of Commerce; Fayette County Chamber of Commerce.

Leonard Presberg

BIOGRAPHICAL DATA

Age: 32

Married Elizabeth Moore, MD (1990). Dr. Moore practices Obstetrics and Gynecology in Fayette County.

Children:

Emma Lee Presberg, age 4

Eli Alexander Presberg, age 15 mo.

EDUCATION

J.D., *magna cum laude*, 1996, University of Richmond School of Law
Editor-in-Chief, University of Richmond Law Review, 1995-1996
Law Honors Scholarship (full merit scholarship)

B.A., 1989, Oberlin College, Oberlin, Ohio

PUBLICATIONS

Legal:

Comment, *The Civil Rights Act of 1991, Retroactivity and Continuing Violations: The Effect of Landgraf v. USI Film Products and Rivers v. Roadway Express*, 28 U. RICH. L. REV. 1363 (1994)

Various Computer publications including:

Specialty Web Publishing Tools: Folio Infobase Web Server, PC MAGAZINE, Oct. 10, 1995, at 236; *Documents Take Center Stage: Xywrite Review*, PC MAGAZINE, Nov. 9, 1993, at 177; *Byte Lab Report, Desktop Dynamite: 116 Fast 486s*, BYTE, June 1993, at 156; *Lab Report: Hands-On Testing 126 Printers*, BYTE, May 1993, at 146

PROFESSIONAL EXPERIENCE

Attorney, George N. Sparrow Jr. P.C. (11/97 - present)

Judicial Clerk, Circuit Court of the City of Richmond, Richmond, VA (8/96 - 6/97)

Judicial Clerk for highest trial level court in Virginia. Clerked for Circuit Court Judges Donald Lemons, Robert Duling, Thomas Nance, and Walter Stout. Researched primarily criminal law issues with occasional civil work. Wrote legal memoranda and drafted opinions. Discussed rulings with Judges.

Editor-in-Chief, University of Richmond Law Review (5/95 - 5/96)

Responsible for all aspects of publishing a five issue a year legal journal. Managed 18 member board and 40 member staff. Evaluated submissions for publication. Performed final edit on all articles.

GOETZ, TIBBS & ZAHLER

ATTORNEYS AT LAW

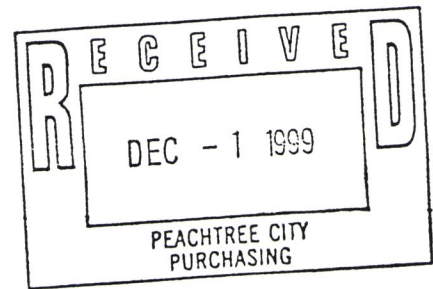
15 PIEDMONT CENTER, SUITE 1070
3575 PIEDMONT ROAD, N.E.
ATLANTA, GEORGIA 30305
TELEPHONE: (404) 841-9000
TOLL FREE: (888) 841-9001
TELECOPIER: (404) 841-6677

CHARLES M. GOETZ, JR.*
PHILIPPA V. TIBBS**
SCOTT M. ZAHLER***

* Also admitted in Washington, D.C.
** Also admitted in Oklahoma
*** Also admitted in Florida

OF COUNSEL:
GEORGE M. GEESLIN

November 30, 1999



Ms. Marcie Blind
Purchasing Office
Peachtree City
151 Willowbend Road
Peachtree City, Georgia 30269

RE: Proposal for City Attorney and Municipal Court Solicitor Services

Dear Ms. Blind:

I previously submitted a Proposal for our firm to handle the City Attorney duties for Peachtree City. This letter is to provide notification of our desire to have our Proposal considered for handling both City Attorney and Municipal Court Solicitor services.

If any additional information is needed, please do not hesitate to call. Thank you in advance for your consideration of our Proposal.

Regards,

Philippa V. Tibbs

**PROPOSAL FOR
PEACHTREE CITY, GEORGIA
CITY ATTORNEY**

Submitted by:
Philippa V. Tibbs
GOETZ, TIBBS & ZAHLER
15 Piedmont Center, Suite 1070
3575 Piedmont Road, N.E.
Atlanta, Georgia 30305
(404) 841-9000, Ext. 22

**PROPOSAL FOR
PEACHTREE CITY, GEORGIA
CITY ATTORNEY**

Submitted by Philippa V. Tibbs

I.

Cost of retainer to include attendance at a minimum of two Council meetings per month plus any called meetings: All legal services rendered, including attendance at any Council and/or called meetings will be billed at \$165.00 per hour. No retainer will be required.

II.

Hourly rate of primary member of firm to represent the firm with the City: Goetz, Tibbs & Zahler partner Philippa Victoria Tibbs is the primary member of the firm who will represent the City of Peachtree City. Ms. Tibbs' hourly rate will be charged at \$165.00 per hour. A personal resume outlining Ms. Tibbs' experience and background is attached hereto.

III.

Hourly rate of other members of the firm to include paralegals and clerks: The hourly rate of other members of the firm, including Charles M. Goetz, Jr. and Scott M. Zahler, will be charged at \$165.00 per hour. The hourly rate for any work handled by a paralegal and/or clerk will be billed at \$50.00 per hour.

IV.

Size of firm and expertise of members of the firm: Please refer to the law firm brochure for Goetz, Tibbs & Zahler is attached hereto. (Three copies are attached.)

V.

Experience of members of the firm in Municipal law: Each partner of Goetz, Tibbs & Zahler has extensive experience in handling matters in municipal, state, federal, administrative and appellate courts.

VI.

Experience of members of the firm in litigation: Philippa Tibbs, the primary member of the firm to represent the firm with the City, has eleven years of experience as a litigator. Charles Goetz has thirty-three years of experience as a litigator and Scott Zahler has been

Charles Goetz has thirty-three years of experience as a litigator and Scott Zahler has been a litigator for six years. Additional information and a representative sampling of matters handled are outlined in the attached law firm brochure.

VII.

Location of office to serve Peachtree City and number of staff members of firm located in that office: The Goetz, Tibbs & Zahler law office is located in Buckhead at 15 Piedmont Center, Suite 1070, 3575 Piedmont Road, N.E., Atlanta, Georgia 30305. In addition to three partners, one secretary will be available to handle matters on behalf of Peachtree City.

VIII.

Biographical data on members of firm: Biographical data is provided on Philippa Tibbs, Charles Goetz, and Scott Zahler in the attached law firm brochure.

Respectfully submitted, this 5th day of November, 1999.

A handwritten signature in dark ink, appearing to read "Philippa V. Tibbs", is written over a horizontal line.

PHILIPPA V. TIBBS
GOETZ, TIBBS & ZAHLER
15 Piedmont Center, Suite 1070
3575 Piedmont Road, N.E.
Atlanta, Georgia 30305
(404) 841-9000, Ext. 22

PHILIPPA VICTORIA TIBBS

GOETZ, TIBBS & ZAHLER
15 Piedmont Center, Suite 1070
3575 Piedmont Road, N.E.
Atlanta, Georgia 30305
Phone: (404) 841-9000, Ext. 22
Facsimile: (404) 841-6677
E-Mail: tibbspv@aol.com

EDUCATION: University of Oklahoma College of Law
Norman, Oklahoma
Juris Doctor – May 1988

Honors:

American Jurisprudence Award – Criminal Law
Phi Delta Phi International Honor Legal Fraternity
Bess Zeldich Ungerman Scholarship Recipient

Oxford University
Summer Law Program – 1986

Langston University
Langston, Oklahoma
Bachelor of Science (*Magna Cum Laude*)
Business Education – May 1985

Honors:

Kappa Delta Pi Education Honor Society
Ernest L. Holloway Outstanding Student Award

EMPLOYMENT: March 1998-present Partner – Goetz, Tibbs & Zahler
1992-1998 Senior Associate – Charles M. Goetz, Jr., Attorneys
at Law and predecessor firm
Atlanta, Georgia
Corporate & Business Law, Contract Law, Insurance Defense,
Products Liability, Premises Liability, Construction Litigation,
General Civil Litigation
1988-1992 Associate
1987-1988 Legal Intern
Edmonds, Cole, Hargrave, Givens & Witzke
Oklahoma City, Oklahoma
Insurance Defense, Products Liability, Medical Malpractice,
Premises Liability, General Civil Litigation
1990-1992 Adjunct Professor
Langston University
Oklahoma City Urban Campus
Instructed Undergraduate Level Business Law and Education
Courses

BAR ADMISSIONS:	1988	Oklahoma Bar Association
	1993	State Bar of Georgia
	1998	Illinois State Bar Association

COURT ADMISSIONS: Supreme Courts of Georgia, Oklahoma and Illinois
Georgia Court of Appeals
United States District Court, Northern & Middle Districts of Georgia
United States District Court, Northern & Western Districts of Oklahoma

PROFESSIONAL MEMBERSHIPS: American Bar Association, Oklahoma Bar Association, State Bar of Georgia; Illinois State Bar Association, Chicago Bar Association, Atlanta Bar Association, Oklahoma Trial Lawyers Association - 1988-1992, William J. Holloway, Jr. American Inn of Court CV - 1991-1992

CIVIC INVOLVEMENT:	1999-2000	Atlanta Volunteer Lawyers Foundation Board of Directors
	1998-1999	D.M. Therrell High School Law and Government Magnet Program Advisory Board
	1990-1992	CONTACT Crisis Helpline Board of Directors Oklahoma City, Oklahoma

BAR INVOLVEMENT:

NATIONAL:	1997-2000	Member, Tort and Insurance Practice Section Membership Committee
	1997-1998	Chair, Young Lawyers Division (YLD) Membership Committee
	1996-1997	Chair, YLD Communications Committee
	1995-1998	Member, YLD Long Range Planning Committee
	1995-1998	Member, YLD Cabinet
	1994-1995	Member, YLD Affiliate Outreach Project National Conferences Team
	1993-1998	Member, YLD Resolutions Committee
	1993-1994	Chair, YLD Awards of Achievement Committee
	1992-1993	Vice Chair, YLD Awards of Achievement Committee
1991-1992	Member, YLD Awards of Achievement Committee	

GEORGIA:	1999-2000	Chair, Atlanta Bar Association Law Week Committee
	1998-2000	Treasurer, Atlanta Bar Association, Atlanta Council of Younger Lawyers
	1997-1999	Member, Atlanta Bar Association, Police Scholarship Commission
	1996-1998	Board Member, Atlanta Bar Association, Atlanta Council of Younger Lawyers
	1996-2000	Member, State Bar of Georgia Committee on Standards in the Profession

STATE BAR OF GEORGIA/YOUNG LAWYERS DIVISION:

1996-97	Chair, Membership Committee
1995-96	Director
1995-96	Member, Nominations Committee
1995-96	Member, Elections Committee
1994-96	Member, Long Range Planning Committee
1994-96	District Representative
1994-95	Chair, Law School Placement and Forums Committee

OKLAHOMA: 1990-92	Board Member, Oklahoma Bar Association Young Lawyers Division (OBA/YLD)
1991-92	Member, OBA/YLD Long Range Planning Committee
1991-92	Member, OBA/YLD Desk Manual Committee

REFERENCES AVAILABLE UPON REQUEST

TIMOTHY H. BENDIN
ALEXANDER H. BOOTH
KARL M. BRAUN
REBECCA T. CHRISTIAN
L. CLINT CROSBY
JAMES H. FISHER, II
MICHAEL G. FRICK
PHILLIP E. FRIDUSS
T. ANDREW GRAHAM
CHEVEDA D. GRIER
JOHN E. HALL, JR.
FRED L. HUBBS, JR.
NOEL L. HURLEY
SHARON DAVIS KING
JAMES E. LOOPER, JR.

Hall, Booth, Smith & Slover

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW
230 Peachtree Street, N.W., Suite 2500
Atlanta, Georgia 30303-1515
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EMAIL: MAIL@hbss.net

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JONATHAN MARIGLIANO
ROGER G. MARTIN
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DEBORAH S. MOSES
MICHAEL A. PANNIER
ASHLEY D. PHILLIPS
STEVEN D. PRELUTSKY
ROBERT S. REGISTER
ROBERT L. SHANNON, JR.
RICHARD N. SHEINIS
JACK G. SLOVER, JR.
RUSH S. SMITH, JR.
ROGER S. SUMRALL
WENDY A. WEBER

Writer's Direct Dial Number
(404) 954-6925
pfriduss@hbss.net

November 17, 1999

Brenda Rogers
Personnel Manager
City Hall
151 Willowbend Road
Peachtree City, GA 39269

Dear Brenda:

Please accept this as my formal proposal for legal services for the position of City Attorney for Peachtree City. Local government practice has comprised at least 80% of my caseload for eleven years now. Below you will find an outline of my experiences in this unique practice area.

LOCAL GOVERNMENT REPRESENTATION - Since 1989 I have represented over 100 cities, counties, school boards, water authorities, zoning boards, the State of Georgia, and unified governments. The variety of cases I have handled range from employment cases to zoning cases, from First Amendment Free Speech and Freedom of Religion cases to prisoner cases, and from wage and hour litigation to due process and equal protection claims.

In furtherance of the representation of these governmental entities, along with appearances in numerous courts in the state system, I have appeared over twenty (20) times in the United States Court of Appeals for the Eleventh Circuit, practice currently in all Federal Districts in the State, and have appeared before the Georgia Court of Appeals and the Georgia Supreme Court.

CITY ATTORNEY EXPERIENCE - After serving a stint as a zoning board member, I served as Villa Rica City Attorney in 1993. Thereafter, I served as the Whitesburg City Attorney from 1994 to 1997.

Brenda Rogers
Personnel Manager
City Hall
November 17, 1999
Page 2

As City Attorney for these municipalities, I likely was involved in the very types of situations on a day-to-day basis that arise in Peachtree City.

ON THE NATIONAL LEVEL - I presently serve as Chairman of the American Bar Association's Governmental Operations and Liability Committee. This follows my service as Chairman of the American Bar Association's Sub-Committee on Civil Rights and First Amendment Liability, a position which I either held or shared for nearly three years.

I also serve on Senator Paul Coverdell's Crime and Law Enforcement Task Force, providing the Senator advice on various Fourth and Fourteenth Amendment issues.

PUBLICATIONS AND SPEECHES - I have authored numerous law review and trade publication articles, the most recent of which I enclose an author's copy with this correspondence. I have spoken to the Federal Bar Association on police pursuit liability (Dallas, Texas 1997) and at the ABA's Nuts And Bolts of Municipal Law Seminar on the issue of open records (Chicago, 1998).

I also author a newsletter on local government liability, and I take the opportunity to enclose a past edition herewith.

Here at Hall, Booth, Smith & Slover, I chair the Firm's local government section, which has five members in it. I also often draw on the experience of my partner, Jack G. Slover, Jr., who served as the Mitchell County Attorney for four years in the 1980's, and who currently serves as a part-time Magistrate Judge in Fulton County.

A proposal for legal services to Peachtree City would be based upon an hourly fee basis. As I believe the welfare of Peachtree City is central to the overall development of my own home here in Fulton County, our proposal is to charge you my "best client rate" at the hourly rate of \$125 for my services. For any work performed by my associates, we would charge \$110 per hour. Paralegals will be billed at \$70 per hour.

This Firm presently has thirty-six (36) lawyers (copy of most recent roster enclosed with Firm resume). We would require no retainer, but would ask that we be allowed to bill for services rendered on a monthly basis.

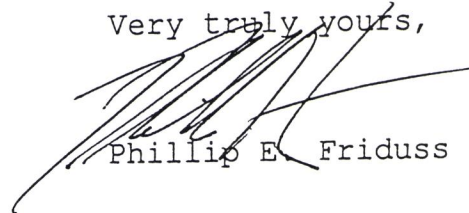
Brenda Rogers
Personnel Manager
City Hall
November 17, 1999
Page 3

Our office is located in Downtown Atlanta, and it would be necessary to service you from there. Of course, in-person attention is often required outside the usual called meetings, and we certainly will see that this is flawlessly accomplished. Billing for travel time will be reduced by $\frac{1}{2}$ as a service to your City.

I very much look forward to the opportunity to meet with you to discuss the possibility of my serving as City Attorney for Peachtree City.

With best regards,

Very truly yours,

A handwritten signature in dark ink, appearing to be "Phillip E. Friduss", written over the typed name.

Phillip E. Friduss

PEF:rs

Enclosures

TIMOTHY H. BENDIN
ALEXANDER H. BOOTH
KARL M. BRAUN
REBECCA T. CHRISTIAN
L. CLINT CROSBY
JAMES H. FISHER, II
MICHAEL G. FRICK
PHILLIP E. FRIDUSS
T. ANDREW GRAHAM
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RUSH S. SMITH, JR.
ROGER S. SUMRALL
WENDY A. WEBER

Writer's Direct Dial Number
(404) 954-6925
pfriduss@hbss.net

January 4, 2000

Marcie Blind
Peachtree City, Georgia
Purchasing Office
151 Willowbend Road
Peachtree City, GA 30269

Dear Ms. Blind:

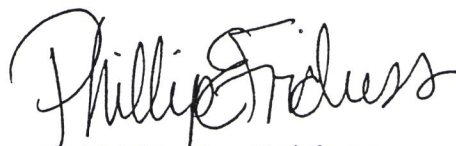
This firm and the undersigned recently submitted a proposal for the position of City Attorney for Peachtree City, Georgia. I am now in receipt of your December 27, 1999 correspondence with a new request for submittal. As a result of the City Counsel's decision to merge the Solicitor's duties with that of City Attorney. Please accept the following as a supplement to our earlier submittal.

I have enclosed a copy of the resume of Roger G. Martin, an attorney with this firm. He is presently the Assistant Solicitor in the City of Decatur (a part-time position), and has expressed interest in providing and overseeing the Solicitor duties for the City of Peachtree City, as part of the overall services we are offering in response to your request for City Attorney/Solicitor proposals.

Should you require further information from me, please do not hesitate to call. I look forward to hearing from you.

With best regards,

Very truly yours,



Phillip E. Friduss

PEF:rs

ROGER G. MARTIN, ATTORNEY AT LAW

2398 Alston Drive S.E. Atlanta, Georgia 30317-3127

(404) 377-3365

PROFESSIONAL EXPERIENCE:

1998-PRESENT ATTORNEY - Hall, Booth, Smith and Slover, P.C.

Worked directly with two Senior Partners on major insurance defense cases for thirty lawyer law firm;
Cases included medical malpractice, large commercial liability claims, coverage questions, and related matters;
Experience with all aspects of the discovery process including depositions, request to parties and non parties;
Developed and maintained independent case list and clients;

1998-PRESENT ASSISTANT SOLICITOR City of Decatur (part-time position)

1988-1998 STAFF ATTORNEY - The Honorable Jack B. Smith, Senior Judge, State Court of DeKalb County

Managed and directed all operations of the Senior Division;
Total responsibility for preparation of all legal opinions, orders, and correspondence;
Extensive trial experience with criminal and civil matters including jury selection, direct and cross examination, opening and closing, and motion practice;
Working familiarity with DeKalb Courthouse and personnel.

1987-1988 CORPORATE COUNSEL - LanPro Communications, Inc.

Directed all corporate legal affairs for a leading multimillion dollar computer networking company, including staff supervisions, litigation management and direction;
Drafted all corporate documents including Buy-Sell Agreements, Stock Repurchase Agreements, corporate resolutions and all related documents including required filings;
Served on Board of Directors until 1995

1986-1987 TRIAL ATTORNEY - The Keenan Law Firm

Supervised Social Security Disability Department;
Provided trial assistance with medical malpractice, personal injury, and Worker's Compensation cases;
Legislative liaison and lobbyist for plaintiff's issues.

1985-1986 ATTORNEY - Georgia Department of Labor

Supervisor of Bankruptcy Unit involving over 1500 cases;
Researched, developed, and drafted Departmental Legislation;
Advocate for Department at Liability Hearings;
Counsel to The Board of Review.

RESUME OF QUALIFICATIONS
ROGER G. MARTIN, ESQ.
PAGE TWO

1983-1984 LEGISLATIVE AIDE - Senator Janice Horton

Directed, research and drafting of all legislation;
Monitored all pending legislation;
Conducted lobby activities among Members of the General Assembly;
Directed constituent services.

1981-1983 LEGISLATIVE AIDE - Senator Roy Barnes

Assigned as Legislative Aide to Special Judiciary Committee
Provided legal research, tracking operations and drafted synopsis
on all pending legislation
Directed all legislative and constituent services for Senator Roy
Barnes

EDUCATION:

Georgia State University
College of Law; June, 1985
Admitted, Georgia Bar November, 1985

Georgia State University
B.A. Cum Laude in Political Science; June, 1982
Honors student during all dates of attendance

HONORS AND AWARDS:

1997-1999 COMMISSIONER - National Conference on Uniform State Laws
Appointed by Governor as Commissioner to the National Conference
of Commissioners on Uniform State Laws.

REFERENCES:

The Honorable Jack B. Smith,
Senior Judge
State Court of DeKalb County

Michael Maloof
Attorney at Law
South McDonough Blvd.
Decatur, Ga. 30030

David Rutledge
Chief of Public Safety
Department of Public Safety
Trinity Avenue
Decatur, Georgia 30303

The Honorable Edward E. Carriere
Judge,
State Court of DeKalb County
556 South McDonough Blvd.
Decatur, Ga. 30303

POSITION PAPER
Proposed Public Service Sign, City of Senoia
Director of Developmental Services
February 21, 2000

Situation:

The Downtown Development Authority of the City of Senoia has requested permission to erect a sign within Peachtree City at the intersection of GA 74 South and Rockaway Road (Attachment "A").

Facts:

1. The location of the proposed sign is on property owned by Peachtree City (Attachment "B").
2. The size of the proposed sign is 30" x 60", or 12.5 square feet.
3. The proposed sign would be classified as a Public Service Sign, and it would be regulated by Section 66-191 (6) of the Sign Ordinance (Attachment "C").
4. Because the sign would be greater than 2 square feet, it would require the approval of Council.

Recommendation:

The staff recommends that the proposed sign be approved as a courtesy to the City of Senoia, provided it is installed in accordance with all the provisions of Section 66-191 (6), and the top of the sign is no more than 6 feet above the ground.

JBW/jir

Attachments: "A" – "B"

City Of Senoia

P.O. Box 310
Senoia, GA 30276
TEL. 770-599-3679
FAX 770-599-0855

February 3, 2000

Mr. James B. Williams
Director of Development Services, Peachtree City
151 Willowbend Road
Peachtree City, Georgia 30269

Dear Mr. Williams:

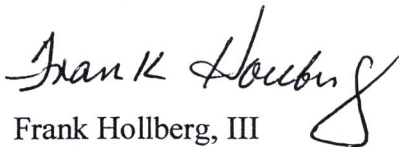
The Downtown Development Authority of the City of Senoia is in the process of placing directional signage from the three major highways (GA Hwy's 74, 16 and 85) surrounding our City to our downtown area.

We would like to place a double-faced sign at the intersection of Rockaway Road and Highway 74 on the right side going east before the right turn to Rockaway Road. The sign would be 30"x60"x3" constructed of industrial grade foam board. Uprights and crossbars will be made of treated wood. The sign will be inspected and cleaned annually and repainted every two years. We will have in-place a maintenance contract on the sign for the first five years.

As you can see from the artist's drawing of the sign, it will be very attractive and will enhance the image of your sister city, Senoia.

We would appreciate any consideration you can give us in allowing the sign to be placed at this location.

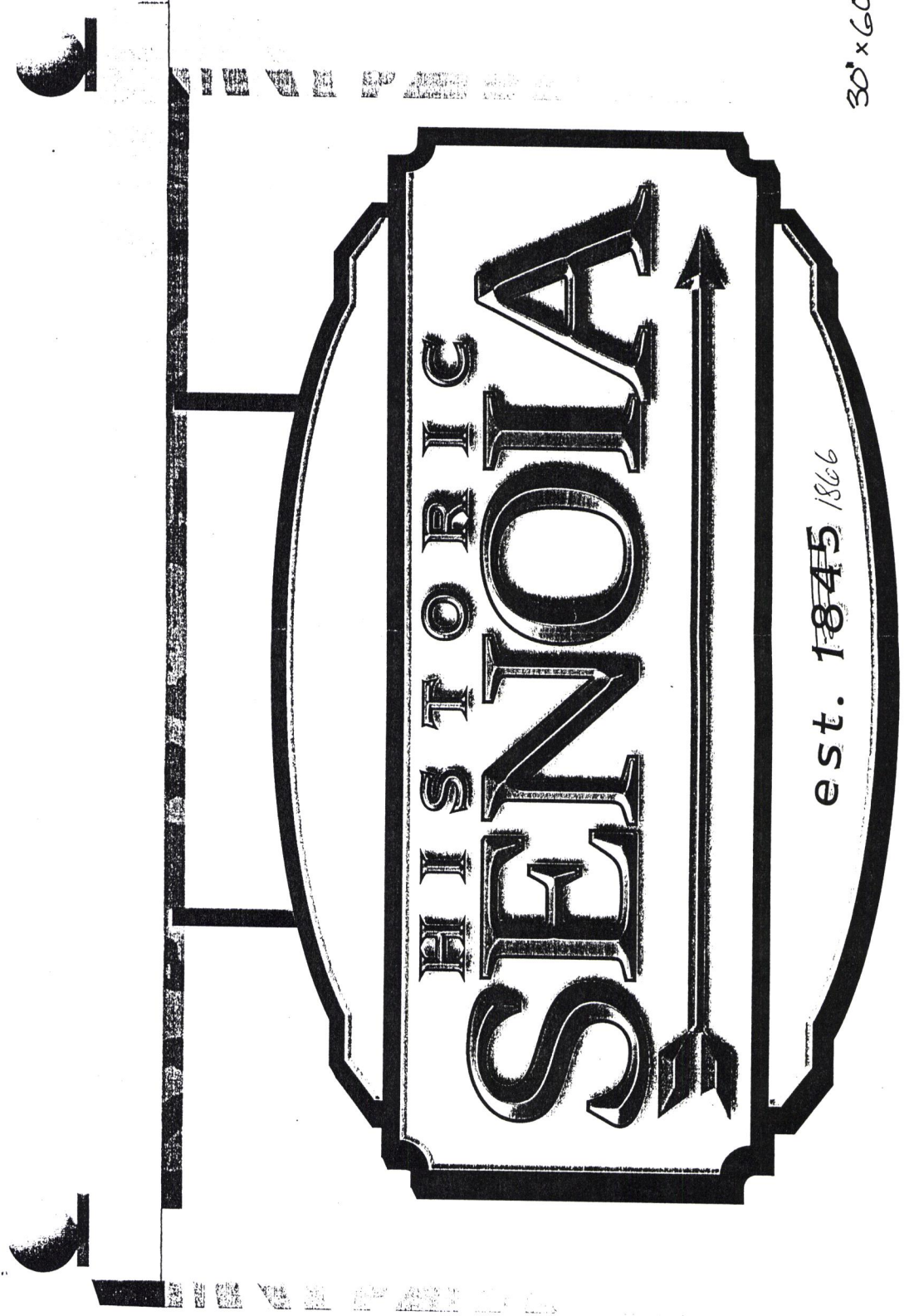
Sincerely,



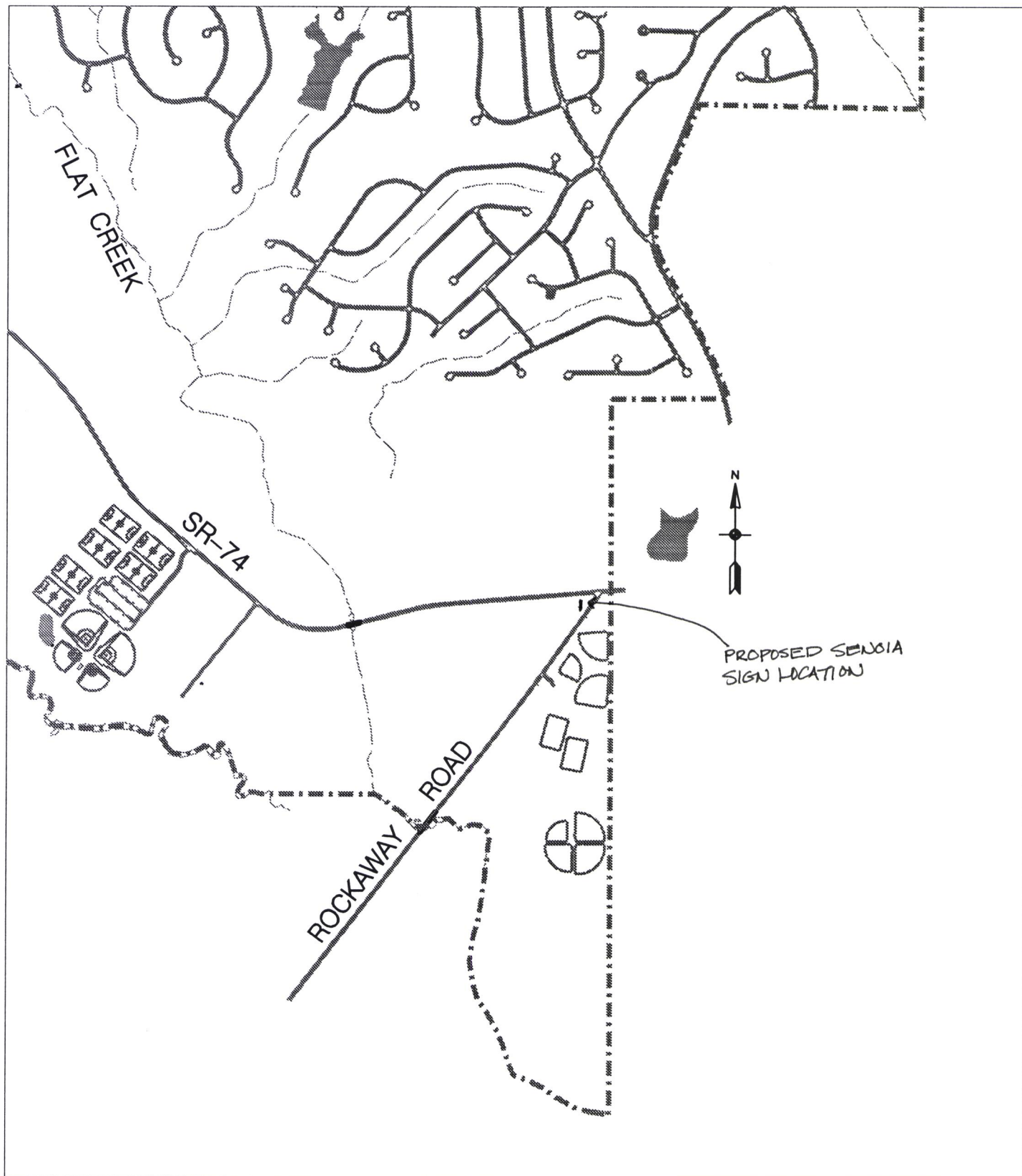
Frank Hollberg, III
Chairman
Senoia Downtown Development Authority

ATTACHMENT 'A'

1 OF 2



30' x 60" x 72" High



...\\MAPS\\ZONING\\REZONE\\BLACK.DGN 02/22/2000 08:29:52 AM SCALE 1:16800 (1" = 1400')

ATTACHMENT "B"

1 OF 1

- (6) Directional, informational or public service signs located on public property shall be limited to two square feet in area, except that the city council may approve larger signs, provided:
- The sign is owned by or dedicated to the city;
 - The sign is placed on public property, or private property where a sign easement granting the city the right to erect or have erected such sign has been properly issued;
 - The sign is erected for the convenience or safety of the public and does not identify any particular commercial or industrial entity;
 - The size, location, type of construction and number of such signs shall be commensurate with the feature being identified, but in no case exceed 125 square feet in area nor exceed 25 feet in height; and
 - The length of time such sign shall remain erected shall be at the discretion of the city council; however, for clarity, a minimum and/or maximum time period may be designated at the time such sign is approved.
- (7) Temporary signs, other than those already approved in this chapter, for the purpose of advertising or stating a message of public interest may be permitted. Temporary signs shall not exceed six square feet, unless specifically permitted elsewhere in this chapter. Temporary signs shall not unduly contrast with the aesthetics of the surrounding area. Ground signs shall be placed at least 200 feet from the edge of the pavement of Georgia Highway 74 or Georgia Highway 54.
- (8) Clocks.
- (Code 1980, § 5-125(E))

Secs. 66-192—66-225. Reserved.

ARTICLE V. PERMITTED SIGNS

Sec. 66-226. Signs permitted in all districts.

The signs specified in this article may be erected without a sign permit or sign committee review, subject to this chapter and the specific limitations set forth in this article.
(Code 1980, § 5-126(Intro ¶))

Sec. 66-227. Real estate signs.

Real estate signs which indicate the sale, rental or lease of the property are permitted, provided such signs are located on the property, are at least five feet from the paved portion of any street or driveway, and are no more than five feet above ground level. Only one real estate sign per property is permitted.

- (1) In residential zoning districts, the maximum size is six square feet, and the sign must be removed no later than seven days after closing of sale, rental or lease of the property.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Councilmembers

VIA: Jim Basinger 

FROM: Joe Morton 
Jane Miller 

DATE: February 23, 2000

SUBJECT: Pay Study

As you may recall, Council recently approved pay plan increases for Police Officers due to difficulty in recruiting applicants to fill vacancies. At that time, staff indicated that there were pay issues with other positions that needed to be addressed and that we would discuss this issue at Retreat. Since that time, staff has concluded that a complete classification and pay plan study should be initiated.

Our current plan was completed and implemented in 1991. Since that time we have made numerous amendments based on recruitment/retention problems and have lost the internal equity the plan contained when adopted. Additionally, some salaries are not indicative of market conditions. Hence the need for a current study.

The Atlanta Regional Commission conducted the pay and classification plan in 1991. However, they do not have the resources to provide the personalized service we believe we need. Therefore, staff has contacted two private companies that provide this professional service to discuss the components of the study and to get an idea of the cost and timeframe to complete the project. They are DMG/Maximus of Atlanta and MGT in Tallahassee. We requested information about the approximate cost of providing the following:

- Revised job descriptions based on employee questionnaires and evaluation of duties
- Customized pay study
- Establish pay plan structure
- Ensure internal equity
- Identify exempt/non-exempt positions
- Assist in implementation of pay plan
- Handle employee request for review if employee does not believe it is appropriately classified

These companies would assist in classifying new jobs that might be created in the future to ensure continued internal equity and would charge a small fee each time they were asked to evaluate a new position.

Both companies indicated that the study would take approximately four (4) months and would cost between \$20,000 and \$25,000 to complete. Staff realizes that, if this is to be completed in time for implementation in October, an RFP needs to be prepared ASAP and a company be awarded the project by May 1. Staff is requesting authorization to proceed with an RFP. Staff will return to Council with a recommendation and a request for funding once the proposals have been received and evaluated.

/jsm

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: City Clerk

VIA: City Manager 
Assistant City Manager 

DATE: February 17, 2000

SUBJECT: Records Management

The attached ordinance is being proposed to implement a comprehensive records management program and to officially acknowledge Peachtree City's ongoing compliance with the Georgia Records Act.

The records management program that is referenced in the ordinance has been prepared and is ready for implementation. A copy of the procedures and an implementation plan is attached for your information.

Additionally, I have applied for and received a \$2,500 matching grant from the Secretary of State, Department of Archives and History to assist in the implementation of the program. I anticipate additional funding will be available in the future.

After reviewing the grant proposal, the Georgia Department of Archives and History contacted me about possibly joining them in applying for a grant from the National Historical Publications and Records Commission. If the grant were awarded, they would like Peachtree City to participate as a test site for developing and testing guidelines and strategies for the long-term preservation and accessibility of electronic records.

The attached ordinance is submitted for your consideration at the March 2, 2000, City Council meeting.

**AN ORDINANCE TO ESTABLISH
A RECORDS MANAGEMENT PROGRAM**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that Chapter II, Article VI. Sections 2-500 through 2-503 be added as follows:

**CHAPTER II – ADMINISTRATION
ARTICLE VI. RECORDS MANAGEMENT
(STATE LAW REFERENCE O.C.G.A. 50-18-90)**

Section 2-500. Purpose – The purpose of this ordinance is to comply with the Georgia Records Act (O.C.G.A. 50-18-90 et seq.) enacted by the general assembly in 1972, and as the act may from time to time be amended.

Section 2-501. Administrative Responsibilities – The City Manager shall designate a record management officer who shall establish and maintain an active and continuing program for the economical and effective management of records.

Section 2-502. Duties of Department Heads. It shall be the duty of each department head to cooperate fully with the records management officer in complying with this article and the provisions of the Georgia Records Act. It shall further be the duty of each department head to implement the records management procedures and regulations issued by the records management officer, the state records committee and the department of archives and history.

Section 2-503. Retention Schedule – the city hereby adopts the records retention schedule for municipal governments as approved by the state records committee. A copy of such schedule is on file in the office of the city clerk.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed in their entirety. Done, Ratified and Passed this 2nd day of March 2000.

Mayor

Attest: _____
City Clerk

RECORDS MANAGEMENT PROGRAM

Purpose/Statement of Policy	I	Liaison Officers - Duties and Responsibilities	IX
Definitions	II	Records Management Plan	X
Ownership and Custody of City records	III	Records Retention and Deposition Schedules	XI
Password Protected Electronic	IV	Implementation	XII
Documents Prohibited	V	Destruction of Records	XIII
Records involved in open record's requests, pending litigation, or audit	VI	Forms Management	XIV
Records Management Officer – Duties and Responsibilities	VII	Records Center	XV
Directors/Chiefs - Duties and Responsibilities	VIII	Microfilming Records	XVI
		Electronic Records – Storage and Destruction	XVII
		Electronic Mail	XVIII

I. PURPOSE - STATEMENT OF POLICY.

The City of Peachtree City recognizes that its citizens have a right to expect, and the City has an obligation to maintain, an efficient and cost-effective Records Management Program and it further recognizes the importance of City records in the lives of its citizens. The City of Peachtree City has a responsibility to its citizens to manage, protect, preserve and make available City records.

It is the policy of the City of Peachtree City to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, retention, and disposition of all records of the City of Peachtree City. This policy will be implemented through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Georgia Open Records Act and accepted records management practice.

The decision to adopt Peachtree City's Records Management Program is a commitment to improving the City's overall record keeping system. The City acknowledges that, while the utilization of retention schedules and micrographics may in fact delay the inevitable chaos that results from records mismanagement or non-management, long-term benefits can be realized only through the introduction of a well-conceived, preplanned, comprehensive program that emphasizes the design, creation, use, maintenance and disposition of records.

All City records must be created, maintained, and disposed of in accordance with this chapter and all requirements, policies and procedures established pursuant to this chapter, and in no other manner.

II. DEFINITIONS.

"APPROVED RECORD'S RETENTION AND DISPOSITION SCHEDULE" - a record's retention and disposition schedule that has been approved by the City Manager, the Records Management Officer, and the Georgia Secretary of State Records Management Office and adopted by the City Council by resolution.

"CITY RECORD" - every document, paper, letter, record, book, map, drawing, photograph, tape (sound or video recording), and all copies, duplicates, photographs, including microfilm, or other reproductions

thereof, or any other documentary materials, regardless of physical form or characteristics, including information contained in electronic data processing equipment and on floppy disks, optical disks, and compact disks, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under State law, that is created or received by the City of Peachtree City or any of its officers or employees pursuant to law or in the transaction of public business. A City record does not include library material acquired solely for reference, exhibit, or display or stocks of publications, advertisements, or other unsolicited written materials received by the City or any of its officers or employees. The provisions of the State of Georgia Open Records Act or any successor provisions thereof shall govern with regard to the status of the records described herein as public records or as exempt from the public records laws.

"RECORDS CENTER" - the facility used to provide centralized and secure storage for non-current and permanent City records.

"DEPARTMENT" - any department, division, commission, authority, committee, task force, or similar entity of the City.

"DIRECTOR/CHIEF" - the person who is in charge of a department of the City that creates or receives City records.

"ESSENTIAL RECORD" - any City record necessary to resume or continue operations of the City in an emergency or disaster; recreate the legal and financial status of the City; or to protect and fulfill obligations to the citizens of the City.

"FORM" - A document on which captions are pre-printed for entering variable data and which is used to transmit information from one point to another. Forms are generally used to cause some action, establish a memory and/or give a report. This includes stationery, envelopes, memo pads, checks, etc.

"OPEN RECORDS LAW" - O.C.G.A. 50-14-1 through 50-18-76, also known as the Georgia Open Records Act and the Sunshine Law. City Administrative Manual (CAM) - 4-1, further explains the City's compliance with this law.

"PERMANENT RECORD" - any City record for which the retention period on a Records Retention and Disposition Schedule is given as permanent.

"RECORDS DISPOSITION" - the removal or destruction of a City record from a department or from a non-current records storage center and for a City record that has passed its minimum legal retention period and no longer has value to the City, or for a permanent City record, transfer of the record to *RECORDS CENTER* for archival accession.

"RECORDS INVENTORY" - the process of locating, identifying, and describing in detail the records of a department.

"RECORDS LIAISON" - a person designated by each Director/Chief to implement the Records Management Program in their department.

"RECORDS MANAGEMENT" - the creation and implementation of systematic controls for City records from the point where they are created or received through final disposition or archival retention, including distribution, use, maintenance, storage, retrieval, protection, preservation and disposal, for the purpose of achieving adequate and proper documentation of the policies and transactions of City government and reducing costs and improving the efficiency of record keeping. The term includes: development of Records Retention and Disposition Schedules; management of filing and information retrieval systems; protection of essential and permanent records; economical and space-effective storage of non-current records; control over the creation and distribution of forms, reports, and correspondence; management of manual, micrographic, electronic, and other records storage systems; and identification of functional record keeping requirements that ensure City records are created to adequately document the City's business transactions.

"RECORDS MANAGEMENT OFFICER" - the person appointed by the City Manager to administer the City's Records Management Program.

"RECORDS MANAGEMENT PROGRAM" - the requirements, policies, and procedures developed by this document.

"RECORDS RETENTION AND DISPOSITION SCHEDULE" - a document prepared by or under the authority of the Records Management Officer that describes recurring records or records series on a continuing basis, indicating for each record series the length of time it is to be maintained in a department or in RECORDS CENTER; when and if the record or records series may be destroyed or otherwise disposed of; and other records disposition information that the Records Management Program may require.

"RETENTION PERIOD" - the minimum time that must pass after the creation, recording, or receipt of a City record, or after the fulfillment of certain actions associated with a City record before the record is eligible for disposition.

III. OWNERSHIP AND CUSTODY OF CITY RECORDS.

Every City record is the property of the City of Peachtree City. No City officer or employee has any personal or property right to a City record even though they may have developed or compiled the record. The unauthorized alteration, destruction, deletion, removal from files, or use of a City record is prohibited. A City record exempted from public disclosure under State or federal law is not made subject to disclosure by its designation as City property under this section.

A City record may not be sold, loaned, given away, destroyed, or otherwise alienated from the City's custody unless in accordance with this chapter. This subsection does not apply to a City record that is

temporarily transferred to a contractor for purposes of microfilming, duplication, conversion to electronic media, restoration, or a similar records management and preservation procedure if the transfer is authorized by the Records Management Officer.

Except when a City record is transferred into the archival custody of RECORDS CENTER, legal custody of a City record created or received by a department during the course of business remains with the Director/Chief. The legal custodian, as guardian of the record, does not relinquish responsibility for the care, preservation, or legal disposition of the record even though physical custody of the record for maintenance and preservation purposes may be held by another department or agency. The physical custodian of the record is also responsible for complying with all Records Management Program requirements, policies, and procedures. An original City record may not leave the custody of the department concerned when it is being used by a member of the public.

Every official or employee shall deliver to any successor all City records pertaining to the office held by the City officer or employee. The legal and physical custody of a City record that has continuing historical value to the City may be transferred to Records Center upon agreement between the Director/Chief and the Records Management Officer. Records Center's custody of the record subsequently will be known as archival custody, and ownership of the record remains with the City. The records center shall have legal and physical custody of all City records belonging to any defunct department that does not have a named successor.

IV. PASSWORD PROTECTED ELECTRONIC RECORDS PROHIBITED.

Because all City records, including all electronic records, are public records, electronic records may not be password protected unless it is a record specifically exempt from the Open Records Law. Only confidential documents as specified in the Open Records Law may be password protected as long as the creator of the document provides his/her supervisor with the password. Written confirmation from the supervisor shall be forwarded to the Records Management Officer confirming the record is confidential. Such confirmation shall note the specific law that exempts the record from being an Open Record.

V. RECORDS INVOLVED IN PUBLIC INFORMATION REQUESTS, PENDING LITIGATION, OR PENDING AUDITS.

The destruction of a City record involved in a pending request under the Public Information Act, pending litigation, or a pending audit is prohibited, even if the destruction of the record is authorized by an approved Records Retention and Disposition Schedule.

VI. RECORDS MANAGEMENT OFFICER - DUTIES AND RESPONSIBILITIES.

In addition to other duties assigned by this chapter and State law, the Records Management Officer shall:

- (1) Administer the City's Records Management Program and provide advice and assistance to Directors/Chiefs in its implementation;
- (2) Prepare the requirements, policies and procedures for the City's Records Management Program;
- (3) Review and approve the Records Retention and Disposition Schedules for all departments;
- (4) In cooperation with Directors/Chiefs, identify essential records and establish a records disaster and recovery plan for each department to ensure maximum availability of the records in order to re-establish operations quickly and with minimum disruption and expense;
- (5) Monitor retention/disposition schedules and administrative rules issued by the Georgia Secretary of State to determine if the Records Management Program and the City's Records Retention and Disposition Schedules are in compliance with State regulations;
- (6) Disseminate information concerning State laws and administrative rules relating to City records to the Directors/Chiefs;
- (7) Instruct Records Liaison Officers and other personnel in the Records Management Program;
- (8) Direct Records Liaison Officers and other personnel in the conduct of records inventories in preparation for the development of Records Retention and Disposition Schedules;
- (9) Ensure that the creation, maintenance, preservation, microfilming, electronic storage, destruction, and other disposition of City records are carried out in accordance with the requirements, policies, and procedures of the Records Management Program, this chapter and State law;
- (10) Bring to the attention of the City Manager any noncompliance by a Director/Chief or other personnel with the requirements, policies, and procedures of the Records Management Program, this chapter, or State law;
- (11) Develop procedures to ensure the permanent preservation of the historically valuable records of the City;
- (12) Conduct periodic reviews of departmental record keeping practices and Records Retention and Disposition Schedules to ensure that the schedules are kept current;
- (13) Provide uniform standards and efficient controls over the identification, appraisal, maintenance, protection, preservation, transfer, retention, and disposition of City records;
- (14) Conduct surveys, studies, and information systems assessments to assist in promoting a proper and efficient Records Management Program for the City, including microfilming services and automated information systems, and report the results of such surveys, studies, and assessments to the Records Management Policy Committee;
- (15) Inspect all City records as necessary to ensure compliance with the Records Management Program, this chapter, and State law;
- (16) Review City-wide and departmental policies to ensure compliance with the Records Management Program, this chapter, and State law;
- (17) In cooperation with Directors/Chiefs, incorporate records management policies, objectives, responsibilities, and authorities in pertinent departmental directives;
- (18) Review user requirements, cost feasibility studies, systems requirements, systems specifications, and other systems design documents to ensure that record keeping requirements and public access requirements are incorporated into electronic record keeping systems at the design phase;
- (19) Establish procedures for the use of approved general retention and disposition schedules by City departments;

- (20) Implement and maintain a forms control program as further described in section. XII. of this policy;
- (21) Serve as the City's liaison to the Georgia Secretary of State for Records Management Program requirements; and

VII. DIRECTORS /CHIEFS - DUTIES AND RESPONSIBILITIES

Every Director and Chief shall:

- (1) Cooperate with the Records Management Officer in carrying out the policies, procedures, and requirements of the Records Management Program, this chapter, and State law;
- (2) Maintain City records in their custody and carry out the preservation, microfilming, electronic storage, destruction, and other disposition of those records only in accordance with the Records Management Program, this chapter, and State law;
- (3) Review and approve Records Retention and Disposition Schedules and requests to dispose of City records that are prepared and submitted by or under the direction of the Records Management Officer;
- (4) Notify the Records Management Officer within 24 hours of the discovery of any loss, theft, or damage to a City record;
- (5) Ensure the ability to access records regardless of form or medium;
- (6) Notify the Records Management Officer of proposed electronic record keeping systems to ensure compliance with electronic record keeping requirements established by the Records Management Program, this chapter, and State law;
- (7) Ensure electronic records in the director's custody are migrated forward as technology changes, for as long as the records are determined to have value, and to ensure that requests for funding for new systems or systems enhancements address requirements for backup, recopying, disaster recovery, security, public access, audit trails, and other record keeping requirements in accordance with the Records Management Program, this chapter, and State law;
- (8) Appoint a department Records Liaison Officer in accordance with this program;
- (9) Incorporate the Records Management Program requirements in pertinent departmental policies and procedures;
- (10) In cooperation with the Records Management Officer, identify essential records of the department and establish a Records Disaster Recovery Plan to ensure maximum availability of the records to reestablish operations quickly and with minimum disruption and expense;

VIII. RECORDS LIAISON OFFICERS – DUTIES AND RESPONSIBILITIES

Each Director/Chief shall designate in writing to the Records Management Officer a member of the Director/Chief's staff to serve as the Records Liaison Officer for the implementation of the Records Management Program for each division. If the Records Management Officer determines that more than one Records Liaison Officer should be designated for a department, the Director/Chief shall designate the number of Records Liaison Officers specified by the Records Management Officer. The Director/Chief may serve as Records Liaison Officer for a department.

A person designated as a Records Liaison Officer shall be thoroughly familiar with departmental policies and activities and have full knowledge of and access to all City records created and maintained by the Division and by all officers and employees of the department.

If a person designated as a Records Liaison Officer resigns, retires, or is removed by action of the Director/Chief, the Director/Chief shall promptly designate another person to fill the vacancy.

In addition to other duties assigned in this chapter or by State law, a Records Liaison Officer shall:

- (1) In cooperation with the Records Management Officer, coordinate and implement the requirements, policies, and procedures of the Records Management Program in the department;
- (2) Disseminate information to department staff concerning the Records Management Program;
- (3) In cooperation with the Records Management Officer, coordinate the records inventory of the department;
- (4) Verify the accuracy, content and completeness of the records inventory prior to submission to the Records Management Officer;
- (5) Review departmental record keeping practices for compliance with the Records Management Program and, in consultation with the Records Management Officer, identify practices that require improvement for the purposes of increasing efficiency or implementing corrective action for program compliance; and;
- (6) Report any noncompliance with the Records Management Program to the Director/Chief in writing; and correct and re-submit to the Records Management Officer any records inventory that is incomplete or inaccurate.

IX. RECORDS RETENTION AND DISPOSITION SCHEDULES

The Records Management Officer, in cooperation with Directors/Chiefs and Records Liaison Officers, shall prepare Records Retention and Disposition Schedules on a department by department basis that describe and establish the retention periods for all City records created or received by each department. The schedule should list the periods of time that the records are to remain in the original department, the records center, as well as the ultimate disposition. (microfilm, transfer to archives, or destroy.)

Any Records Retention and Disposition Schedule, amendment to a schedule, or request for destruction of a record that contains general terms such as "miscellaneous" and "various" to describe any record identified in such a document may not be submitted to the Records Management Officer for consideration.

Each Records Retention and Disposition Schedule must be monitored and amended as needed by the Records Management Officer on a regular basis to ensure that the schedule is in compliance with Records Retention and Disposition Schedules issued by the State and that the schedule continues to reflect the record keeping procedures and needs of the department and the Records Management Program of the City.

Records may not be destroyed prior to the time periods stated, however, they may be retained for longer periods for sufficient reason.

X. IMPLEMENTATION

The Director/Chief and Records Liaison Officer of a department for which a Records Retention and Disposition Schedule has been approved shall implement the schedule in accordance with the requirements, policies, and procedures of the Records Management Program, this chapter, and State law.

A City record whose retention period has expired on an approved Records Retention and Disposition Schedule must be destroyed unless an Open Records Request is pending on the record; the subject matter of the record is pertinent to pending litigation or a pending audit; the Director/Chief requests to the Records Management Officer in writing that the record be retained for an additional period, which request must clearly state the reason for the continued retention; or the Records Management Officer sends written notification to a Director/Chief that the records must be held pending review for historical appraisal.

XI. DESTRUCTION OF RECORDS

The Records Management Officer shall approve City records proposed for destruction on a regularly scheduled basis, according to the maximum retention and records disposition guidelines provided in the manual. No original record shall be destroyed without the review and concurrence of the Records Management Officer and the appropriate Director/Chief. The Records Management Officer is directed to supervise the destruction of records approved for final disposition on a regularly scheduled basis. Any City record, the subject matter of which is in litigation, shall not be destroyed until such litigation is final.

Destruction Of Original Records That Have Been Duplicated - Original paper records that have been duplicated on microfilm, microfiche, data processing, or word processing equipment may be destroyed prior to the retention period specified in the records schedule without further approval provided the following three conditions are met:

1. The duplicate copy of the information contained in the original record is maintained for the specified time.
2. The original paper record has not been scheduled for permanent preservation.
3. The Records Management Officer has agreed to the destruction of the original paper record and the destruction is recorded.

Unscheduled Records - A City record that is obsolete or that has not been identified on an approved Records Retention and Disposition Schedule may be destroyed if its destruction has been approved in the same manner required by this chapter, and the Records Retention Officer has approved a request for destruction authorization

XII. FORMS MANAGEMENT

The purpose of the Forms Management Program is to reduce and simplify the number of forms used. It seeks to eliminate unnecessary forms and improve the design of required forms in accordance with established design standards. "Fewer and better records" is a goal of the City's Records Retention Program. Paper records are expensive to store and even more expensive to create. Certainly no record should be created thoughtlessly and forms should be combined or eliminated whenever possible.

Form Review and Approval - All forms will be submitted to the Records Management Officer for review in determining the need for, and design of, new and revised forms. Once reviewed, the form will be assigned a form number and returned to the department for further disposition. Forms determined to be a duplication, non-essential, or suitable for City-wide usage will be returned with a written explanation.

Form Production Guidelines - All forms shall include the following basic information: name of the department and division producing the form, forms authorization number, title of the form, and City Trademark. Additional information regarding forms design and production may be requested.

Numerical Forms File - The Records Management Officer shall establish and maintain a Numerical Forms File. This file will be referred to in processing a revision or a reprint and conducting periodic review of forms.

Electronic Forms - Electronic versions of forms are usually created in a word processing or spreadsheet environment. These versions are a viable solution to the original preprinted paper form especially if the form can be completed electronically. The Records Management Officer's policy on newly created or revised electronic versions of a form must meet the same guidelines and standards as their paper counterparts. Existing, previously approved forms may be converted to electronic form if reproduced *exactly* as the original. As always, if any change or revision is required, the Records Management Officer must approve the form.

The procedures for numbering and maintaining forms are explained in more detail in CAR 1-2.

XIII. RECORDS CENTER

The Records Center serves as centralized records storage facilities for all departments for the storage of non-current City records and is under the direct control and supervision of the Records Management Officer. The Records Management Officer shall establish policies and procedures regulating the operations and use by City departments. The City Hall vault shall serve as the repository for permanent and historical City records that are transferred to the Records Management Officer by departments.

XIV. MICROFILMING CITY RECORDS

City records may be microfilmed in accordance with the Records Management Program. Every Director/Chief shall coordinate the microfilming of a City record with the Records Management Officer. The Records Management Officer shall periodically review each department's microfilm programs as to cost-effectiveness, administrative efficiency, and compliance with the Record Management Program.

XV. ELECTRONIC RECORDS - STORAGE AND DESTRUCTION

The creation, maintenance, preservation, electronic document imaging, and storage of the electronic records of the City must comply with the Records Management Program, this chapter, and State law.

Destruction of Data Processing Records - Computer printouts and other data processing input/output may be destroyed without specific authorization and recording provided the following conditions apply:

1. The information is retained on magnetic media (e.g., magnetic tape, diskettes, etc.), and the media is scheduled in a Records Retention and Disposition Schedule.
2. The output copy is not specifically listed and scheduled in this Records Retention and Disposition Schedule

XVI. ELECTRONIC MAIL

Electronic Mail (E-Mail) is a means of sending messages between computers using a computer network or over a modem connected to a telephone line. It is an efficient and timely communication tool that can help the City improve the way it conducts its business by providing a quick and cost-effective means to create, transmit, and respond to messages and documents electronically. It is intended to expedite communications, reduce paperwork, and automate routine office tasks; thereby increasing productivity and reducing costs. Daily tasks are accomplished more rapidly as individuals use e-mail services for sending and receiving texts as well as avoiding telephone tag. The policies and procedures for E-Mail are explained in CAR 3-8.

RECORDS MANAGEMENT/IMAGING PROGRAM IMPLEMENTATION PLAN

TASK	DESCRIPTION	TARGET DATE
Secure an "Executive Sponsor"	City Manager/Assistant City Manager	Complete
Resolution	Council directive to formally establish a records management program as an on-going program within the city.	Complete
"Put the Program in the Right Place"	Records management should be recognized in the organizational structure and a level of placement as purchasing, computers, and facilities management.	
	Ordinance to Establish Record Management Program	3/16/00
	Establish Records Retention Budget	10/15/00
Appoint a Records Management Officer	City Clerk	Complete
Appoint "Records Management Coordinators"	Administrative personnel within each department willing to be a liaison between their department and records manager. Administrative Services – Gloria Reid Developmental Services – Jennis Rice Financial Services – Marilyn Deloose Fire Department – Maxine Barbour Leisure Services – Becky Kimble Police Department – Rosanna Dove Public Services – Linda Gravley	Complete
Training for Records Management Coordinators	Conduct training for Records Management Coordinators regarding general records management practices and the implementation of the City's Records Management Program and software.	6/1/00

Get Control of Inactive Records!	Inventory inactive records and apply retention schedules to eliminate what can be eliminated.	6/1/00
Preliminary File Purge	Clean out unneeded duplicate copies, supplies and items that should not have been put into the storage and retrieval system. The Financial Services Division will be the pilot program. Administrative Services Developmental Services Financial Services Fire Department Leisure Services Police Department Public Services Vault/City Clerk	6/1/00 7/1/00 4/1/00 6/1/00 7/1/00 8/1/00 7/1/00 5/1/00
Records Inventory	Know exactly what types of records exists and location. Administrative Services Developmental Services Financial Services Fire Department Leisure Services Police Department Public Services Vault/City Clerk	Complete Complete Complete 4/30/00 4/30/00 4/30/00 5/1/00 Complete
Records Retention Schedule	Determine schedules for current files, inactive files and archives.	Complete
Protect Vital Records	Determine which files are vital to the operation of the City. Determine best method of protection (duplication, microfilm, or imaging.) Consider life and use of records.	6/30/00
Records Management Manual (CAM)	Explain how records are managed and eventually eliminated in the normal course of business.	3/1/00

Records Management Software	Evaluate, purchase and implement the use of Records Management Software Evaluate & Purchase Records Management Software Purchase Computer Organize Workstation Records Management Software Training Set up organization structure/record series Implementation	4/30/00 Complete On Order 3/1/00 Complete 4/1/00 4/30/00
Imaging	Evaluate, purchase and implement the use of imaging software to link to records management software. Evaluate and Purchase Scanner Evaluate and Purchase Scanning Software Implementation	Complete Complete Complete
Evaluate and Analyze Records Media Mix and Workflow	Evaluate and improve current filing systems (paper, computer, imaging, and microfilm) Determine where improved records and information systems could improve customer service. Identify records to be imaged by department. Administrative Services Developmental Services Financial Services Fire Department Leisure Services Police Department Public Services Vault/City Clerk	4/1/00 4/1/00 4/1/00 4/1/00 4/1/00 4/1/00 4/1/00 4/1/00 4/1/00
Forms Management Program	Evaluate and eliminate all outdated forms that are no longer in use. Evaluate candidates to become electronic forms. Coordinate with various Divisions/Departments. Appoint a "Forms Manager"	4/15/00
Reports Management	Evaluate and eliminate unneeded reports. Develop report systems, policies, procedure and formats that will meet the report needs of the City.	3/1/00

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Councilmembers

FROM: Mayor Lenox

DATE: February 25, 2000

SUBJECT: Reconsideration of Lifting Moratorium to Consider Annexation of Westside

As communicated to you earlier, I have had staff place this subject on the Council meeting agenda again as a result of receiving the attached letters and having discussions with a significant number of concerned citizens. As stated in the attached letter from Steve Black of Pathway Communities, he still prefers annexation of Pathways' property and "will diligently pursue the remaining property owners in an effort to get their rededicated support for same."

Additionally, as explained in Jim Williams attached memo, the City has received a request from Fayette County to respond to a rezoning application by Peachtree City Holdings for their 365-acre tract on the Westside. The application seeks an R-40, one-acre, rezoning for 172 single-family lots. Once final action by Council is taken on the issue of lifting the moratorium, Council will need to discuss the Fayette County rezoning request and provide staff direction and guidance on drafting a reply.

Frederick Brown, Jr.
104 Brooksong Way
Peachtree City, GA 30269

1-23-00

The Honorable Robert Lenox
Mayor, City of Peachtree City
151 Willowbend Road
Peachtree City, GA 30269

Dear Mr. Mayor,

I read in the paper that you have said the issue of the so-called "West Village" is dead. I sincerely hope you truly did not mean it. I hope that the council will consider it once more.

While it is true that the motion to lift the moratorium on annexation was not specifically a vote against such an annexation. However it is probably perceived as though it was.

I urge you and the city council to re-consider that vote. I also urge you and the council go forward and vote for the annexation of the land that is landlocked in the unincorporated area.

I am sure you are aware of my "Aye" vote the only other time the land in question was before the city council. I believed then as I do now that the land should be a part of Peachtree City. My reasons are as follows:

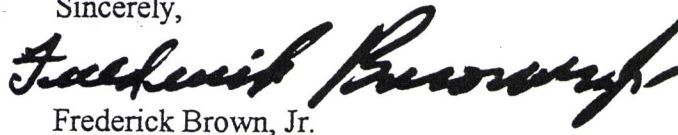
1. I would much prefer it be built to Peachtree City standards than any I can imagine.
2. Regardless of whether it is annexed or not, Peachtree City will ultimately be responsible for Police, Fire and Ambulance protection if any or all of the area is developed.
3. Some years ago the State Legislature approved a resolution urging cities to annex those unincorporated areas that were "islands". It imposed the requirement that the municipality with the largest boundary line should accomplish the annexation. In this case, Peachtree City.
4. At the present time the city has negotiated certain amenities from the developers of that area, i.e. the green space, a school site, cart paths, recreation areas, a bridge across the railroad. I seriously doubt that these would be incorporated into anyone else's plans.
5. I understand that the city has agreed to a plan with Ram Development that no left turns for westbound traffic on Highway 54 West will be permitted into the Tennis Center or Planterra Ridge. The proposed road and bridge across the railroad provides an option for those traveling south on Highway 74 to use the proposed major collector as an alternate to get to the Tennis Center or Planterra Ridge. The only other ways to get into either of the above is to go south to Kelly Drive or make U-turns at the new intersection of Highway 74 and the proposed collector. By the way, the city should require four lanes on that collector for the very reason stated above.

Page 2

I urge you and the council to reduce the proposed density if at all possible. I empathize with you and the council in these trying times since I, too, have been in your position. However, much has been gained in the ongoing negotiations and while I urge a decrease in density, please be careful of what you relinquish. Under no conditions give up the bridge across the railroad. That, and your stated position of eliminating all rail crossings with a bridge, is a major accomplishment. Most of the other conditions, if not all, deal with Peachtree City development requirements.

Thank you Mr. Mayor, for taking the time to read this. I trust you will share this with the rest of the staff and City Council. I regret that I will be unable to attend the meeting however, I hope this letter will suffice.

Sincerely,

A handwritten signature in black ink, appearing to read "Frederick Brown, Jr.", written in a cursive style.

Frederick Brown, Jr.



An Affiliate of Synovus Financial Corp.

February 15, 2000

The Honorable Robert Lenox
Mayor of Peachtree City
City Hall
151 Willowbend Road
Peachtree city, Georgia 30269

Dear Bob:

I realize you and the City Council have been facing a difficult task in trying to resolve the City's position on the westside property. I know you have been searching for a solution that would best serve the entire community in the face of strong opinions on both sides of the issue.

It has been several years since I first heard Jim Williams' presentation on the possibility for a new village to be located on the western boundary of the City. While recognizing that there were many obstacles to overcome and many issues to decide I was struck with the sense that this was a similar situation to the early days of the City.

Back then much of the land in the City was undeveloped and largely unplanned. It was the implementation of the planning process that turned that land into the City we all enjoy today.

I do not pretend to know the answer to this question and I do trust the collective judgement of you and the Council. However, I do strongly believe that the best interest of the citizens of Peachtree City will be served if Peachtree City and its planning process control the land usage on this property. I believe the development in the county on our eastern boundary demonstrates the validity of this position.

I hope that there is an opportunity to reconsider your recent decision and at least let the Peachtree City Planning Department work with the property owners to see if there is an acceptable plan.

Thank you for your consideration of this letter.

Sincerely,

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

Thomas E. Farr
Executive Vice President



Steve Black
PRESIDENT/CHIEF EXECUTIVE OFFICER
TEAM MEMBERS

February 24, 2000

Mayor Bob Lenox
City of Peachtree City
151 Willowbend Road
Peachtree City, GA 30269

Subject: Annexation Moratorium

Dear Bob:

In response to your letter dated and received on 2/23/00 I made numerous attempts yesterday to contact the major property owners of the proposed Westside Village, but was successful in talking to only one. That one owner expressed a high degree of frustration stating that he was exhausted and he had spent too much money and time already. As a result of his current feelings the best response he would give me was "maybe" he would attend the meeting on March 2.

As you can see, this letter is being faxed to you around 9:00 AM. I will continue to make an effort to talk to the remaining major owners and forward you an immediate update, if appropriate.

On behalf of Peachtree City Holdings, LLC, I would much prefer an annexation of our property and will diligently pursue the remaining property owners in an effort to get their rededicated support for same. Since the council's meeting, wherein the decision was made not to lift the moratorium so as to allow discussion to take place, many citizens have expressed to me their lack of understanding why that was council's decision.

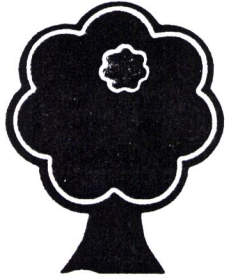
In closing, I am cautiously optimistic that the owners group can be reunited, but this will take more than a couple of days. As previously stated, I'll be in touch.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Black", is written over a horizontal line.

Steve Black

/lw
Sent via Fax



Peachtree City

Georgia

February 23, 2000

Mr. Steve Black
President and CEO
Pathway Communities
P.O. Box 2007
Peachtree City, GA 30269

Dear Steve:

Several citizens have written letters to me expressing concern for Council's failure to lift the annexation moratorium for consideration of the Westside. At this point, I am considering placing this item on the March 2, Council agenda.

However, I want to be sure that the property owners remain unified on the master plan for the area as well as in their desire for the area to annexed. To this end, I would appreciate a letter from you to this effect. Additionally, I would ask that you also confirm in the letter that the property owners will attend the March 2 meeting to answer questions related to this issue.

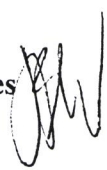
Steve, I would appreciate your immediate reply to this request so that we may finalize the March 2, Council agenda by this Friday, as well as to ensure the public is informed of this important issue in a timely manner.

Respectfully,

Robert L. Lenox
Mayor

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council
FROM: Director of Developmental Services 
VIA: City Manager
DATE: February 24, 2000
SUBJECT: Annexation

We have just received a request from Fayette County to respond to a rezoning application by Peachtree City Holdings for their 365-acre tract on the Westside. They are seeking an R-40, one-acre, rezoning for 172 single-family lots, presumably on individual septic systems.

We understand that this tract is included in the area that may be considered for annexation at the Council meeting on March 2nd. Consequently, we will not respond to Fayette County before that meeting. However, if a decision is made to not consider annexation, we will need to respond on the following day, March 3rd. If that is the case, we will need some guidance from Council on how to make that response. We know this is a very sensitive issue and we want to make absolutely sure we are all speaking together.

Attachment.

REZONING APPLICATION EVALUATION

PETITION NO.: 1042-00

APPLICANT: Peachtree City Holdings, LLC
P. O. Box 2007
Peachtree City, GA 30269

LOCATION OF PROPERTY: Land Lot(s) 165, 166, 185, and 184 of the 7th District and fronts on S.R. 74 South.

SIZE: 364.7 acres

REQUEST: Request to rezone 364.7 acres from A-R to R-40 to develop a Single-Family Residential Subdivision.

COMMENTS:

- ☐ CHRIS VENICE, PLANNING/TRC CHAIR
- ☐ KATHY ZEITLER, ZONING/ZONING ADMINISTRATOR
- ☐ DAVID SCARBROUGH, FIRE (2 copies)
- ☐ TONY PARROTT, WATER
- ☐ LEE HEARN, PUBLIC WORKS
- ☐ , COUNTY ENGINEER
- ☐ DAVE BORKOWSKI, CIVIL ENGINEER
- ☐ RICK FEHR, ENVIRONMENTAL HEALTH
- ☐ JOHN DECOTIS, BOARD OF EDUCATION
- ☐ WAYNE HANNAH, S.O. TRAFFIC
- ☐ MARY ALICE LAWRENCE, RECREATION
- ☐ STEVE DANIELS, GA DOT
- ☒ OTHER: CITY OF PEACHTREE CITY
- ☐ OTHER: TOWN OF TYRONE
- ☐ OTHER: COWETA COUNTY

COMMENTS TO BE RETURNED TO THE ZONING DEPT. BY 03/03/99.

Return comments to: Fayette County Zoning Dept.
Attn: Robyn Moore, P.C. Secretary
140 Stonewall Avenue West, Suite 202
Fayetteville, GA 30214

REC'D 2/24/00