

City Council of Peachtree City
Agenda
February 5, 2004
7:00 p.m.

- I. Prayer
- II. Pledge of Allegiance
- III. Announcements, Awards, Special Recognition
Remind Attendees to Turn Off Cell Phones
Recognize Financial Services Department for Certificate of Achievement
for Excellence in Financial Reporting
Proclaim Black History Month Proclamation
- IV. Minutes
December 18, 2003, Regular Meeting Minutes (amendment)
January 5, 2004, Special Called Meeting Minutes
January 15, 2004, Workshop Minutes
January 22, 2004, Special Called Meeting Minutes
- V. Monthly Reports
- VI. Consent Agenda
 - 1. Consider Award of Hip Pocket Road Culvert Replacement
 - 2. Consider Purchase of Tandem Dump Truck
 - 3. Alcohol License – Change in License Representative – Ted's Montana Grill
 - 4. Consider Appointments to Airport Authority
 - 5. Appoint Members to Ethics Board
 - 6. Authorize Restructuring of Part-time Positions (Recreation)
 - 7. Consider Budget Amendments
 - 8. Consider Budget Transfer – Field of Hope
 - 9. Consider Composting Demonstration Event
 - 10. Consider Adoption of State Minimum Fire Safety Standards
 - 11. Agreement With GADOT to maintain GA 54 W Sidewalks and Culverts
- VII. Old Agenda Items
 - 01-04-CA2 Consider Addition of Fees to City Schedule
- VIII. New Agenda Items
 - 02-04-01 Alcohol License – NEW – China Café
 - 02-04-02 Appoint Representative to Fayette County University Center
Advisory Council
 - 02-04-03 Adopt Bond Ordinance for Series 2004 General Obligation
Bond Issue - Library
- IX. Council/Staff Topics
- X. Executive Session

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

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 

FROM: City Clerk 

DATE: January 28, 2004

SUBJECT: December 18, 2003, Meeting Minutes Correction
February 5, 2004, City Council Agenda

Recommendation:

Staff recommends Council approve the December 18, 2003, meeting minutes as amended.

Discussion:

At the January 15, 2004, City Council meeting, Council approved the December 18, 2003, as amended with specific wording and location included in the motion. The location specified in the motion did not correspond with the minutes. The approved wording has been inserted in a different location, shown in the attached section of the minutes.

This item is a formality to ensure proper approval of the minutes is recorded.

Budget Impact:

This item has no budget impact.

Tennant said he had concerns about the precedent Council might set by lifting the moratorium for this plan, but chose not to lift the moratorium three months from now. Tennant agreed with Weed's observations.

Brown noted that Council had already set precedent when the moratorium was lifted for the Wieland development on the Katz property. Tennant reiterated his concerns.

Adams asked if the concern was because he was asking to lift the moratorium on the entire parcel. Weed reiterated that just a piece of a moratorium could not be lifted. **Weed asked Adams if he acquired the property before or after the moratorium was in place. Adams said after.** Weed asked Adams if the property currently had value. Adams said he had an option to purchase the tract and that there was no value to him at the current price point. Adams also noted that multi-family included attached homes, even though they were fee simple. Adams noted that his company had eliminated over 850 apartments in the City and replaced them with over 350 single-family homes over the last 10 years. He continued that there was only a handful of youth in those subdivisions. Adams said he was just asking the City to consider his plan and let him make an application to staff. Currently, he could not even do that. Brown asked Meeker if there was any way staff could look at the plan. Meeker said they could not under the terms of the current moratorium.

McMenamin told Adams she had great respect for him and the integrity he brought to building in the City. Her dilemma, at her last meeting, was not whether she should lift the moratorium. She said she would have no problem with lifting the moratorium for discussion, but she did not believe the fit was right. She said she would not approve putting so many senior citizen homes by the airport. The airport was supposed to be in an area where it could bring in corporate aviation that would support the economic development in the City. She also expressed concern about the location on Highway 74. McMenamin said getting Rockaway Road realigned did not have a dog in the fight. The project had to stand on its own integrity. Adams said that since he could not make application to staff he did not have anything to show Council demonstrating what he meant to do.

Tennant asked Adams if he intended to ask the City to rezone the property to a higher density if the moratorium were lifted and he could submit a plan. Adams said he would, but for now was asking for the opportunity to present the plan to the City.

Brown noted the City was pursuing a road safety grant from the Department of Transportation for the realignment of Rockaway Road because it was a safety issue. He said that grant would offset some of the costs of realigning the road. Brown said he would work with any developer who wanted to build a non-destructive development in the area to offset some of the costs of realigning the road. Brown said safety concerns were a primary reason for exceptions. He asked Adams if he could present the road plan without connecting it to multi-family housing. Adams said he could not because it was not financially feasible.

JANUARY 5, 2004, MINUTES

City of Peachtree City
Minutes of Special Called Meeting
January 5, 2004
7:00 p.m.

The City Council of Peachtree City met Monday, January 5, 2004, 7:00 p.m., in the City Hall Council Chambers. Council Members attending were: Mayor Steve Brown, Stuart Kourajian, Steve Rapson, Judi Rutherford, and Murray Weed.

Swearing In Ceremony

Mayor Brown swore in Municipal Court Judge Eric Maxwell. Maxwell swore in Council Member Rutherford. Rev. Betsy Haas swore in Council Member Kourajian.

Announcements, Awards, Special Recognition

Mayor Brown recognized Mitch Powell, who served as Municipal Court Judge from 1992 until the present. Brown presented Gary North of the Fire Department with his 20-year service pin. Jimmy Freeman of the Public Works Department and Thomas Holmes of the Recreation Department were recognized as the Employees of the Year for 2003. Assistant Finance Director Janet Camburn was recognized as the Supervisor of the Quarter for the Fourth Quarter and as Supervisor of the Year for 2003.

Election and Oath of Office of Mayor Pro-tem

Kourajian moved to elect Rutherford for Mayor Pro-tem. The motion died for lack of a second.

Weed noted that the City had a very active and healthy mayor and he did not see any particular reason to have a mayor pro-tem. Weed said he had no desire to serve in the position, but he would volunteer to serve if necessary. He added that Council had gotten into the tradition of rotating the position each year and that every Council Member would eventually fill the position.

Rapson said he had not discussed the matter with Rutherford and had not seconded the motion because he did not know if she wanted the job. Rutherford said she would serve if nominated. Rapson moved to nominate Rutherford. Weed seconded. The motion carried unanimously. Brown swore Rutherford in as the Mayor Pro-tem.

Minutes

Rapson moved to approve the December 4, 2003, regular meeting minutes as presented. Weed seconded. The motion carried 3-0-2 (Kourajian, Rutherford).

Monthly Reports

Brown noted that the City offices would be closed on Monday, January 19, for the Martin Luther King, Jr. holiday. Brown congratulated staff on the new format for monthly reports. He said the reports were easier to read and contained a lot of information. He pointed out highlights from Leisure Services – Baby Story Time participants increased from 704 last year to 1,127 this year, and internet usage was up from 3,071 last year to

4,677 this year. Brown added that internet usage would have been higher if there were more computers available. On Public Services, Brown pointed out that the number of hours spent on street patching had tripled, with 824 this year compared to 254 at this time last year; and cart path paving doubled from 4,600 feet to 8,800 feet.

Consent Agenda

- 1. Annual Indemnification Resolution**
- 2. Alcohol License – Change in License Representative – Eckerd’s #3458**
- 3. Alcohol License – Change in Licensee – Sequoia Golf, LLC**
- 4. Approve Internship/Volunteer Positions**
- 5. Consider Appointment to Recreation Commission**

Brown reported that the Recreation Commission selection committee recommended that David Ring be reappointed and Cynthia Plunkett be appointed as the alternate. Rutherford asked if the indemnification resolution covered officials of commissions. Brown said yes. Rutherford asked if the indemnification also covered authorities and their employees. Brown said it did not since authorities were separate governmental entities and indemnified themselves. Rutherford moved to accept the consent agenda. Rapson seconded. The motion carried unanimously.

Old Agenda Items

12-03-02 Consider Alcohol License – NEW – Gumba’s

John Manzo, applicant, addressed Council. Weed noted that the application appeared in order and moved to approve the alcohol license for Gumba’s. Rutherford seconded. Weed amended his motion to include that John D. Manzo be named as the Licensee and the License Representative. Rutherford seconded the amendment. The motion carried unanimously.

New Agenda Items

11-03-13 George Anderson – Request to Address Council Regarding Council Member Weed and City Policy Regarding Payment of Dues

George Anderson addressed Council and said his subject matter was accountability. Anderson said the most important ingredient in accountability was integrity. The enemies of integrity were self-interest, self-protection, self-deception, and self-righteousness. He said elected officials should make ethical and honorable decisions by applying the “Golden Rule” test. He said that officials today believed the ends justified the means and lost sight of the public’s money and trust.

Anderson congratulated the Council for the City’s policy not to cover officials’ civic dues with taxpayer’s money. He said the policy was very good. Anderson continued that virtue was its own reward and was the most important part of accountability. It was also good business, whether as an elected official or in business. He said being ethical led to self-esteem and admiration and respect from others. Anderson said he was upset that the City had an elected official who served in an appointed position in another municipality that paid his Rotary Club dues in the City. Anderson said that was wrong.

Brown asked Anderson if this was not a matter for the City of Hapeville. Anderson said he was scheduled to speak to Hapeville's Board of Ethics and City Council. He said that officials, whether elected or appointed, should demean themselves to serve the public. He asked Council to be public servants, not politicians, and thanked Council for the opportunity to speak.

11-03-14 Consider Approval of Lease between Peachtree City and Peachtree City Tourism Association, Inc.

City Manager Bernard McMullen told Council that staff requested Council approve the lease for operation of the Amphitheater and the Tennis Center between the City and the Peachtree City Tourism Association, Inc. (PCTA). The effective dates were January 19, 2004–September 30, 2004, and included five one-year renewals. McMullen said there was an error in the date in terms of the temporary employment of the employees by the City. He noted that the date should have been January 18, not January 17, since that was the end of the employees' pay period and would allow for no break in service between the time they became City employees and became PCTA employees. Rapson clarified that McMullen was asking the City to change the date in the lease to January 18 so there would be no break for employees. McMullen said he was asking that the Tennis Center and Amphitheater employees remain City employees until January 18. Rapson also clarified that the initial term of the lease put the PCTA on the same fiscal year as the City, and that the lease required reimbursement to the City for services. McMullen said yes.

Rapson asked Financial Services Director Paul Salvatore how the City was doing financially, since the City had already loaned the PCTA \$45,000. Salvatore said the Association still had approximately \$22,000 left and that Council had approved up to \$45,000 from Council Contingency.

Kourajian asked about Sub Section (6.3) under Section 6. Repairs / Maintenance / Improvements. He noted that "capital improvements" cost \$5,000 and had a useful life of at least three years. He asked if they could go ahead and do something that cost \$10,000 and had a useful life of two weeks. McMullen said yes and explained that, if the Tennis Center had to buy \$10,000 worth of supplies for a tournament, then it would be considered an operating expense as opposed to a capital expense.

Rapson moved to approve the lease between the Peachtree City Tourism Association and the City of Peachtree City for the operation of the Frederick Brown, Jr. Amphitheater and the Peachtree City Tennis Center effective January 19, that Council also recommended the termination of temporary employment for these employees to be changed to January 18, and that the initial term of the lease be January 19, 2004, to September 30, 2004. Brown suggested Rapson change the word "recommend" to "instruct" and Rapson accepted the word "instruct." Kourajian seconded. The motion carried 4-0-1 (Rutherford).

**11-03-15 Consider Approval of Peachtree City Tourism Association, Inc.,
Budget for January 19, 2004, to September 30, 2004**

Salvatore told Council that the PCTA had adopted the budget at its last meeting on December 30. The budget included three general sections that covered the time period of the lease, January 18-September 30, 2004. The general fund revenues included a short-term operating cash flow loan between the City and PCTA, similar to a tax anticipation note for cities, which should be repaid within 12 months. Hotel/motel tax revenue should be \$409,175 for the remainder of the year.

The expense side included General Administrative expenses, including \$15,000 each for auditing services, insurance, and legal services. Also included was \$10,000 for City staff support, repayment of outstanding notes, technical support, and bookkeeping administration. Salvatore continued that \$354,174 was included for tourism-related events. The money was currently in the City's general fund, but would transfer over as PCTA events once the tax status of the organization was approved.

Salvatore said total revenues for the Tennis Center were projected at \$636,015, with expenditures projected at \$622,178. The Amphitheater revenues were projected at \$1,379,972 and expenditures were projected at \$1,342,427. The total PCTA budget was \$2,525,162 in revenues and \$2,473,780 in expenditures. A surplus of \$51,382 was expected and would be used to repay the Council's Contingency Fund. Any funds left over and above repaying Council Contingency would be put toward General Administration expenses or into a capital expense sinking fund. Salvatore said there were already a number of projects at both venues.

Brown asked if any capital repairs were included in the budget and McMullen said they were working on a capital projects/repairs budget for both facilities. McMullen said if budget projections were met, then the money would be applied to the projects. Brown asked if there was a time frame for when the lights would be revamped. McMullen classified that particular project as mid-term. McMullen said the first thing the PCTA had to do was to identify the list and get some costs, and then develop a program. McMullen said that would not happen in the next few months, but it would not take years either.

Brown said, after speaking with members, that the lights were not of the caliber needed for tournament play. Sean Ferreira, Tennis Center director, said the lights and the court were good enough for now and would not impede play. Repairs would need to be made within a year. Rapson said a lot of improvements were needed and some had been needed for a while.

Kourajian asked what was considered long-term. Rapson said he considered long-term four or five years and short-term was within 18 months. Mid-term would be in-between. Rapson continued that the budget Council was considering had no hotel/motel tax allocation and made each facility self-sufficient. The surpluses also made the facilities self-sufficient. He said the Tennis Center and Amphitheater both showed the worst-case

scenarios and included repayment of \$22,000 to the City. After the PCTA received the IRS ruling on tax-exempt status, the intent was to take the City's tourism events currently paid for by taxpayers and move the expenses to the PCTA so the events would be funded through sponsorships or the profits from the venues. The budgets kept the same number of employees at the venues from the tennis pros to office staff.

Salvatore pointed out that the facilities were City-owned and it was in the City's best interest to maintain them. Any time the City felt it was appropriate for a capital project at either venue, the project could be put in the Public Improvement Program (PIP). Kourajian noted that the quickest way to lose members was to let the facilities run down. He was just surprised that short-term was considered 18 months. Salvatore said the facilities should have capital improvement programs like all the City facilities had and be included in the capital improvement plan.

Kourajian noted that sometimes budgets worked and sometimes they did not. He asked how they came up with the projections on the revenue side, specifically regarding the Tennis Center. Salvatore said they looked at past results, and then projected the budget based on the last eight and one-half months of operation last year. He added that the leanest months each year for both venues had just passed.

Rapson explained that the budget was, for the most part, based on historical information. The biggest concern at the Tennis Center was the pros and how many hours they worked. He said they thought they would be \$45,000 in the hole at this point, but were only half of that amount. He said Ferreira had worked with the pros and then Salvatore to develop the budget.

McMullen said the membership figures in the budget were conservative and were based on information from 2003. He explained that there were a lot of membership specials that year. They were going to have more membership specials and were looking for more renewals than projected. The largest number of renewals were scheduled to take place in January. There had been several renewals in December, and the number had surprised them. Ferreira said there had been a slight decrease in membership because of the transition, but there had only been three non-renewals in December. Rapson said they were letting former members come back without having to re-apply for membership. He continued that the number of courts available had also doubled and they were trying to provide tangible benefits to membership. Salvatore noted that the bids for the pro shop were due on Tuesday, January 6, and they hoped to have something in place by the first of February. The pro shop would bring in \$2,500 in lease revenue each month. Rapson said there were also other revenue opportunities that were not included in the budget, as well as expenditure reductions.

Dave Gardner said he had gone through the numbers, and what had transpired was fantastic. He said once the Atlanta Lawn Tennis Association (ALTA) fees were lowered more members would come back. McMullen said they had lowered the ALTA non-member fee from \$110 to \$80, which was comparable to the United States Tennis

Association (USTA) fee. The fee changes would go into effect with the Spring 2004 season. Brown said the PCTA was also allowing players to move to any available indoor courts if it rained, and that would also help.

Rapson said that even though the budget reflected a \$100,000 short-term advance from the City, the payment back to the City was also reflected in the same budget year. Rapson said he felt confident the PCTA would not need the \$100,000 with the people that were in place and the financial policies and controls in place. He said the PCTA had addressed the same questions Kourajian had when working on the budget. They wanted to make sure they had enough cash reserves so they would not have to come to the City. He said they were trying to paint a clear financial picture of the next 12 months. Rapson said he envisioned the PCTA would make monthly reports.

Brown asked Ferreira about resurfacing the court with the crack. He said it looked like the soil underneath the court was washing out. Brown said he would rather investigate the City funding the repair than have the problem get worse. Ferreira said to completely fix the court it would have to be ripped out. For now, the court could be patched and still be functional. McMullen said Ferreira and Assistant City Manager Colin Halterman would look at the court and determine the best course of action.

Rapson moved to approve the Peachtree City Tourism Association 2004 budget from January 19, 2004, to September 30, 2004. Kourajian seconded. The motion carried 4-0-1 (Rutherford).

**01-04-01 Consider Approval of Changes to Peachtree City Tourism Association
Articles of Incorporation and By-laws**

Brown said there was an additional document on the dais pertaining to this agenda item – an interoffice memo dated January 5, 2004, and entitled Possible Amendments to the Proposed Changes to the Peachtree City Tourism Association Articles of Incorporation and By-laws.

McMullen noted that Council had previously approved the bylaws and articles of incorporation. The recommended changes resulted from a number of items, including changes in wording, typographical errors, and recommendations for the 501(c)(6) application received from Grant Thornton, the consultant. McMullen said Meeker was in agreement to the changes.

McMullen continued that the changes included incorporating more citizen involvement on the board of directors after December 31, 2004. After that date, the board of directors would be composed of the City Manager or a designee, the Recreation Commission chairman, one Council Member, and two citizens at large, one preferably from the hotel/motel industry and one with five years experience in fiscal responsibility. McMullen said he had reviewed the minutes of the PCTA meeting, and the intent was for the City Manager or a designee to serve on the board. The bylaws currently listed the City Manager, and not City Manager or designee.

Jim Savage addressed Council, saying that a lot of effort had gone into the bylaws and the re-write. However, Section 3.3 under Article 3 of the By-laws was supposed to list the terms of the members of the board, but he could not find the terms listed anywhere. Brown said he also addressed that in his memo. Rapson said that was one of the oversights, and he knew there should be terms of office.

Brown had several recommendations for changes and added that one of his suggestions was that the board members serve two-year terms and that no one be allowed to serve two consecutive terms. He also recommended the terms be staggered. Brown said because there would be a representative from the hotel/motel industry, no business would have an unfair advantage if consecutive terms were not allowed. He said the change applied to both the Articles of Incorporation and the By-laws.

Under Article 3, Section 3.3 of the By-laws, Brown suggested that it be “preferred” that a boardmember have a minimum of five years fiscal experience. He said that he did not know the definition of “fiscal experience,” but had talked it over with the City Manager and felt it might be a moot point. He did not want anyone with other specific skills excluded because they did not have fiscal experience.

Under Article 12, Section 12.1 of the By-laws, Brown suggested adding the following—“Once approved, any and all changes to the by-laws shall be officially recorded with the City of Peachtree City.”

Brown also suggested adding the following to both the Articles of Incorporation and the By-laws—“The Peachtree City Tourism Association shall make an annual budget presentation to the City Council of Peachtree City and copies of the Peachtree City Tourism Association minutes shall be kept on file at the City Hall of the City of Peachtree City.”

Rapson said the PCTA decided the make-up of the board of directors should change by the end of 2004. They preferred that one of the citizens come from the hotel/motel industry in the City and one would have five years of financial experience. Rapson added he was more comfortable with three-year terms, but suggested the terms be staggered – one citizen would serve a three-year term and one would serve a two-year term.

Weed said he did not agree about consecutive terms. He continued that some experience was needed and it took a year to a year and a half to get comfortable and understand how mechanisms worked. He suggested that members serve no more than two consecutive terms. Brown said his concern was that the citizen’s business did not benefit from their service on the board. Brown said, traditionally, when someone was appointed to a commission or authority the process ensured that personal businesses did not profit from the appointment. However, someone working for one of the hotel industry could possibly profit from serving on the board of directors. Rapson pointed out that once the PCTA received its non-profit status, the organization would receive funding from the

taxes generated by the hotel/motel industry. He felt the industry should have some say. The City Manager, the Council Member, and the Recreation Commission chairman would look after the City's interest and provide consistency. Rapson said he would agree to a three-year term with members allowed to serve two consecutive terms and then to stagger the two positions with the first appointment for two years and the second for three years. He put that in the form of a motion.

Kourajian asked what the City Manager or designee meant. Rapson rescinded his motion. Rapson said the City Manager's designee should be defined and would be whomever the City Manager appointed to serve in his place and could be either the finance director or one of the other directors in the City. He added that the designee should be one of the City Manager's direct reports. Kourajian said he had a hard time with Council Members and City staff serving on the same board. He asked if the PCTA would be accountable to Council. Rapson said the charter gave Council the right to appoint and remove members to the board. Rapson said he preferred having citizens on the board, but as a compromise he agreed to have one Council Member serve on the board of directors because a majority of the board felt Council should have a representative.

Weed explained that in the past the venues might have suffered from a lack of direct supervision and intervention from Council. He said he was familiar with many boards that had a Council Member that served on the board. Ultimately, the board was an independent body. With a Council Member serving on the board, the Council would have an idea of what was happening and a voice in what was going on. Without a Council Member serving on the board, the Council had some fiscal control and controlled the appointment process. In the past, some felt there had not been enough control.

Kourajian asked if Council approved the budget or expenditures. Weed said Council approved the budget, but not expenditures. Kourajian asked what the PCTA would bring to Council for approval. Rapson said the budget, and if additional capital expenditures were needed that deviated from the budget, then the matter would come back to Council.

Kourajian asked why Council did not put more controls in place as opposed to having a Council Member serve on the board of directors. Kourajian said he was concerned about the influence a Council Member might have over the board. Weed said they were walking a very fine line. The City had created a non-profit organization seeking 501(c)(6) status, which was an achievable goal. They had tried to meet somewhere in the middle because they wanted a continuing voice, while observing the corporate veil and maintaining the PCTA as an independent organization. Weed continued that after the PCTA received 501(c)(6) status, they would have to maintain it. The status was not locked in stone once it was received. Meeker said the status would be reviewed in five years.

Brown noted there were controls in place in the 1993 agreement with the Development Authority, but the controls were never followed. He said Council was putting tax dollars

for which Council was accountable into the organization, and that was another reason for the controls.

Rapson pointed out that there were no tax dollars used in the budget that had just been approved. They could not use tax dollars until the PCTA received 501(c)(6) status. He said after that, the intergovernmental agreements would specifically state what would happen with the tax dollars. Rapson continued that if the proper procedures were in place, then Council Members on the board could pass off their duties. He acknowledged Weed's concerns, but felt enough controls were in place. The PCTA also had to come back to Council with a budget every year and sign an intergovernmental agreement each year.

Weed said the fiscal controls did not exist yet and he did not feel comfortable relinquishing control yet. Weed said it would be appropriate to revisit the matter after that. Kourajian agreed and said the process needed to be place and there should be a transition plan in place. He said there should be a transition period for the new person that would come on the board, whether it was six weeks or three months, so there would be a smooth transition. He felt that could be done with both Council Member positions on the board. He reiterated his concern about staff members serving on a board with Council Members.

Weed said they found that Council had little control and he had a great concern about entities not elected with control over publicly owned facilities. Weed continued that there was a fundamental difference between commentary and communications on a staff level compared to voting members of a board. The staff members on the board had not hesitated to speak their minds. They were building a machine that would go forward into the future. Weed said he had been worried about stifling the free flow of ideas since the ultimate power broker was someone who was elected to office. The elected officials were answerable to the people. Someone who was an employee was answerable to multiple layers of people.

Rapson said after the financial controls were in place, Council could re-address the make-up of the board of directors. He suggested three different components – setting three-years terms and allowing members to serve consecutive terms, staggering the terms, and re-evaluating the article in September. He said that would give enough time to put the controls in place and possibly convince Weed that one Council position could be relinquished. Kourajian said he could accept Rapson's suggestion. Kourajian suggested that possibly one Council Member position could roll off in June and Council could re-evaluate the remaining position in September rather than December 31. Rapson said he envisioned that both Council Members would roll off the board in December, with one position replaced with a citizen member. Weed said he was not willing to forego both Council Members in the near future and wanted to see the fiscal policies first.

Rapson moved to change the Articles of Incorporation, Article 8.3, and By-laws Section 3.3 and Article 8, Section 8.3.2, to stipulate that the initial term be a three-year term, that

members be allowed to serve two consecutive terms, that the two terms be staggered respectfully, two years and three years, and that Council re-evaluate these by-laws and sections in September 2004. Weed said he wanted to address the definitions in 3.3 that did not exist yet. Weed proposed that the City Manager's designee be defined as a person under the direct supervision by virtue of their employment by the City Manager. For the second friendly amendment, Weed defined fiscal experience as on-the-job training or the training, education, degrees, and/or licenses gained in finance, accounting, and/or professional budgeting. Rapson accepted the amendments. Weed seconded. The motion carried 4-0-1 (Rutherford).

Ken Martin told Council that they should re-visit the budget before the year was out and that the PCTA should review the budget often. He said a Council Member should remain on the board of directors so he/she could report back to Council. He said that way Council could respond to potential situations more quickly. The citizens would have to pay for whatever happened. Rapson said those were the kinds of financial controls they wanted to have in place before September.

Council moved to Brown's second suggested revision. Rapson said that suggestion was a moot issue since definitions were included in the last motion. Brown agreed.

Rapson said he had no problem with the Mayor's third suggestion. Weed asked Brown what he meant by "officially recorded." Brown said that the PCTA would be required to send a copy of any changes to the by-laws to the City. Rapson suggested the change should be "will be required to provide." Rapson noted that in the fourth suggestion Brown said the Association should make an annual budget presentation to Council. Rapson said the PCTA had to do that since it was required by the by-laws. He said they could incorporate the two suggestions. Rapson asked Meeker if a motion was necessary. Meeker said yes and that a motion was also needed for the other proposed changes submitted by the PCTA in addition to Brown's suggested changes.

Weed moved to approve that the By-laws, particularly Article 12, Section 12.1, be changed to read "once approved any and all changes to the by-laws will be submitted to the City of Peachtree City for inclusion in City records." In addition, Weed said to add to the Articles of Incorporation and By-laws where the City Attorney deemed appropriate to read "The Peachtree City Tourism Association shall make an annual budget presentation to the City Council of Peachtree City and copies of the Peachtree City Tourism Association meeting minutes will be submitted to City Hall for inclusion in the official records of Peachtree City." Rapson seconded. The motion carried 4-0-1 (Rutherford).

Kourajian referred to page 3 of the Articles of Incorporation, Article VIII, #4, and noted that it read "two members one member" and asked which was correct. Brown noted that the correction did not get crossed out and was to be replaced by #3 on page 4. Kourajian noted that Article X was completely crossed out and asked if that meant it was not needed. Weed said Grant Thornton said they did not need that section in the Articles of Incorporation.

Kourajian referred to page 5, Section 3.4 Removal, of the bylaws, which read, "Any director may be removed by Council." He asked if there should be some criteria for removal. Brown said the only criteria for removal was that the member had an inability to attend at least 75% of the meetings, which constituted automatic removal. Weed said a member could be removed without cause. Rapson said if someone were removed, Council would appoint another member. He was concerned about what would happen if the member removed were the City Manager or the Recreation Commission chairman. Weed said Council could technically remove members until there was no quorum. Rapson said the biggest bank of replacements would be citizens-at-large. Weed said he was fine with that as long as the paragraph dealt with them as interim members until such time as a new City Manager was hired or a new Recreation Commission chairman was elected. Rapson said this was not a pressing issue at this time, but was geared more toward getting the IRS designation. Meeker said they should try to come up with something and have Thornton look at it.

Rapson moved that any director removed by City Council would be replaced during the interim by a citizen-at-large for the unexpired term. Kourajian seconded. Rapson amended the motion to include 3.4 Removal, and any other relevant sections. Kourajian accepted the amendment. Salvatore suggested that, instead of naming a citizen-at-large to serve in the interim, the language could remain as an appointee by Council and Council could appoint the assistant city manager to fill the position. Rapson amended his motion to say appointed by City Council for the unexpired term. Kourajian accepted the change.

Meeker said that if Council were to remove the City Manager, then there should be a vote to appoint a replacement by Council as well. He told Council they did not need to consider this at this time.

Rapson pointed out that Section 3.4 already addressed the issue and said what Council wanted it to say. He read Section 3.4 Removal and rescinded his motion. Kourajian removed his second.

Weed moved that, in addition to the previous motions dealing with the Articles of Incorporation and By-laws of the Peachtree Tourism Association, the other changes recommended by staff and Grant Thornton be approved as submitted to Council in the packet for Council for the meeting of January 5, 2004. Rapson seconded. The motion carried 4-0-1 (Rutherford).

01-04-02 Select Council Members to serve on Peachtree Tourism Association, Inc., Board of Directors

Weed moved to appoint Rapson and Weed to the Board of Directors. He said they did not need to change members mid-stream. Rapson seconded and added that he was not opposed to stepping down as a director before his term expired. Weed said he agreed, but was less of an optimist. The motion carried 3-1 (Kourajian)-1 (Rutherford).

01-04-03 Authorization of Legal Organ

Rutherford moved to appoint Fayette Newspapers, Inc., as the City's legal organ as requested by staff. Rapson seconded. The motion carried unanimously.

01-04-04 Consider Request for De-annexation – Rod Wright, Platinum Ridge

Donald Brandenburg represented the applicant, Rod Wright of Peach State Land Development Company. The proposed subdivision consisted of 249.69 acres, with 201.06 acres located in unincorporated Fayette County and 48.64 acres located in the City. Three lots of the planned subdivision would be located in the City. Brown said he wanted to table the matter until the January 15 meeting. He said he had concerns. He said the property was located on Camp Creek and the City was responsible for water quality issues. Historically, the City's boundary was the creek. He said it did not do much good from a stormwater perspective to have control on only one side of the creek. Brown said the lots were five acres and he had no problem with five-acre lots in the City. Another concern was fire response. The County's fire response was twice the City's response time. Brown continued that the homes would be in the \$400,000-\$700,000 range. He felt the City should annex the entire subdivision at the same density and provide better fire service and better treatment of water resources. Brown said there would be no change in density and the subdivision could be done as an LUR (Limited Use Residential) zoning so the City could control what happened on both sides of the creek for which the City was responsible.

Brandenburg said the feedback he got from the City concerned who would handle emergency services. Brown said that, from an ad valorem and impact fee perspective, the decision was easy if the City allowed the subdivision at the same density. He said it would change nothing about the subdivision. He said he would like to explore the possibility of an annexation.

Weed noted that the moratorium dealt with annexation and had nothing to do with de-annexation. He continued that de-annexation was not mentioned in the moratorium or the footnotes. Because of the annexation moratorium, staff had been reticent to give a report or do a work-up. Weed said he understood staff's caution, but it was a de-annexation application and he was not sure it was covered by the moratorium. Meeker said he understood why staff felt Council needed to look at the matter and that they had handled it appropriately. Meeker said there would have to be a formal petition for de-annexation in order to go through the process. Brown said he saw annexation as a no-lose situation for the City and would be willing to explore the issue and bring it back to Council. Brandenburg asked how long it would take. Brown said he wanted to wait until the next meeting. Brown said he was looking at homes that could be worth over \$1 million each in 10 years and the effect that would have on ad valorem taxes, as well as the water quality issues and emergency response issues.

Brandenburg noted that they had discussed making Camp Creek the border and donating approximately 20-22 acres to the City for greenspace.

Weed told Brandenburg that he had asked for de-annexation and the appeal of the moratorium was not relevant. Brandenburg said it was the same application and he just needed to ask for annexation.

Rutherford asked if the City had an emergency response agreement with the County. Brown said the City had a mutual aid agreement, but there was not an immediate response agreement. McMullen clarified that there was a mutual aid agreement, but not an automatic aid agreement. Brandenburg said there were 36 five-acre lots planned. Brown asked Brandenburg if they would allow the City to examine the possibility and said the matter would definitely be on the agenda for the next meeting. Brandenburg said yes.

Rast said to annex and rezone the property, the applicant would have to go through the Planning Commission first, then go to Council. He said it was about a 45-60 day process to get the request before Council. Meeker said de-annexation would be shorter process.

Rapson said he wanted to make sure staff sanctioned what Council was suggesting. Meeker said until Council voted to lift the moratorium, the question was inappropriate. Rapson clarified that Brandenburg and his company was proposing to develop tract #716-1 to Fayette County standards, and then donate everything west of Camp Creek (22 acres) to the City. Rapson noted that property was wetlands and unusable anyway.

Rutherford said the question was whether or not Council would lift the annexation moratorium. She pointed out that, if the matter were tabled for two weeks, Council would still have the same decision. Weed said not if the applicant decided to de-annex the property.

Carol Fritz said Council could raise the moratorium for purposes of discussion only at the meeting. By not doing so, they were delaying the process. Meeker said that was a good suggestion. The question was what information Council had and their willingness to lift the moratorium for discussion only.

Weed pointed out that anytime the moratorium was lifted for a specific piece of land then the entire moratorium was at risk. Rutherford asked if a legal notice was also required to lift the moratorium. Meeker looked at the ordinance and said the ordinance did not have a public advertising requirement to lift the moratorium.

Kourajian asked if anything had ever been de-annexed before. Rapson said two parcels were de-annexed to unincorporated Fayette County when they had worked on the Land Use Plan. Brown said the County most often objected to annexations when the density was increased. Rapson agreed that as long as the density did not change, the County might not have an appropriate reason to reject an annexation request.

Brown moved to table the de-annexation request until the January 15 meeting. Weed seconded. The motion carried unanimously.

01-04-05 Consider Funding for DAPC Annual Financial Audit

Salvatore told Council that all component units of the City needed an annual audit. Due to recent events, there was a lack of funds for the Development Authority. Salvatore said it was in the best interest of the City to move forward with the audit. Brown said Council had no choice but to fund the audit.

Rutherford questioned a statement in the staff memo, which said the City would invoice the Development Authority for the cost of the audit services. She pointed out they had no money. Salvatore said the Development Authority still had \$1.5 million in fixed assets on the books and they were not sure what was going to happen with that yet.

Rutherford moved to fund, or give a \$15,000 cash advance, to the Development Authority for audit services and send them an invoice. Weed seconded. The motion carried 4-0-1 (Rapson).

Council/Staff Topics

McMullen asked Council to send their availability dates for the annual Retreat to Jane Miller within the next week. McMullen said they wanted to schedule the Retreat in either late March or early April, if possible.

There being no further business to discuss, Weed moved to adjourn the meeting. Rutherford seconded. The motion carried unanimously. The meeting adjourned at 9:32 p.m.

Betsy Tyler, Deputy City Clerk

Stephen D. Brown, Mayor

Pamela Dufresne, Recording Secretary

JANUARY 15, 2004, MINUTES

City of Peachtree City
WORKSHOP
Minutes of Meeting
January 15, 2004
6:00 p.m.

The City Council of Peachtree City met in a workshop session on Thursday, January 15, 2004, 6:12 p.m., in the City Hall Council Chambers. Council Members attending were: Mayor Steve Brown, Stuart Kourajian, Steve Rapson, Judi Rutherford, and Murray Weed.

The purpose of the workshop was to review the Livable Centers Initiative (LCI) program and receive an update on the GA 54 West project. City Planner David Rast introduced Maurice Ungarro of the Atlanta Regional Commission (ARC), who gave a brief overview of the LCI program and highlighted projects that were taking place.

Ungarro said he wanted to update the new Council Members on the LCI program and to let Council know the first five-year cycle for the LCI program was at an end. He continued that when the LCI was created it was programmed for five years and \$5 million in funds. This was the fifth year for the successful program, and the ARC hoped to continue the program. He said they were currently petitioning to establish another five-year cycle.

Ungarro continued that approximately 10 planning projects per year were funded throughout the region. Once a plan was completed and approved by the ARC, the local governments could apply for implementation funds. Some of the projects included a parking deck at the Avondale MARTA station, as well as the City's bridge project. He explained that the funds used were federal transportation funds allotted to the region that could be used for road projects when Atlanta could not attain air quality standards set by the EPA. The ARC came up with the LCI program and petitioned the federal government to use the transportation dollars with the idea of marrying transportation and land use to enhance existing centers to reduce congestion and improve air quality.

Ungarro said the total amount for implementing the projects was \$350 million. The program was open to local governments as well as non-government organizations. A 20% cash match was required from the entity receiving the funds. To this point, there had been 150 applicants. Fayette County had turned in four applications. The projects were broken down into activity or town centers, corridor projects, and green field development. Sixty-six projects in 30 communities had currently asked for implementation funds. Ungarro added that another aspect was supplemental studies, which were additional studies needed to get a project implemented. Fayette County had received approximately \$3 million through the LCI program. To date, \$73.2 million was committed to the region for LCI projects.

Ungarro reiterated that this was the final year of funding for plans, and the ARC hoped to extend the plan funding for another five years. They also hoped to focus more on corridor enhancements to link LCI communities and other aspects, such as updates to existing LCI plans. Brown thanked Ungarro for his assistance and support.

Rast gave a presentation entitled "Establishing a Vision for the 54 West Corridor." Rast read the mission statement – "to work proactively with residents, developers, property owners, and local and regional government officials to develop an innovative and achievable Urban Design Plan for the GA 54 West Corridor within the emerging West Village of Peachtree City."

Rast said the first step was to establish a process. The steps included creating a GA 54 West Advisory Board, defining the study area, determining goals and objectives, preparing a schematic master plan, ensuring elements of overall plan were achievable, and securing funding to implement the plan.

The GA 54 West Advisory Board was composed of City staff, a Planning Commission representative, an ARC representative, Homeowner Association representatives from the area, property owner representatives, and citizens. The study area was comprised of GA 74 west to City limits, from 5,400 feet north of GA 54, and 1,500 feet south of GA 54, which included approximately 1,535 acres, 1,790 dwelling units, 639,281 square feet of existing retail and commercial development, and approximately 41 acres of undeveloped property.

The goals and objectives were to emphasize alternate transportation opportunities, consistent transportation and circulation, consistent land use and zoning patterns, and enhanced aesthetics throughout the study area. The elements of the schematic master plan included integration of the multi-use path system with the remainder of the City; development of a secondary road system to assist in reducing traffic on GA 54; limiting vehicular access to GA 54; improving inter-parcel access and easements; evaluating existing properties for re-development potential; exploring and promoting other forms of alternate transportation; developing architectural standards to guide future development; developing landscaping, site lighting, and signage standards; and designing and implementing gateway features.

Rast continued that staff had secured \$1,221,000 in grants including the LCI Study grant, \$21,000; the GA 54 West/CSX multi-use bridge (TEA-21 program), \$200,000; GA 54 West multi-use/gateway bridge (LCI construction program), \$600,000; and GA 54 West sidewalks/multi-use paths (LCI construction program), \$400,000. Staff had submitted applications for another \$1,830,335 in grants funds, including GA 54 West landscape/streetscape enhancements (Transportation Enhancement program), \$725,000; GA 54 West/CSX railroad multi-use tunnels (FY 04-05 TIP – additional funding), \$105,334; GA 74 North/Westpark multi-use tunnel (FY 04-05 TIP), \$500,000; and GA 74 South/Paschal Road multi-use tunnel (FY 04-05 TIP), \$500,000.

Future plans included internal parks and plazas between buildings; pedestrian scale and access to all developments; strict architectural and aesthetic standards; extensive landscaping within median, right-of-way, and throughout each parcel; uniform signage at each intersection, at each building, and to identify boundaries of the West Village.

Rast discussed the emergence of the master plan and noted what had taken place. The Council authorized funding to assist with site-specific master planning for the property

north of GA 54. The Council authorized funding to assist with the development of design guidelines and an overall landscape plan. The Council authorized funding to assist with the development of an overall landscape and sidewalk master plan. RAM Development committed to assist with funding and to abide by the findings of the master plan and design guidelines.

Currently, staff and the Planning Commission had approved the final site plan and architectural plans for Tires Plus and Washington Mutual Bank. The Planning Commission had approved the conceptual site plan for the courtyard retail building. Staff was reviewing the schematic plan for the retail building on the car wash property, and the Design Guidelines and GA 54 West Overlay District had been endorsed by the Planning Commission and were ready for adoption by Council.

In the future, Rast said they would continue to work with property owners on the south side of GA 54 to develop a master plan, continue to work with the consultant to finalize the sign program and master plan for landscaping and sidewalk layout, continue to pursue grant funding for various elements of the master plan, and continue to coordinate with GA Department of Transportation and the ARC on the GA 54 West widening project.

Due to time constraints, Brown suggested the remaining portion of the workshop be included with the presentation on the Council agenda. Rapson suggested moving the Design Guidelines/54 West Overlay District to the first agenda item at the Council meeting, which would begin at 7 p.m. He noted that several people were attending the workshop specifically for the presentations.

John Dillahunt asked Rast if the utilities would be placed underground. Rast said they had wanted to have that done and that was a recommendation of the LCI group. However, they found it cost prohibitive after meeting with the utilities. The power lines would be relocated, but would remain above ground. Brown added that there was a significant amount of rock close to the CSX bridge and it would be cost prohibitive. He said they were also looking at special landscaping to enhance the area.

The meeting adjourned at 6:55 p.m.

Jane Miller, City Clerk

Stephen D. Brown, Mayor

Pamela Dufresne, Recording Secretary

JANUARY 22, 2004, MINUTES

City of Peachtree City
Minutes of Special Called Meeting
January 22, 2004
8:30 a.m.

The City Council of Peachtree City met Thursday, January 22, 2004 8:37 a.m., at The Gathering Place. Council Members attending were: Mayor Steve Brown, Stuart Kourajian, Judi Rutherford, and Murray Weed. Steve Rapson was unable to attend due to job commitments.

Weed moved to reconvene in executive session to discuss a matter of pending or threatened litigation. Rutherford seconded. The motion carried unanimously.

Rutherford moved to reconvene in regular session. Kourajian seconded. The motion carried unanimously.

There being no further business to discuss, Rutherford moved to adjourn the meeting. Kourajian seconded. The motion carried unanimously. The meeting adjourned at 9:59 a.m.

Pamela Dufresne, Recording Secretary

Stephen D. Brown, Mayor

2004 City Event Calendar

<u>January</u>	<u>February</u>	<u>March</u>
	2/5 – City Council Meeting, 7 pm 2/18 – COMCAST Cable Public Meeting at City Hall, 6:00 pm 2/19 - City Council Meeting, 7 pm	3/4 - City Council Meeting, 7 pm 3/18 - City Council Meeting, 7 pm
<u>April</u>	<u>May</u>	<u>June</u>
4/1 – City Council Meeting, 7 pm 4/15 – City Council Meeting, 7 pm 4/17 – Touch-A-Truck, 10 am – 1 pm	5/6 – City Council Meeting, 7 pm 5/7 – Employee Picnic, 11:30 – 1:30 Shakerag Knoll Picnic Shelter, McIntosh Trail 5/20 – City Council Meeting, 7 pm 5/31 – Memorial Day, City Offices Closed; Golf Cart Rally – 7:30 am Celebration at Plaza	6/3 – City Council Meeting, 7 pm 6/17 – City Council Meeting, 7 pm
<u>July</u>	<u>August</u>	<u>September</u>
7/1 – City Council Meeting, 7 pm 7/3 – Independence Day Celebration Parade – 9 am Concert at City Hall – 7 pm Fireworks – 9:30 pm 7/5 - City Offices Closed for Independence Day holiday 7/15 – City Council Meeting, 7 pm	8/5 – City Council Meeting, 7 pm 8/7 – The Last Fling, 11 am 8/19 – City Council Meeting, 7 pm	9/2 – City Council Meeting, 7 pm 9/6 – Labor Day, City Offices Closed 9/16 – City Council Meeting, 7 pm 9/18 & 19 – Shakerag Arts & Crafts Festival
<u>October</u>	<u>November</u>	<u>December</u>
10/7 – City Council Meeting, 7 pm 10/14 – City Council Meeting, 7 pm 10/16 – Peachtree City Classic Road Race, 8:45 am	11/4 – City Council Meeting, 7 pm 11/18 – City Council Meeting, 7 pm 11/25 & 26 – Thanksgiving Holiday, City Offices Closed	12/2 – City Council Meeting, 7 pm 12/16 – City Council Meeting, 7 pm 12/23 & 24 – Christmas Holiday, City Offices close at Noon on 12/23 and remain closed on 12/24

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

Updated 1/28/04

BUILDING DEPARTMENT

MONTHLY REPORT

	OCT 2003	NOV 2003	DEC 2003	JAN 2004	FEB 2004	MAR 2004	APR 2004	MAY 2004	JUN 2004	JUL 2004	AUG 2004	SEPT 2004	TOTAL YTD 2003	TOTAL YTD 2002
DEVELOPMENT PERMITS:	31	31	29										91	46

BUILDING PERMITS:														
Single Family Residential	30	24	37										91	43
Multi-Family Residential	0	0	0										0	5
Misc.-Pools/fences/additions	73	46	36										155	117
Commercial/Industrial	16	7	7										30	28

TOTAL INSPECTIONS:	807	644	772										2,223	1,248
---------------------------	-----	-----	-----	--	--	--	--	--	--	--	--	--	-------	-------

CERTIFICATE OF OCCUPANCY:														
Residential	22	11	24										57	24
Commercial	7	1	4										12	17
Multi-Family Residential	0	1	2										3	0

CODE ENFORCEMENT:														
Sign Violations	270	194	75										539	225
Rehab	24	5	4										33	30
Notice of Violations	601	210	268										1,079	508
Citations	6	4	3										13	7
Stop Work Orders	26	6	13										45	19
Complaints From Citizens	34	9	16										59	27

PERMIT FEES COLLECTED:	66,548	42,691	50,370										159,609	99,346
-------------------------------	--------	--------	--------	--	--	--	--	--	--	--	--	--	---------	--------

POPULATION:	34,882	34,907	34,961										34,961	34,482
--------------------	--------	--------	--------	--	--	--	--	--	--	--	--	--	--------	--------

Based on 2.09 of completed occupancy

CRIME REPORT – DECEMBER 2003

PART I CRIMES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YTD 2003	YTD 2002
MURDER	0	0	0	0	0	0	0	0	0	0	0	0	0	0
RAPE	0	0	0	1	0	0	0	2	0	1	0	0	4	3
ROBBERY	1	1	1	0	1	0	0	0	0	0	0	0	4	2
AGGRAVATED ASSAULT	0	0	0	1	1	1	2	1	1	2	1	5	15	13
ARSON	0	0	0	0	0	0	1	0	0	0	0	1	2	0
AUTO THEFT	3	3	4	6	12	16	10	3	8	4	3	5	77	47
THEFT	12	19	15	21	18	29	20	19	15	22	20	18	228	193
BURGLARY	1	0	1	1	0	5	4	3	2	0	0	1	18	36
TOTAL PART I CRIMES	17	23	21	30	32	51	37	28	26	29	24	30	348	294
ALCOHOL/DRUG ARRESTS														
DUI – TOTAL	19	10	15	11	19	19	20	12	18	14	17	13	187	203
DUI – ADULT	16	9	14	8	18	14	17	10	15	11	12	12	156	170
DUI – UNDERAGE	3	1	1	3	1	5	3	2	3	3	5	1	31	33
OTHER UNDERAGE ALCOHOL ARRESTS	4	3	8	4	24	18	7	7	9	9	4	4	101	103
DRUG ARRESTS	7	15	5	15	9	11	9	7	11	19	9	6	123	131
ARRESTS														
PROPERTY CRIMES	8	8	2	7	9	16	14	17	7	11	6	20	125	110
PERSON CRIMES	2	2	9	3	6	9	6	9	3	6	7	9	71	84
CITY ORDINANCES	28	27	40	35	63	70	34	35	34	41	34	40	481	498
*OTHER	98	89	98	95	73	123	86	71	60	74	78	83	1028	1022

ADMINISTRATIVE																				
AVERAGE RESPONSE TIME	5.02	5.54	5.41	4.56	5.59	5.40	5.30	5.19	5.25	5.44	5.20	5.18	5.26	5.31						
CALLS ANSWERED	6175	5346	5679	5683	5492	5331	5543	5202	5479	5951	5756	5946	67,583	72,558						
TRAFFIC																				
CITATIONS ISSUED	552	454	505	490	438	403	492	559	520	706	727	579	6425	7254						
WARNINGS ISSUED	584	578	433	500	483	411	474	459	447	632	661	632	6294	6214						
ACCIDENTS - TOTAL	85	70	99	105	124	82	91	94	111	107	96	88	1156	1061						

TOP 5 ACCIDENT LOCATIONS - MONTH	TOTAL #
1. HWY 54 / HWY 74	6
2. HWY 54 / COMMERCE DRIVE	5
3. HWY 54 / MARKET PLACE	4
4. HWY 54 / HUDDLESTON DR	3
5. HWY 54 / MCDUFF	3

TOP 5 ACCIDENT LOCATIONS - YEAR	TOTAL #
1. HWY 54 / HWY 74	77
2. HWY 54 / HUDDLESTON DR.	58
3. HWY 54 / PLANTERRA WAY	50
4. HWY 54 / COMMERCE DR	36
5. HWY 74 / CROSSTOWN DR	35

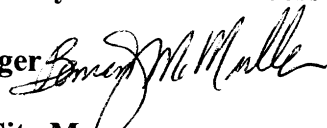
PUBLIC SERVICES MONTHLY REPORT**DECEMBER 2003**

		<u>DECEMBER 2003</u>	<u>YEAR TO DATE FY2004</u>	<u>YEAR TO DATE FY2003</u>
Street Patching	(Hrs.)	165	716	254
Street Cracksealing	(Hrs.)	330	330	0
Drainage Maintenance	(Hrs.)	269	630	498
Street Sweeping	(Hrs.)	0	144	66
Cart Path Paving	(Ft.)	0	8,859	4,675
Cart Path Litter Removal	(Hrs.)	67	218	181
Cart Path Drainage Maint.	(Hrs.)	210	458	452
R.O.W. Mowing	(Hrs.)	0	390	1,017
R.O.W. Litter Removal	(Hrs.)	570	1,119	690
Landscape Maintenance	(Hrs.)	898	1,503	1,364
Landscape Planting	(Hrs.)	0	134	233
Litter Removal	(Hrs.)	0	30	5
Sub-Division Sign Maint.	(Hrs.)	34	160	215
Traffic Sign Maintenance	(Hrs.)	120	285	407
Vandalism Repairs	(Hrs.)	13	21	25
Citizen Complaints Answered	(Num.)	25	67	70
<u>RECYCLING SITE</u>				
Manhours	(Hrs.)	52	192	201
<u>Participants</u>				
Recycling	(Num.)	157	710	1,206
Composting	(Num.)	411	2,616	3,743
Mulch Picked-Up	(Num.)	24	306	272

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council Members

VIA: City Manager 

FROM: Assistant City Manager
Public Services Director 
City Engineer 
Financial Services Director 
Assistant Finance Director

DATE: January 28, 2004

SUBJECT: Hip Pocket Road Culvert Replacement Project
February 5, 2004 City Council Consent Agenda

Recommendation:

Staff recommends that City Council award a contract to Massana Construction in the amount of \$93,939.00 for the culvert replacement on Hip Pocket Road.

Discussion:

On Monday, November 24, 2003, the City sent "Invitations to Bid" to sixteen (16) construction firms for the Hip Pocket Culvert Replacement Project. The bid was placed on the City's web site, the City Hall bulletin board, and in the bid book located in the City Hall lobby. The bid was also advertised in the December 3 and December 17, 2004 editions of *Today in Peachtree City*. Nine (9) construction firms and three (3) plan rooms obtained bid plans and specifications from the City's engineering firm for, Integrated Science & Engineering, for this project. The following seven (7) firms responded to the bid opening on January 5, 2004:

- | | |
|---|--|
| 1. Cline Service Corp.
Bid Amount: \$239,000.00 | 5. Ronny Jones Enterprises
Bid Amount: \$132,729.00 |
| 2. Tiernan & Patrylo
Bid Amount: \$159,100.00 | 6. McCoy Grading
Bid Amount: \$114,184.48 |
| 3. Delmonico
Bid Amount: \$143,508.31 | 7. Massana Construction
Bid Amount: \$ 93,939.00 |
| 4. Brent Scarbrough & Co.
Bid Amount: \$132,742.50 | |

Massana Construction is the low bid and their bid bond with Hartford Fire Insurance Company is an approved surety with the U.S. Department of Treasury. City staff has checked two references provided by Massana Construction. They are Fayette County and Nancy Creek Construction. Both have indicated that they are quite satisfied with the work of Massana Construction. The County indicated some delay in the cleanup of the Drake Field site for the Lake Peachtree dredging project. Nancy Creek stated that work has been completed on a timely basis, that there have been no disputes, change orders have only resulted in a change in the project scope, and that they continue to contract with Massana. Nancy Creek also noted that the firm has provided appropriate erosion control and traffic safety control.

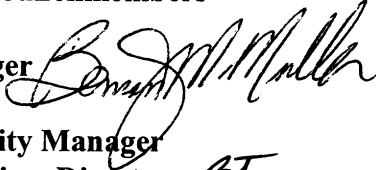
Budget Impact:

Funds are available in the 2004 Public Works Operating Budget - Street Resurfacing Program.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Councilmembers

VIA: City Manager 

FROM: Assistant City Manager
Public Services Director 
Financial Services Director 
Assistant Finance Director 

DATE: January 20, 2004

SUBJECT: Tandum Axle Dump Truck Purchase
February 5, 2004 City Council Agenda

Recommendation:

The current Public Works Public Improvement Program has identified a purchase of a 2004 Tandum Axle Dump Truck. Staff recommends Council approve the purchase from Peach State Truck Center of Norcross, Georgia for their bid of \$76,959.00.

Discussion:

The City solicited bids from three (3) dealers. Two (2) responded as follows:

1. Nalley Motor Trucks
Atlanta, Georgia
Bid Amount: \$91,477.00
2. Peach State Truck Center
Norcross, Georgia
Bid Amount: \$76,959.00

Budget Impact:

The total cost of this equipment will be funded through the GMA Lease/Purchase Program. The 2004 approved budget includes \$80,000 for this purchase.

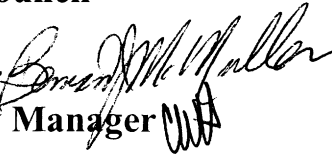
BT/ly

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA:

City Manager 

Assistant City Manager 

FROM:

City Clerk 

DATE: January 20, 2004

SUBJECT: Alcohol License – Change in License Representative –
Ted's Montana Grill

February 5, 2004, Regular Meeting Agenda

Recommendation:

Staff recommends Council consider the attached application for a change in License Representative.

Discussion:

Ted's Montana Grill, 314 City Circle, Suite 1320, has submitted an application for a change in License Representative. Ms. Tammy Stoj has requested that she be appointed as the License Representative. Ms. Stoj will attend the Thursday, February 5th, meeting to answer any questions you may have.

Budgetary Impact:

The change in License Representative will have no impact on the budget.

JSM:pd

Attachments



Peachtree City

Georgia

State of Georgia

City of Peachtree City:

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

Tammy Stoj
Name

170 Boulevard S.E. Apt E216 Atlanta, GA 30312
Address

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

James V. Murray
Signature
Jan. 20, 2004
Date

Major R.M. Dupree
Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council
FROM: City Manager 
DATE: January 27, 2004
SUBJECT: APPOINTMENTS TO THE AIRPORT AUTHORITY
February 5, 2004, Council Agenda

The Selection Committee, composed of Mayor Steve Brown, Council Member Steve Rapson and myself considered eight applicants for vacancies on the Airport Authority.

It is the recommendation of the Committee that Ms. Cathy Nelms be reappointed to serve a term from 01/01/04 to 12/31/08. We further recommend that Mr. Rick Mendenhall be appointed to serve the remainder of Mr. James Toombs' term, which expires on 12/31/07. Mr. Toombs has submitted his resignation from the Airport Authority. Additionally, the committee is recommending Mr. John Harrell as an alternate on the Authority.

Copies of applications for those recommended are attached for your review.

BJM/gr

Attachments

cc: Mr. Jerry Cobb

**AIRPORT AUTHORITY
APPLICATION FOR APPOINTMENT**

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

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

The Airport Authority is comprised of five members appointed to five-year terms. Meetings are held on the first Wednesday of each month at 7 p.m. Members are required to attend a minimum of eighty percent (80%) of all meetings. The Authority is responsible for the operations of Falcon Field Airport.

Please take a few minutes to complete the form below and to answer the questions on the reverse side of this letter and return it with a resume, if available, to Gloria Strobel, 151 Willowbend Road, Peachtree City, GA 30269 by **5:00 p.m. on FRIDAY, NOVEMBER 7, 1997**. You will be contacted by the City within two weeks of the application closing date.

If you have questions, please contact Gloria Strobel at 487-7657.

NAME:

Cathy Nelmes

ADDRESS:

323 Walnut Grove Rd.

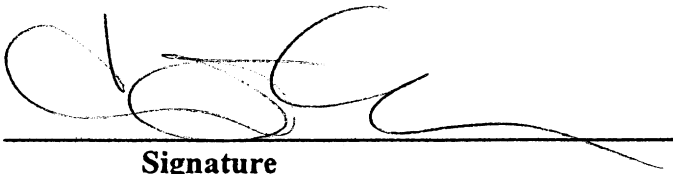
Peachtree City, GA 30269

TELEPHONE (Day Time)

678.522.4256 (cell)

(Evening)

770.632-9806


Signature

11-6-03

Date

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

6 years

2. Why are you interested in serving on the Airport Authority?

Serving on the Airport Authority is a challenging and rewarding way for me to use my aviation experience to serve the community. I would like to continue to serve Peachtree City by developing and maintaining Peachtree City-Falcon Field Airport as a first-rate airport. A thriving general aviation airport is an important economic asset to the community. I am interested in maximizing the airport's potential to attract quality industry to the area.

3. What qualifications and experience do you possess that would benefit the Airport Authority?

Having already served one term on the Airport Authority, I have extensive knowledge of the operation, maintenance and future plans of the airport. For the past five years, I have been involved in Falcon Field's capital projects, budgeting, business retention and expansion. I have an excellent understanding of the future challenges faced by Falcon Field. As a member of the Fayette County Development Authority, I have learned a lot about economic development. I have attended the Georgia Economic Developers Association annual conference twice to enhance my understanding of economic development and to network with state and local economic development organizations.

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

Please see attached resume.

5. Do you have past experience relating to airport operations?

I have worked with Peachtree City-Falcon Field Airport's operations for the past five years and have an excellent understanding of the business.

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

I attended all Airport Authority meetings in the past year.

7. Would there be any possible conflict of interest between your employment and you serving on the airport authority?

I am currently not employed and have no conflict of interest.

8. Describe your community involvement.

Active Member, Holy Trinity Catholic Church (Parish School of Religion teacher, Children's Liturgy, Adult Education)
Vice President, Peachtree City Elementary School Parent/Teacher Organization
Brownie troop leader, Girl Scouts of America

Catherine M. Nelmes
323 Walnut Grove Road
Peachtree City, Georgia 30269
678.522.4256

OBJECTIVE To continue serving the community by overseeing the management and development of Peachtree City-Falcon Field Airport.

WORK EXPERIENCE

January 1998 – Member, Peachtree City Airport Authority
Present Peachtree City, GA

Oversee and direct the management and development of Peachtree City-Falcon Field. Helped negotiate the acquisition of 24 acres, paid for with a federal grant, to allow for future airport development. Worked with city, county, state and private organizations to facilitate the eventual paving of Stallings Road. Worked with the Fayette County Development Authority to help attract new industries to Peachtree City-Falcon Field Airport. Assisted with the Airport's current master plan in identifying and prioritizing needed development projects. Reviewed and approved the Authority's yearly budget. Conducted monthly reviews of the budget. Served as Chairman from 2000 to 2003. Served on Fayette County Development Authority from 2000 to 2003.

September 1990 – Program Manager, Federal Aviation Administration
July 1996 Airports District Office, Atlanta, GA

Technical expert for planning, engineering, environmental, airspace, safety and compliance issues and programming of Airport Improvement Program (AIP) projects for commercial service and general aviation airports in Georgia. Served as primary point of contact for local, state and federal officials, airport managers, engineering consultants, and the public on airport issues. Reviewed requests for AIP funding and recommended projects to receive funds. Recognized for exceptional job performance 1992-1996.

January 1989 – Project Engineer, Federal Aviation Administration
September 1990 Air Route Traffic Control Center/Flight Service Station
 Airways Facilities Division, Atlanta, GA

Responsible for project oversight at the regional level for construction projects at Air Route Traffic Control Centers and Flight Service Stations. Monitored progress, resolved conflicts and issued necessary modifications on projects. Tracked project funds and negotiated contract claims with construction contractors. Received letters of commendation from the Regional Administrator and Secretary of Transportation.

September 1985 – Civil Engineer, Federal Aviation Administration
January 1989 Navigational Aids Section, Atlanta, Georgia

Responsible for inspecting contractors' performance during the construction of navigational aids throughout the southeast. Ensured compliance with contract drawings and specifications. Resolved on-site issues and assisted project engineer in regional office.

EDUCATION Georgia Institute of Technology, Atlanta, GA
 Bachelor of Science in Civil Engineering, 1985

 Georgia State University, Atlanta, GA
 Master of Science in Urban Policy Studies, 1997

Interview
12/13/03
8:40 A.M.

**AIRPORT AUTHORITY
APPLICATION FOR APPOINTMENT**

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

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

The Airport Authority is comprised of five members appointed to five-year terms. Meetings are held on the second Wednesday of each month at 7:00 p.m. Members are required to attend a minimum of eighty percent (80%) of all meetings. The Authority is responsible for the operation of Falcon Field Airport.

Please take a few minutes to complete the form below and to answer the questions on the reverse side of this letter and return it with a resume, if available, to Gloria Reid, Peachtree City Hall, 151 Willowbend Road, Peachtree City, GA 30269 by **5:00 p.m. on FRIDAY, NOVEMBER 7, 2003**. The City will contact you within two weeks of the application closing date.

If you have questions, please contact Gloria Reid at 487-7657.

NAME:

Rick Mendenhall

ADDRESS:

211 Hedgewood Court

Peachtree City, GA 30269

TELEPHONE (Day Time)

404-677-0566

(Evening)

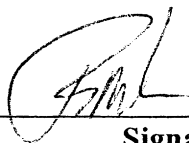
770-487-9807

(Fax #)

404-773-7889

(E-mail Add:)

Rick.Mendenhall@Delta.com



Signature

5 NOV 03

Date

1. How long have you been a resident of Peachtree City?
 - 12 years
2. Why are you interested in serving on the Airport Authority?
 - There is a lot of potential for growth at Falcon Field. I believe that the airport can be the "heart beat" of the city, and with the proper growth of Falcon Field, we can see more revenue for the city. I represent Delta Air Lines at various Maintenance Repair & Overhaul (MRO) trade shows, as well as the National Business Aviation Association (NBAA), and European Business Aviation Association (EBACE) trade shows. The NBAA and EBACE are corporate aircraft related trade shows. I have seen the growth of the corporate jet business. I believe that I can bring some goodness to the Airport Authority table with my knowledge of the corporate business, as well as over 20 years experience in marketing, business development, managerial, and technical background. I would like to be a key player in attracting corporate aviation type business to our airport, Falcon Field.
3. What qualifications and experience do you possess that would benefit the Airport Authority?
 - Graduate Degree in Aeronautical Science
 - Bachelor of Science Degree in Aviation Management
 - Associates of Applied Science Degree in Aviation Maintenance Technology
 - A Team Leader of an aircraft component maintenance insourcing logistics customer service center. Oversee a team of employees who handle the following customer accounts:
 - Air France
 - World Airways
 - AeroMexico
 - Skywest Airlines
 - Boeing Airplane Commercial Group
 - Airborne Express
 - Northwest Airlines
 - Atlanta Southeast Airlines
 - Comair
 - United Airlines
 - Azteca Airlines
 - Hawaiian Airlines
 - Aircraft Maintenance 3rd Party Insourcing Business Development / Analyst. Duties include:
 - Provide market demand analysis for new repair products and customers
 - Responsible for analysis of cost drivers and capacity utilization for bidding and planning purposes
 - Member of activity based costing team within the Aircraft Component Repair Business Unit
 - Negotiate contracts; administer contract-billing terms
 - Identify target customers in regional jet market

4. List major jobs you have held during your working career to include name of company and position
- Delta Air Lines
 - Team Leader, Aircraft Component Maintenance Insourcing Logistics Customer Service Center.
 - Aircraft Maintenance Insourcing Business Development / Analyst
 - Aircraft Maintenance Insourcing Account Manager
 - Supervisor, Aircraft Pneumatic Component Shop
 - Continuous Improvement Team Member
 - Component Maintenance Safety
 - Aircraft Component Mechanic
 - Aircraft Hangar Overhaul Mechanic
 - Walgreens Drug Company
 - Manager
 - United States Air Force Reserves
 - In-Flight Aircraft Mechanic on DC-9 Aero medical Aircraft
 - United States Air Force
 - In-Flight Aircraft Mechanic on DC-9 Aero medical Aircraft
5. Do you have any past experience relating to airport operations? If so, describe.
- I have taken the following Graduate Level Courses
 - Airport Planning & Management
 - Strategic Logistics Management
 - Air Transportation, Foundations for the 21st Century
 - System Safety Engineering and Risk Assessment
 - I have taken the following Undergraduate Courses
 - Airport Management
 - Aviation Law
6. Have you attended any Airport Authority meetings in the past year and, if so, how many?
- None. I am now currently in a Real Estate Dynamics Prelicensing course, and will be finished with this class in November.
7. Would there be any possible conflict of interest between your employment and you serving the Airport Authority?
- None
8. Describe your current community involvement.
- My spare has been supporting my kids with their school activities. Between chorus, cross-country track, track, band, and various other activities, my time was very limited. Furthermore, I have been in graduate school. However, now that I am completed with my graduate degree, and with the completion of my real estate class coming up, as well as having one child now out of high school, I see that I will now have spare time to devote to my community.

Rick Mendenhall
211 Hedgewood Court
Peachtree City, Georgia 30269

CAREER OBJECTIVE

General Manager, where 20 years marketing, business development, managerial, and technical background will add value to the Corporation.

EDUCATION

Graduate Degree, Aeronautical Science

Embry-Riddle Aeronautical University – Daytona Beach, Florida

Bachelor of Science, Aviation Management

Southern Illinois University – Carbondale, Illinois

Associates of Applied Science, Aviation Maintenance Technology

Southern Illinois University – Carbondale, Illinois

PROFESSIONAL EXPERIENCE

1991 to Present

Delta Air Lines, Hartsfield International Airport, Atlanta, Georgia

2003 to Present

Team Leader, Aircraft Component Maintenance Insourcing Logistics Customer Service Center.

- Track internal performance on customer components and provide metrics for directors and managers of component maintenance.

- Oversee a team of employees who handle the following customer accounts at component maintenance level:

- Air France

- Boeing Airplane Commercial Group

- Comair

- World Airways

- Airborne Express

- United Air Lines

- AeroMexico

- Northwest Airlines

- Azteca

- Skywest Airlines

- North American Airlines

- Hawaiian Air

- Atlanta Southeast Airlines

2001 – 2003

Aircraft Maintenance Insourcing Business Development / Analyst

Comair / ASA / Skywest Airlines Component Account Manager.

- Provide market demand analysis for new repair products and customers

- Responsible for analysis of cost drivers and capacity utilization for bidding and planning purposes

- Member of activity based costing team within the Aircraft Component Repair Business Unit

- Support aircraft component maintenance repair and overhaul initiatives with annual revenues of \$30 million. This unit's revenue has double over the past two years.

- Increased regional jet component maintenance revenue 167%, \$2 million impact

- Increased volume of customer insource 3rd party regional jet aircraft components brought in to Delta Component Maintenance for repair by 158%.

- Determine aircraft maintenance component repair cost

- Negotiate contracts; administer contract-billing terms

- Prepare warranty claims

- Identify target customers in Regional Jet Market

- Initiated and successfully implemented a Customer Service Center for aircraft component maintenance for component insource customers which vastly improved customer service.

1998 – 2001

Supervisor, Aircraft Pneumatic Component Shop

- Provide positive leadership in a high performance workplace environment that challenges up to 12 employees to be the best they can be by giving them the guidance, training and tools needed to perform their job in a safe and compliant manner. Continue to build on an already strong cooperative working relationship with all levels of management in Delta Technical Operations.
- Accountable for the serviceability, and maintenance of 170 pneumatic aircraft components. Ensure inventory assets of ~\$20 million are properly supporting the day to day business needs of Delta Air Lines and Technical Operations.
- Assigned work to aircraft maintenance mechanics.
- Maintained records, prepared reports, and composed correspondence relative to maintenance performed.
- Performed annual performance evaluations.

1996 – 1998

Aircraft Component Mechanic

- Troubleshoot, repair, overhaul, modify, test and calibrated a variety of pneumatic components.
- Determined nature and extent of repairs required
- Made independent judgments and decisions within the framework of oral and written instructions
- Select appropriate work methods, procedures, tools, and equipment, which will contribute toward more efficient maintenance and repair operation

1991 – 1996

Aircraft Mechanic

- Perform scheduled, unscheduled maintenance on a variety of aircraft
- Diagnose and trouble-shoot systems to determine malfunctions
- Disassemble, repair, overhaul structures, and replace components in aircraft
- Test and repair airframe and fuselage components
- Worked on aircraft systems and engines as a licensed FAA aircraft mechanic
- Read & interpret manufacturer's technical manuals, performed maintenance work accordingly

1985 – 1989

Walgreen Drug Company

Walgreen Drug Company is principally in the retail drugstore business. Stores are located in 43 states and Puerto Rico. There were 3,880 retail drugstores and 3 mail service facilities as of August 31, 2002.

Manager

- Ensured that store objectives were met through a trained, knowledgeable staff, and that customer needs were satisfied, and that the purpose of the organization was met.
- Trained employees to perform their duties competently and safely
- Coached, counseled employees at appropriate times
- Conducted performance review planning sessions at specified intervals
- Took appropriate corrective and disciplinary action with employees
- Responsible for a team of 30 full-time / part-time employees
- Interviewed candidates seeking employment / determined staffing requirements
- Supervised handling of discrepancies in vendor and warehouse orders
- Completed and balance all daily financial paperwork and bank deposits / in charge of payroll
- Assured that all merchandise was properly stocked, rotated and kept clean
- Monitored cashier, vendor and customer activity to discover theft or dishonesty
- Maintained an environment that fostered individual motivation, initiative, innovation and latitude in achieving corporate and personal objectives.

1981 – 1985

1988 – 1991

United States Air Force / United States Air Force Reserves

In-Flight Aircraft Mechanic

- Coordinate with other maintenance organizations and staff agencies to ensure effective support
- Flew as an in-flight aircraft mechanic (flew 2,000 hours)
- Responsible for overall aircraft generation and mission readiness to include aircraft forms review and exceptional release
- Provide technical direction to assigned personnel and contract mechanics
- Reviewed aircraft records to ensure required maintenance has been performed
- Performed inspection, maintenance, and troubleshoot tasks on aircraft systems and components
- Desert Storm Conflict Veteran
- Evaluated, prepared and presented flight crew travel vouchers to finance
- Reported flight crew times for crew records
- Delegated maintenance performed by contract employees

KEY TRAINING / EXPERIENCES

- Graduate Degree
- Contract Negotiations
- Supervision
- Safety Representative
- Analyst
- Customer Account Manager
- Georgia Real Estate License Training / should be licensed January, 2004
- Federal Aviation Administration Airframe & Power Plant Aircraft Mechanic License
- Front Line Manager Workshop
- 6Sigma Training
- Continuous Improvement Team (CIT) / Project saved 7,400 process man-hours annually / \$1 million annual impact
- Chemical Waste & Disposal Training / I set the standard for 26 aircraft maintenance component shops for chemical storage / disposal
- Experience which demonstrates the ability to plan and organize work assignments
- Experience which demonstrates the ability to review work requirements and establish priorities to meet deadlines
- Experience which demonstrates the ability to deal effectively with other people and gain their cooperation in achieving common goals
- Experience which demonstrates the ability to supervise through subordinate supervisors
- Ability to work with others
- Ability to oversee and train subordinate supervisors, to deal objectively with workers and tender sound supervisory decisions
- Ability to devise new methods

**AIRPORT AUTHORITY
APPLICATION FOR APPOINTMENT**

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

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

The Airport Authority is comprised of five members appointed to five-year terms. Meetings are held on the second Wednesday of each month at 7:00 p.m. Members are required to attend a minimum of eighty percent (80%) of all meetings. The Authority is responsible for the operation of Falcon Field Airport.

Please take a few minutes to complete the form below and to answer the questions on the reverse side of this letter and return it with a resume, if available, to Gloria Reid, Peachtree City Hall, 151 Willowbend Road, Peachtree City, GA 30269 by **5:00 p.m. on FRIDAY, NOVEMBER 7, 2003**. The City will contact you within two weeks of the application closing date.

If you have questions, please contact Gloria Reid at 487-7657.

NAME: John J. Harrell

ADDRESS: 307 Coronado Drive

Peachtree City

TELEPHONE (Day Time) 404-463-2906

 (Evening) 770-487-5679

 (Fax #) _____

 (E-mail Add:) jharrell@gtga.gov (w) marinejohn@hotmail.com (H)

Signature

Date

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

23 years, 4 months

2. Why are you interested in serving on the Airport Authority?

I now have the time to serve the community that has for the past 23 years served my family and me. It is time to give back in some way, and the Airport Authority is one of the two authorities that appeal to me.

I come from a military background. My father was career Air Force, and I grew up around flying and aircraft. I was in the Marine Corps for 6 years, three of which were with the Air Wing.

Additionally, I was in pursuit of my private pilot's license and have used Falcon Field facilities.

3. What qualifications and experience do you possess that would benefit the Airport Authority?

I have over 39 years of diverse experience which includes military, construction, and business.

I am a certified Project Manager (PMP) as well as a certified Lead Auditor of Quality Systems. That simply means I have a sound understanding of the requirements needed to have a successful project, and also what a business organization should look like from an ISO and TQM perspective. These skills, along with my business and management background, are the qualifications I believe would serve the needs of the Airport Authority.

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

1964-1969 – U.S. Marine Corps

1970-1978 – Structural Steel Construction - General Foreman... Washington DC, METRO (subway)

1980-1997 – NCR, Peachtree City. Programmer; Technical Writer; Quality Manager, Project Manager

1999-current – Georgia Technology Authority (GTA)...Program Management Consultant (PMC)

GTA has legislated responsibility for the success of all state agency IT projects with budgets exceeding \$1M, or that have significant impact on the constituents of the state. That responsibility is internally transferred to the PMCs within GTA. We work with the agencies to insure their projects succeed, primarily through the use of sound project management principles.

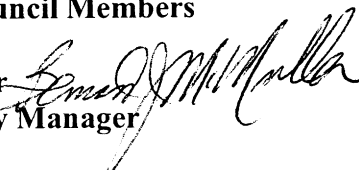
5. Do you have any past experience relating to airport operations? If so, describe. None

6. Have you attended any Airport Authority meetings in the past year and, if so, how many? None
7. Would there be any possible conflict of interest between your employment and you serving the Airport Authority? Not to my knowledge
8. Describe your current community involvement. Passive involvement. I follow city activities via news print and the city news bulletin.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
Assistant City Manager

FROM: Administrative Services Director / City Clerk 

DATE: January 28, 2004

SUBJECT: Ethics Board Appointments
February 5, 2004 Council Agenda

Recommendation:

Appoint Mr. Fred Stavely, Mr. Charlie VanHecke, Mr. Charles Anderson and Mr. Ed Wetherington to the Ethics Board.

Discussion:

When new Council members are elected, they each nominate two citizens to serve on the City's Ethics Board. Stuart Kourajian nominated Mr. Stavely and Mr. VanHecke and Judi Rutherford nominated Mr. Anderson and Mr. Wetherington. At this time, we do not have the criminal background completed on Mr. VanHecke. All other have passed the criminal background check. Mr. VanHecke should be appointed contingent upon the completion of the background check.

Budget Impact:

None

/jsm

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Councilmembers

VIA: City Manager 
Assistant City Manager
Finance Director 

FROM: Director of Leisure Services 

DATE: January 28, 2004

SUBJECT: Proposal to Restructure Part-time Staff
(Feb. 5, 2004 Meeting)

Recommendation: That Council approve a request to restructure Recreation part-time positions to eliminate skate park and rink monitors and establish a part-time receptionist position at the Gathering Place.

Discussion: See Attached Memo to City Manager, dated Jan. 16, 2004

Budget Impact: Overall savings of \$12,000 in the Recreation budget.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: City Manager

VIA: Assistant City Manager
Director of Financial Services *RS*

FROM: Director of Leisure Services *DS*

DATE: January 16, 2004

SUBJECT: Proposal to Restructure Part-Time Staff

Introduction

After a review of our current part-time staffing, we are seeing an opportunity to restructure our staff to better meet the customer service needs at our facilities. Two key factors have combined to form this opportunity: 1) the urgent need for an additional part-time Customer Service Representative for the Gathering Place, and 2) the opportunity to eliminate the part-time positions of Skate Park (Shakerag) and Skate Rink (Kedron) Monitors. This restructuring of staff would provide two major benefits to the City: 1) it would allocate resources away from an unnecessary area and toward an urgently needed one, and 2) would result in a net savings to the City budget of approximately \$12,000 in the first year.

The Need for a Customer Service Representative at the Gathering Place

Currently the Gathering Place staff consists of one full-time coordinator and one part-time customer service representative. In addition, several volunteers have been enlisted to ensure that the facility is supervised during all business hours (Mon. through Fri., 8am – 5pm.) The facility is also used as a meeting and programming area after business hours and on weekends.

Therefore, the full-time coordinator often must be available after hours to assist renters of the facility. In addition, she is responsible for a number of activities that take her out of the facility on a daily basis. She is required to attend meetings of various community organizations and to attend training classes and seminars. For these reasons, she cannot be at the facility during all open hours. Often the facility is staffed solely by a volunteer, who is responsible for the safety and welfare of the patrons, who are generally senior citizens. In most cases, the volunteers are senior citizens themselves, some with significant health issues. They are very limited in their ability to handle a medical emergency. They do not have CPR training and most would not have the strength to administer it if they did. They may become flustered in an emergency situation, possibly even to the point where they would be unable to call 911. Since the volunteer is often the only person in the facility, they are placed in a potentially dangerous situation, vulnerable to a criminal attack or to their own possible medical emergency. This is both a dangerous situation for the volunteer and a potential liability for the City.

The volunteers, while they are very gracious and helpful, have limited customer service and technical skills, particularly involving the computerized registration system (RecWare.) The Gathering Place is a designated registration location for the 350-plus Parks and Recreation Department programs. Oftentimes the volunteer is unable to process a patron's registration due to an inability to use the computer system, creating a very poor customer service experience. The staff at the Gathering Place is called upon to perform a variety of tasks which the volunteers are

either physically incapable of or do not possess the skills to perform. Finally, the full-time coordinator often finds herself “at the mercy” of the volunteers’ schedules, and their tendency to change their schedules without notice.

The addition of this position would ensure that, during all open hours, a trained staff member would be at the facility, responsible for the safety and welfare of our patrons, providing a high level of customer service and performing the wide variety of duties that are required at the Gathering Place on a daily basis. While volunteers have served admirably over the years and will continue to help provide services at the Gathering Place, the pace and complexity of activities and services provided there has risen to a point where a paid staff member should always be on duty.

This need has been identified to me for more than two years. I have been prepared to request this position in 2002 and 2003 budgets, but could not due to hiring freezes. I also submitted the position when asked early in 2003 to provide the city manager with personnel requests in the event hiring would be resumed, which did not occur.

The estimated cost to the City for this position, including salary, FICA and benefits, would be approximately \$12,258 annually.

The Opportunity to Eliminate the Positions of Skate Park and Rink Monitors

Currently, the skatepark monitors are responsible to check that patrons have a pass and to enforce the park rules, most notably the use of helmets. The passes cost \$5, are good forever and are only available to county residents. They do not produce a significant amount of revenue (in 2002 we sold 237 of them,) and we don’t see a significant demand for use of the facility by non-residents. Therefore, we can do without the passes. As for the enforcement of park rules, we already have a sign posted at the skatepark listing our rules. There hasn’t been a problem with skaters not wearing a helmet; most skaters seem to be aware of the need to wear one, or are supervised by a parent who requires the skater to wear it (and often kneepads, elbowpads and more.) The situation at the skate rink at Kedron is similar, except that it is open to the public (residents only) without the requirement of a pass, and there isn’t currently a sign posted there with our rules. A sign will be posted if this request is approved.

At a similar facility, the BMX track, we do not provide any monitoring. With the exception of use by the BMX Association, the facility is open to the public during daylight hours, and with similar rules (also posted on a sign). In fact, we do not provide constant monitoring at any of our other facilities, despite the fact that studies have shown skateboarding and rollerblading to be no more dangerous than other “traditional” sports like football and baseball.

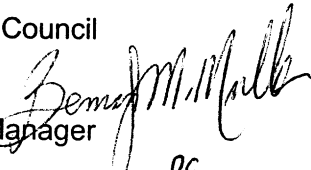
Instead of having an employee at these facilities, we could adequately monitor these facilities by a) having the parks monitor open and close these facilities, and check them out as part of his usual rounds, b) inform the police department that these facilities will no longer be monitored during all open hours, so they can be aware of the increased possibility of criminal activity there, and possibly c) install video cameras (WebCam) at these facilities to provide additional surveillance. WebCam would enable any city staff to remotely monitor the facility from any PC, at home or in the office.

Conclusion

We currently pay \$24,876 (plus FICA, etc.) to monitor the skate park and rink. By restructuring our staffing in this manner, we would be allocating resources away from an unnecessary area and toward an urgently needed one, and in the process we would save the City approximately \$12,000 annually.

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: City Manager 
Assistant City Manager

FROM: Financial Services Director 
Assistant Finance Director

DATE: January 26, 2004

SUBJECT: Budget Amendments
February 5, 2004 – City Council Consent Agenda

Recommendation:

It is staff's recommendation that City Council approve the attached budget amendments.

Discussion:

Attached please find several budget amendments for fiscal year 2004 submitted for your approval. A description of the amendments follows:

Budget Amendment 04-011

At the City Manager's request, this budget amendment transfers budgeted funds from the City Manager's budget to the Information Technology budget for the purchase of a City vehicle previously budgeted for the City Manager.

Budget Amendment 04-012

This budget amendment transfers budgeted funds from the PIP Leisure Services area for sealing the outside of the Library to the Flat Creek Multi-Use Bridge Project to cover the potential increase in the City's share of this project. The original 1998 budget for this project will not adequately cover the cost of the City's share of this project partially, funded by a Federal grant.

Budget Amendment 04-013

The Leisure Services Division has requested this budget amendment that transfers budget from the Recreation Department to the Gathering Place to cover costs not originally budgeted for the Gathering Place.

Budget Amendment 04-014

This budget amendment, requested by the Administrative Services Division, transfers budget from the City Clerk's Department to the Public Information Department to cover costs for a training opportunity for the Public Information staff.

Budget Amendment 04-015

This budget amendment increases both budgeted revenues and expenditures in the DARE Special Revenue Fund. A check from Kiwanis was recently received for the purchase of supplies for the spring school semester.

Budget Amendment 04-016

This budget amendment establishes a budget for the Youth Council Special Revenue Fund for fiscal year 2004 and is based on the balance in fund equity available at September 30, 2003.

Budget Amendment 04-017

This budget amendment increases both budgeted revenue and expenditures in the General Fund for work performed by Public Works and reimbursed by the Brookfield Homeowner's Association. The check has already been deposited in the General Fund for this work.

Budget Impact:

The impact on the General Fund budget is an increase in both budgeted revenues and expenditures of \$672, bringing the fiscal year 2004 General Fund budget to \$21,744,496. The impact on the DARE Fund is an increase in both budgeted revenues and expenditures of \$2,016, bringing the fiscal year 2004 DARE Fund to \$2,046. The impact on the Youth Council Fund is an increase in both revenues and expenditures of \$2,419.

If you have any questions please do not hesitate to contact either Paul or Janet.

Thank you for your attention to this matter.

Attachments

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 04-011

DATE February 5, 2004

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
100-1535-54-2040	Machinery & Equipment/Information Tech	27,000	
100-1320-54-2050	Machinery & Equipment/City Manager		27,000
TOTAL		\$ 27,000	\$ 27,000

To transfer budget for new City vehicle previously approved in the City Manager's budget to the Information Technology budget based on a request from the City Manager.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 04-012

DATE February 5, 2004

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
350-4110-54-0025	Flat Creek Multi-Use Bridge	48,000	
350-6110-54-0121	Seal Outside of Library		48,000
TOTAL		\$ 48,000	\$ 48,000

To transfer budget from PIP Leisure Services for sealing the outside of the Library to the Flat Creek Multi-Use Bridge project to cover the potential increase in the City share of the project. The original City share costs projected in 1998 are not expected to cover the costs of this project partially funded by a federal grant.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 04-013

DATE February 5, 2004

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
100-5520-53-1150	Office Supplies/Gathering Place	350	
100-5520-53-1175	Operating Supplies/Gathering Place	600	
100-6110-53-1150	Office Supplies/Recreation		350
100-6110-53-1175	Operating Supplies/Recreation		400
100-6110-53-1650	Small Tools & Equipment/Recreation		200

TOTAL \$ 950 \$ 950

To transfer budget from Recreation Department to Gathering Place to cover costs not originally budgeted when the fiscal year 2004 budget was approved.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 04-014

DATE February 5, 2004

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
100-1570-52-3700	Education & Training/Public Information	200	
100-1580-52-3700	Education & Training/City Clerk		200
TOTAL		\$ 200	\$ 200

To transfer budget from City Clerk's Education & Training budget to Public Information's Education & Training budget to cover costs of a training opportunity for the Public Information staff.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 04-015

DATE February 5, 2004

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
202-00-37-1000	Donations/DARE Fund	2,016	
202-3210-53-1175	Operating Supplies/DARE Fund	2,016	
TOTAL		\$ 4,032	\$ -

To increase budget for both revenue and expenditures in the DARE Fund. A check from Kiwanis was recently received for the purchase of supplies for the spring school semester.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 04-016

DATE February 5, 2004

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
207-00-38-9025	Surplus Carryover/Youth Council	2,419	
207-6110-53-1175	Operating Supplies/Youth Council	1,219	
207-6110-52-1200	Professional Service/Youth Council	1,200	
TOTAL		\$ 4,838	\$ -

To establish a budget for Youth Council Fund for fiscal year 2004 based on fund equity available at September 30, 2003 in the fund.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 04-017

DATE February 5, 2004

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
100-00-34-7900	Miscellaneous Revenue/General Fund	672	
100-4100-53-1110	Street Supplies/Public Works	672	
TOTAL		\$ 1,344	\$ -

To increase budget for both General Fund revenues and expenditures for work performed by Public Works and reimbursed by the Brookfield Homeowner's Association. Check has been deposited in the General Fund for this work.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Councilmembers

VIA: City Manager 
Director of Financial Services
Assistant Finance Director

FROM: Director of Leisure Services 

DATE: January 28, 2004

SUBJECT: *Fund Reallocation From Recreation Budget
(Agenda of Feb. 5, 2004)*

Recommendation: That Council approve a request to reallocate \$18,500 from the Recreation capital budget intended for improvements to baseball fencing. There is \$60,000 budgeted in the current FY 2004 Recreation capital budget for this purpose.

Discussion: The Field Of Hope (FOH) committee came to the Recreation Commission last month and requested that the Commission support a request to the City Council to provide funding in the amount of \$36,000 to help complete a second non-handicapped baseball field at the Field of Hope Complex. The FOH board had made the decision to have the area cleared for another field in case future plans called for either another handicapped accessible field, or a regular little league field. The clearing and all work to this point has been funded by private donation and in-kind services. All funding and in-kind services have been secured privately for the handicapped field, which is slated to be completed and in operation by Spring. However, the shortfall of \$36,000 was noted for completion of the second field. FOH chair Nick Harris pointed out that the extra field would be used by Little League for their machine pitch or T-ball programs, and could be used for adult handicapped games. In the future, if the need arose and private funding could be secured, it could be converted to a handicapped surface.

The funding request for \$36,000 was broken into three parts: \$10,000 for fencing, \$17,700 for lighting (materials only, labor would be provided in-kind), and \$8,500 for sod.

If the field is not developed, there will be potential for this area to be a maintenance headache and an eyesore if it isn't kept up properly. If it is developed as a field, it will enhance the appearance of what will be a very attractive and highly visible complex. If money weren't the issue, it would be a no-brainer to finish the field.

I informed the Rec. Commission and the FOH representatives that going to city council asking for money at this time would put extreme pressure on the Council and staff to approve it. I told them that if we could devise a way to avoid that it would be preferable. During the ensuing discussion, I brought up the fact that we have \$60,000 budgeted in the Recreation capital budget for replacement and repairs to existing baseball field fences at South 74 and Braelinn fields. I suggested to them that the lighting of the FOH field should be put off indefinitely, and that they could fence and sod the fields so they would be useable during daytime. Future funding, either/or private/public, could be sought for finishing out the lights if they desired. I further suggested that if all baseball groups agreed to it, I would look into making \$18,500 of the \$60,000 available to fence and sod the field now. I stressed that if they agreed, it would mean we would have to do without \$18,500 worth of replacements or repairs to (their) existing fencing, and we would have to do as much as we can with the remaining \$41,500.

I now have written agreement with this from Little League, the largest user of the facilities, and from 2nd largest user Georgia Baseball, and verbal agreement from other smaller users, that they would agree to forego the \$18,500 in fencing improvements and allow FOH to complete the second field for daylight use.

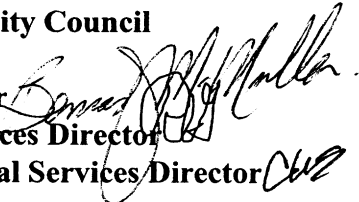
I feel that at this time it would be more beneficial to the city to finish out the second field in order to complete the FOH complex. This will be a highly visible facility when it comes on-line, and will undoubtedly draw positive media attention locally, regionally and nationally. I believe having a completed baseball field there would enhance the overall appearance of the park. The FOH organizers will have provided the city with a \$650,000 fully handicapped accessible facility when it is completed, only the second of its kind in existence (the other is in Conyers). An \$18,500 investment at this time to round out the complex is a relatively small price to pay for this sort of distinctive amenity. Of course, there will be minor O&M costs associated with care and maintenance of the field, but it will be negligible because of the field's small size and the fact that younger children will play on it.

Budget Impact: We will reduce the scope of work to replace or repair baseball fencing by \$18,500 of the budgeted \$60,000, and use the remaining \$41,500 as effectively as possible to repair or replace fencing at the other fields. The FOH general contractor (Group VI) is coordinating with subcontractors for fencing and sod. We will have them bill the city for these two items, not to exceed \$18,500 total.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager 
Leisure Services Director 
Developmental Services Director 

FROM: City Engineer 

DATE: January 27, 2004

SUBJECT: Consider Request for Composting Demonstration Event
Agenda Item – February 5, 2004

Recommendation: Staff is recommending Council approve the use of McIntosh Recreation Complex for the purpose of demonstrating backyard composting and distribution of personal composting bins on Saturday, March 27, 2004.

Discussion: Staff received a request from Fayette County to identify a site to be used for the purposes of demonstrating methods of composting and distributing Earth Machine Composting Bins (at a cost to the public of \$36). The purpose of the all-day event is to build awareness of the need to reduce the amount of waste entering landfills and provide a viable method for doing so. Solid waste reduction represents one of the public education goals of our Solid Waste Management Plan.

Norseman Plastics Corporation manufactures and markets home composting products, working with governments to provide the products at reduced rates for these events. Similar events have been held in Fulton and Oconee Counties with a great degree of success. Norseman will provide marketing materials, security, and \$1M of liability insurance as well as handle all sales at the event. Norseman has also been cautioned about our strict sign ordinance, and no banners will be placed at the Peachtree City site. The local Master Gardener/Composters group will provide volunteer labor for the event, making city staff involvement on the day of the event unnecessary. Fayette County has approved (*see attached*) the event and is hoping to provide two sites; one in Fayetteville at the Administrative Complex and the other in Peachtree City at the McIntosh Recreation Complex.

Georgia has had Solid Waste Reduction goals in place since 1992 and required local governments to develop plans for achieving a 25% reduction in the volume of solid waste entering landfills. Public Education is one strategy that Peachtree City and Fayette County have committed to in the recent update to the Short-Term Work Program. This event will create interest, build awareness and inspire involvement in composting.

Furthermore, Norseman specializes in these events, partnering with local governments that are trying to meet solid waste reduction goals. The promotional materials indicate that 63 city and county governments across the United States have held similar events. Bins will be sold at a reduced price of \$36 (normally \$80) and include a booklet explaining composting techniques and benefits.

The Fayette County Extension Office would also have staff available to accept soil samples and provide advice. The Master Gardener/Composter Program interest lies in the connection between the rich soil supplement produced from composting and gardening and would hold plant clinics and composting seminars for the event.

The event date and location have been approved by the Recreation Department. Other event details are provided on the attached proposal.

Budget Implications: There are no direct costs to the City from this event. Indirect costs associated with staff time planning this event are currently accounted for in the operational budget.

Attachments

*Fayette County Board of Commissioners – Agenda of Actions for January 22, 2004.
Proposal on Backyard Composting*



BOARD OF COMMISSIONERS

Greg Dunn, Chairman
Linda Wells, Vice Chair
Herb Frady
Peter Pfeifer
A.G. VanLandingham

★

STAFF

Chris Cofty, County
Administrator
Dennis Davenport, Asst. Cty. Atty.
Carol Chandler, Executive Asst.
Peggy Butler, Executive Assistant
Karen Morley, Chief Deputy Clerk

★

MEETING LOCATION

Administrative Complex
Commission Meeting Room
140 Stonewall Avenue
Fayetteville, GA

★

MEETING TIMES

1st Wednesday each month at
3:30 p.m.
2nd and 4th Thursday each month
at 7:00 p.m.

★

COMMISSION OFFICE

Administrative Complex
Suite 100
140 Stonewall Avenue
Fayetteville, GA 30214
Phone: 770.460.5730 Ext. 5400
Fax: 770.460.9412

Web Site:

www.admin.co.fayette.ga.us

e-mail contact:

fayette6@admin.co.fayette.ga.us

The Agenda of Actions

BOARD OF COMMISSIONERS

January 22, 2004

7:00 P.M.

Chairman Dunn called the meeting to order, offered the Invocation and led the pledge to the Flag.

Commissioner Wells asked for the Board's consideration in amending tonight's Agenda to add Old Business regarding consideration of Agreement with Design Previews, Inc. d/b/a 11 Fingers for maintenance and redesign of the county's web site.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO ADD OLD BUSINESS TO TONIGHT'S AGENDA REGARDING CONSIDERATION OF AGREEMENT WITH DESIGN PREVIEWS, INC. d/b/a 11 FINGERS FOR MAINTENANCE AND REDESIGN OF THE COUNTY'S WEB SITE. THE MOTION CARRIED 4-1 WITH CHAIRMAN DUNN OPPOSING THE MOTION.

PUBLIC HEARING:

A. Consideration of Petition No. 1118-04 Harry L. and Evelyn P. McNeil, Owners, and Randy Boyd, Agent, request to rezone 3.00 acres from A-R to R-80 to develop one single-family dwelling lot. This property is located in Land Lot 3 of the 7th District and fronts on Ebenezer Church Road. The Planning Commission recommended denial 4-1. Staff recommended denial.

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER WELLS TO DENY PETITION NO. 1118-04. THE MOTION CARRIED 5-0.

B. Consideration of Petition No. 1119-04 Alton Edsel Martin and Geneva Martin, Owners, and Randy Boyd, Agent, request to rezone 0.594 acres from A-R to C-H to allow C-H uses. This property is located in Land Lot 39 of the 7th District and fronts on S.R. 54 West and Huie Drive. The Planning Commission recommended approval with one recommended condition.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER WELLS TO APPROVE PETITION NO. 1119-04 WITH ONE RECOMMENDED CONDITION. THE MOTION CARRIED 5-0.

Agenda of Actions
January 22, 2004
Page 2

NEW BUSINESS:

- C. Consideration of approval to hold a Master Gardener/Composter demonstration and compost bin distribution event in the County Administrative Complex parking lot on March 27, 2004.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE THE MASTER GARDENER/COMPOSTER DEMONSTRATION AND COMPOST BIN DISTRIBUTION EVENT TO BE HELD IN THE COUNTY ADMINISTRATIVE COMPLEX PARKING LOT ON MARCH 27, 2004. THE MOTION CARRIED 5-0.

OLD BUSINESS:

Consideration of Agreement with Design Previews, Inc. d/b/a 11 Fingers for Maintenance and Redesign of the County's web site.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE THE AGREEMENT OF DESIGN PREVIEWS, INC. d/b/a 11 FINGERS FOR MAINTENANCE AND REDESIGN OF THE COUNTY'S WEB SITE. THE MOTION CARRIED 3-2 WITH CHAIRMAN DUNN AND COMMISSIONER PFEIFER OPPOSING THE MOTION.

CONSENT AGENDA: ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER FRADY TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED 5-0.

1. Approval of request from the Director of 911 Communications Cheryl Rogers to transfer insurance funds from the general fund to department line item 21530800-522234 Radio Repair Services.
2. Approval of request from the Whitewater Middle School Band Boosters to place a sign on the old courthouse lawn from January 29th through February 6, 2004 advertising their annual band fundraiser to be held on February 6, 2004.
3. Approval of request from the Director of Engineering to approve Shenandoah Estates as a street light district in Fayette County.
4. Approval of recommendation to reappoint Lynette Peterson and Lynn Redwood to the Fayette County Board of Health for another six-year term commencing on January 1, 2004 and expiring on December 31, 2009.
5. Approval of Resolution 2004-04 establishing qualifying fees for 2004 elections in Fayette County.

Agenda of Actions
January 22, 2004
Page 3

6. Approval of request from the Director of Public Works Lee Hearn to approve the sum of \$5,900 to Mallett Consulting for the surveying services for right-of-way acquisition on Snead Road.

PUBLIC COMMENT:

Members of the public are allowed up to five minutes each to address the Board on issues of concern other than those items which are on this evening's agenda.

Mark Rogers: Mark Rogers, a resident of Fayette County, commented on an employment issue.

STAFF REPORTS:

EXECUTIVE SESSION: Attorney Davenport requested an executive session to discuss three legal items.

Chairman Dunn requested an executive session to discuss one personnel matter.

EXECUTIVE SESSION: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS THREE LEGAL ITEMS AND ONE PERSONNEL MATTER. THE MOTION CARRIED 5-0.

LEGAL: Attorney Dennis Davenport updated the Board on a legal item.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER WELLS TO AUTHORIZE ATTORNEY DAVENPORT TO PROCEED IN THIS MATTER. THE MOTION CARRIED 5-0.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER WELLS TO AUTHORIZE ATTORNEY DAVENPORT TO PROCEED IN THIS MATTER. THE MOTION CARRIED 5-0.

LEGAL: Attorney Dennis Davenport updated the Board on a legal item.

THE BOARD TOOK NO ACTION ON THIS MATTER.

LEGAL: Attorney Dennis Davenport reported to the Board on a legal item.

THE BOARD TOOK NO ACTION ON THIS MATTER.

Agenda of Actions
January 22, 2004
Page 4

PERSONNEL: Chairman Dunn discussed a personnel matter with the Board. Staff was not present for this discussion.

THE BOARD TOOK NO ACTION ON THIS MATTER.

EXECUTIVE SESSION AFFIDAVIT: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT THREE LEGAL ITEMS AND ONE PERSONNEL MATTER WERE DISCUSSED IN EXECUTIVE SESSION. THE MOTION CARRIED 5-0.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 9:10 p.m.

Karen Morley, Chief Deputy Clerk

PROPOSAL ON BACKYARD COMPOSTING



For
***Fayette County and
Fayette County Cooperative Extension***

Spring 2004

Norseman Plastics – A Profile

PROMOTION AND EDUCATION:

Resolving waste management problems is not about new technology - it is about changing attitudes. While technology plays a critical role, without full public support and acceptance, technologies often fail. That is why Norseman Plastics surrounds its technology, "The Earth Machine", with a wide range of innovative promotion and education products and support services.

THE COMPANY:

Norseman Plastics was established 30 years ago as a leading edge injection molding company. Today, the Norseman facility covers more than 160,000 square feet and houses over 30 large injection molding machines ranging up to 1,500 ton clamp pressure. The plant operates 24 hours a day, seven days a week.

Through its Environmental Products Division, Norseman has led the market in backyard composting initiatives in North America and the United Kingdom for the past seven years. Norseman's composter, "The Earth Machine", is the most successful product of its type in the world. Since its introduction, "The Earth Machine" has sold more than *two million* units in successful partnerships with over *3,000 communities*.

The company is also engaged in major recycling programs with companies such as Coca Cola, Pepsi Cola, Cott Beverages, and other large beverage and foodservice organizations in North America (please see newsletter in miscellaneous section).

In addition, Norseman manufactures and distributes a variety of curbside boxes and workplace fine paper containers servicing recycling initiatives throughout the world.

Norseman prides itself on its ability to offer more than simply a product and a price. Extensive planning experience, promotional tools, educational programs and successful event management skills have made Norseman the number one company in its field.

Norseman is a company dedicated to developing wide-ranging solutions to today's challenging environmental problems. By partnering with corporations and governments at all levels, we work together to find and implement effective methods of dealing with these challenges.



NORSEMAN PLASTICS

39 WESTMORE DRIVE, REXDALE, ONTARIO M9V 3Y6
(416) 745 6980 • 1 800 267 4391 • FAX (416) 745 1874

December 15, 2003

Pete Frisina
Fayette County and Fayette County Cooperative Extension
140 Stonewall Ave. W.
Fayetteville, GA 30214

Subject: Backyard Compost Bins in Fayette County for Spring 2004

Dear Pete:

Thank you for the opportunity to present the enclosed proposal on a compost bin distribution program for Fayette County and Fayette County Cooperative Extension.

Whether by straight delivery, multi-site single day truckload sale events where tens of thousands of Earth Machines have been sold, or by door-to-door set up and post education, Norseman has transformed the way in which municipalities promote home composting.

We have been involved in more than **3,000** municipal backyard composting programs distributing in excess of **two million Earth Machines** across North America and in the world. As a result Norseman has developed an internal infrastructure of trained and experienced full time staff Nationwide, dedicated only to Truckload Events. This is to ensure your event is managed effectively and professionally. Also, Independent surveys continue to prove high levels of diversion, participation, and satisfaction using the "Earth Machine".

Working cooperatively with local agencies and governments is the foundation of Norseman's success in helping families and communities deal with household waste at the source. We look forward to working closely with you and Sheldon Hammond from the Extension and look forward to achieving future success.

Best Regards,

Bonnie Wrightman
Environmental Products Division
Norseman Plastics

cc. Amy Freeman Rosa, EMSE

THE EARTH MACHINE™



PRINTED ON RECYCLED PAPER

Table of Contents

- 1. Marketing & Advertising**
- 2. Day of Event Organization**
- 3. Educational Support**
- 4. Pricing & Confirmation**
- 5. Bin Specifications**
- 6. Truckload Sale References**

Truck Load Sale Overview

The best way to distribute bins to a large number of residents with minimum time and resources, is to create a bin distribution event at an easy to find location(s) which has ample parking. The events are typically held on a Saturday, and are heavily promoted to generate maximum awareness.

The objective would be the distribution of a minimum of 1,250 bins in one event day. The promotion and dollar allocation to funding will greatly influence both the implementation and success of the event. Participation rates of 20% of eligible single family dwelling in the one-day sale have been realized.

Residents are encouraged to come on a "first come, first served basis, while supplies last", to purchase or receive bins. This creates an atmosphere of urgency, and prevents residents from "putting composting off" to a future date.

Our years of experience, coupled with your promotion and cooperation will guarantee success for your community, resulting in a strong economic and environmental payback.

Promotion Awareness Work Plan

for

Fayette County / Fayette County Cooperative Extension

Target number of single family households	37,800
Target participation rate	2%
Target number of compost bins	750-900
Sites:	Two (2)
Event Date	Spring 2004

TARGETED TIMELINE

Eight Weeks Pre-Event

- Media kits will be provided to Fayette County / Fayette County Cooperative Extension for distribution to:
 - Garden clubs in target area
 - Community newspapers
- Public Service Announcements - available to local community cable as follows:
 - One 9-1/2 minute - "21st Century Composting - THE EARTH MACHINE"

- **Two (2) Point-of-Purchase displays** – Earth Machine™ with plastic brochure holder and poster explaining facts about composting and showing details of the program will be made available for display at high traffic municipal locations.
- **15,000 Handouts** – 2 color 8 -1/2 x 11 (black and green on white) handouts for local distribution and for insertion in utility bills.

Four to Six Weeks Pre-Event

- **Promotional Earth Machines** - 6 units will be made available for promotional purposes. A suggestion would be to use them as give-aways through a local radio station. A certificate will be made available for winners to pick up their Earth Machines at one or the Truck Load Sale sites.

MEDIA ADVERTISING CAMPAIGN

Four Days Pre-Event

Four Color Cut-Away Flyer:

37,800 inserts, printed and circulated in the Citizen, Fayette County News and Atlanta Journal Constitution.

Display Advertising:

One 1/2 page ad to be placed in the Fayette County News a maximum of one week prior to the event.

Level of Intensity + Content Objective = Success

ONE DAY ONLY BACKYARD COMPOST BIN SALE

SPONSORED BY

**OCONEE COUNTY
SOLID WASTE**

An \$80 Value

**FOR
ONLY**

\$35.

00
plus tax

Cash or Checks Only

Saturday March 22, 2003

8 am ~ 4 pm

Or While Supplies Last!

Rain or Shine

First Come, First Served

Kitchen Scrap Pails also available

Compost bins available in the Parking Lot
at the following location:

HOME DEPOT

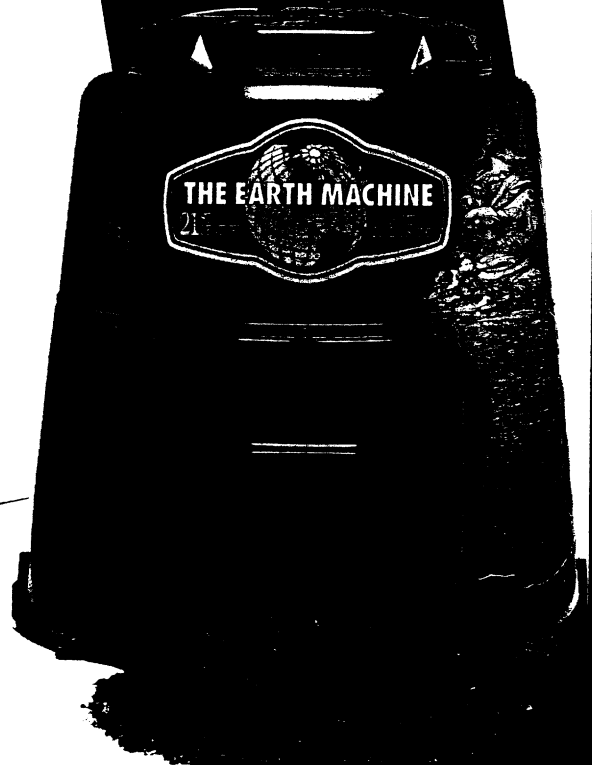
1614 Sandifer Blvd.

Seneca

Oconee County Solid Waste would like to thank Home Depot
for their support of this event



- Convert grass, leaves and table scraps into an abundant supply of humus.
- Reduces garbage by 30%.
- Reduces gardening water bill by up to 30%.
- Takes as little as 10 minutes a week.



The Earth Machine
Chosen in over 3,000
Municipal Programs

- Large 80 Gallon capacity
- Easy, snap together assembly
 - Fits into any car
 - 10 year warranty
- Made of recycled plastic

For more information,
please call Oconee County:
864-888-1440

PRINTED ON RECYCLED PAPER, FIBER



"Grass Roots" Advertising

Responsibilities of Fayette County / Fayette County Cooperative Extension in order to "Get the Word Out."

- Place Earth Machine samples with plastic brochure holder and flyers in high pedestrian traffic areas. I.e. Libraries, City Hall, Grocery stores, TLS site(s).
- Newsletter distribution with outline of TLS event
- Public Service Announcements on the radio, cable T.V., community section of local newspaper
- Compost bin event on Community Channel - Community Calendar
- Free radio publicity: Municipal representative to talk about TLS event
- Notify Gardening Clubs, Recycling Associations, Rotary Clubs etc. about TLS event
- Local Club promotion
- Flyer distribution
- Community Workshops, Garden Shows, Environmental workshops.

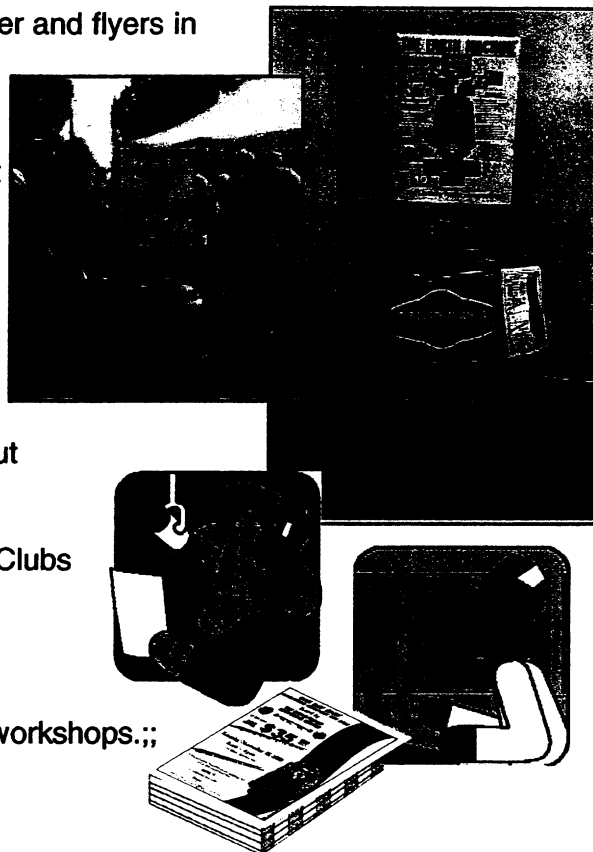
Objective:

1. Notify each organization of upcoming event.
2. Provide each organization with appropriate flyers and posters.
3. Make arrangements for press releases, media advisory, etc...

GRASS ROOTS ~ Getting The Word Out

It is important not to neglect the options that offer free publicity and promotion. Free advertising can be just as if not more effective than paid advertising but the combination of both will result in high awareness and optimum resident participation. The following are ways of getting the word out:

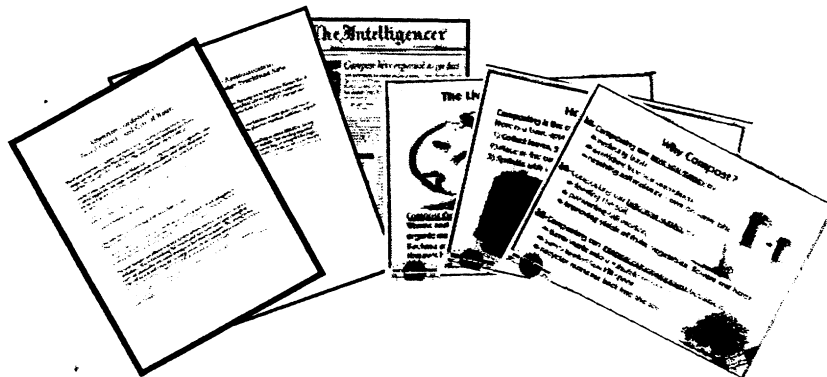
- Place Earth Machine samples with plastic brochure holder and flyers in high pedestrian traffic areas. ie. Libraries, City Hall, Grocery stores, Truck Load Sales Sites
- Newsletter distribution with outline of Compost Bin event
- Public Service Announcements or press releases on the radio, cable T.V., community section of local newspaper
- Compost bin event details on Community Channel - Community Calendar
- Free radio publicity: Municipal representative to talk about the Compost Bin event
- Notify Gardening Clubs, Recycling Associations, Rotary Clubs etc. about TLS event
- Flyer distribution
- Community Workshops, Garden Shows, Environmental workshops.;;
- Web site posting of compost bin sale



MEDIA KITS AND GRAPHICS

Norseman will provide municipalities with media kits either hard copies or via e-mail to forward to local media and for use by the municipality. These media kits contain public service announcements, press releases, fact sheet, letter to gardening clubs, graphics of the Earth Machine, educational images and sample newspaper articles on past compost bin truck load sales.

Making use of the information contained in the media kits will not only enhance promotion of the compost bin sale but create an overall awareness of the importance of composting and reducing waste.





**TWO FREE SAMPLE EARTH MACHINES
FOR LOCAL DISPLAY**

Day of Event Organization

Sale Date: **Spring 2004 Date TBA 8:00am - 4:00pm**

Site Locations: 1) Fayetteville - 31214
2) Peachtree - 30269

Event Management:

Bonnie Wrightman, Marketing Manager

Sales Liaison: Amy Freeman Rosa, EMSE

Site Management:

Site Manager will arrive the day before the Saturday event to meet their respective shipment of bins, survey the site, check the site items, and locate the truck. They will also be on hand two hours before the start time on the event day to re-check the set-up and then remain to supervise the day's proceedings.

Products Included in Each Site:

We will provide a minimum total of 1,250 units to the event. All unsold units, skids, and other event equipment will be picked up and removed at the end of the sale. All debris will be cleaned up at the conclusion of the sale. We suggest that Fayette County / Fayette County Cooperative Extension take at least one skid (25) of compost bins for the purpose of having them available for those residents who missed the sale.

Rainchecks:

When the number of residents exceeds the number of units available for sale, Norseman can provide rainchecks to residents. The distribution of the additional units will be delivered within three (3) weeks to Fayette County / Fayette County Cooperative Extension to a site agreed upon by Fayette County / Fayette County Cooperative Extension and Norseman for resident pick up.

On Site Staff

- Ten (10) personnel will be on hand at the sites to assist with the running of the sale (5 staff at one site, 5 staff at the second site).
- Staff are required to arrive at the site at least 1-1/2 hours prior to the start time for set-up and training.
- At the site the site manager from Norseman Plastics will be there to train everyone on what is required during the day. There are basically four jobs:
 - **Bin assembly/distribution** - which is more physically demanding than other tasks – this is getting the bins off the truck into the staging area for the sale. This is a 2 to 3 person job.
 - **Registration desk** - which is a 1 to 2 person job, making sure the resident fills out the receipts then sending them to the Cash Desk.
 - **Cash Desk** - 2 people, taking cash and giving change, then the cash desk direct residents to the bin assembly area to pick up their bins.
 - **Set up and tear down** - Tear down depending on line-ups is just shrinking the sale area and closing up at the end of the sale – putting everything back up on the truck.
- All site staff will be financially compensated by Norseman Plastics for their assistance and provided with "Waste Not, Want Not" T-shirts to lend excitement and organization to the event.
- Snacks, drinks and lunch will be provided for the staff and security personnel.

On Site Hardware

Norseman Plastics will provide the following to each site:

- A 3' x 40' composter sale banner for dramatic site identification
- All items required for the efficient running of the event:
 - Tables and chairs
 - Signage ? *no-off-site*
 - Awnings and Canopies
 - Cash/Receipt Boxes
 - Pylons ?
 - Pens
 - Ropes

Record Keeping:

Norseman Plastics will provide a three-part receipt which details resident name, address and telephone number. Resident sign application and takes part 2 to claim their composter. Part 3 of the receipt is kept by the resident.

Norseman can provide Fayette County / Fayette County Cooperative Extension with a summary of all receipts along with the copy of the receipt form.

Handling and Processing of Monies:

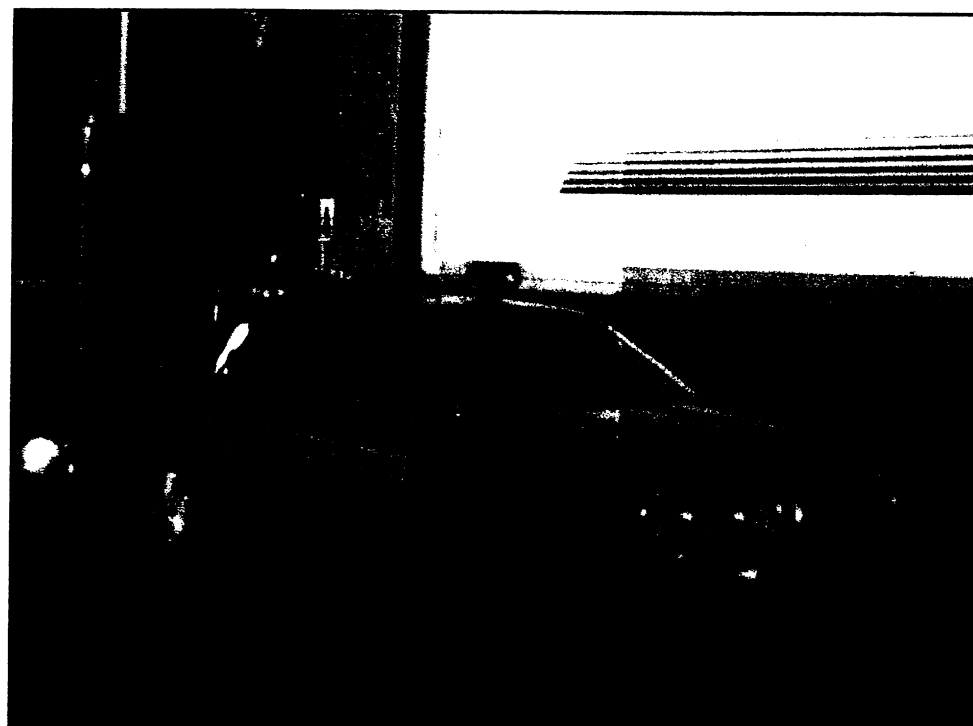
Norseman will be responsible for collection and processing of monies (unless otherwise agreed.)

Security

A Norseman supervisor will be on hand at all times. In addition, Norseman will hire a security guard from a nationally recognized agency to be present at each site for the protection of cashiers and monies.

Insurance

As at previous and similar events, Norseman Plastics Limited shall provide the necessary insurance coverage for all sites and personnel. Please refer to the sample form enclosed.



SECURITY

CERTIFICATE OF INSURANCE

Zurich Insurance Company

This is to certify to: Frankfort County
123 Brent Street
Glendale, MI 32549

This is to certify that insurance as described hereunder has been arranged for the Insured herein on whose behalf this certificate is executed and we hereby certify that such insurance is in full force and effect.

Name of Insured: **Norseman Plastics Limited**
Address of Insured: **39 Westmore Drive, Rexdale, Ontario M9V 3Y6**
Operation and Location to which this Certificate applies: **As usual to the operations of the insured**

<u>CLASS OF INSURANCE</u>	<u>POLICY NUMBER</u>	<u>EFFECTIVE DATE</u>	<u>EXPIRY DATE</u>	<u>LIMITS OF LIABILITY</u>	
GENERAL LIABILITY (except automobile)	8520192	June 1, 2003	June 1, 2004	\$1,000,000,	Inclusive Limit
Products and/or Completed Operations -				\$1,000,000.	Aggregate
Included (X)					
Excluded ()					
EMPLOYER'S LIABILITY					
Included (X)					
(Clerical Staff Only)					
Excluded ()					
Broad Form Vendors	8520192	June 1, 2003	June 1, 2004	\$1,000,000.	
AUTOMOBILE LIABILITY					
All Owned Vehicles (X)	9995301	June 1, 2003	June 1, 2004	\$1,000,000.	
Specific Vehicles ()					
Standard Non-Owned ()					
Hired Vehicles ()					
All Leased Vehicles (X)					
Umbrella Liability	8534495	June 1, 2003	June 1, 2004	\$19,000,000. x \$1,000,000.	

Note-

are added as additional Insureds, but only with respect to the Named Insured's operation

The insurance afforded is subject to the terms, conditions and exclusions of the applicable policy. The Certificate is issued as a matter of information only and confers no rights on the holder and imposes no liability on the Insured. The Insured will endeavor to mail to the holder of this Certificate 30 days written notice of any material change in or cancellation of these policies, but assumes no responsibility for failure to do so.

Dated: May 2, 2003

Bailey McNichol Wilson & Associates


Authorized Representative

Site Layout

Sign Up

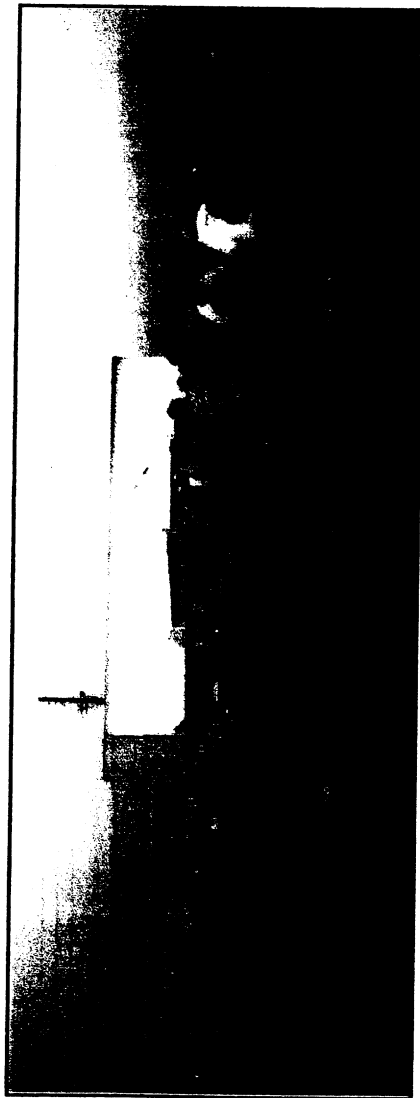
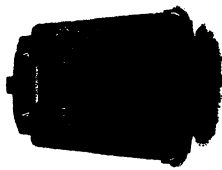
- This area is for filling out receipts and payment .
- Norseman provides a three-part receipt, which shows the resident's name, address and telephone number. Part 1 of this receipt is submitted to you at the end of the sale for your records and/or follow-up.
- Norseman also assumes responsibility for the collection and processing of all monies.

Staging

- The staging area is designated for:
 - Preparing bins for resident pick up
 - Storage of sufficient bins to keep up with demand
 - Receiving receipts
 - Distributing bins
- It is important for the staging area to:
 - Be blocked on two sides where possible by a natural boundary
 - Be roped in to prevent residents from entering work area
 - Have signs indicating composter pick up location

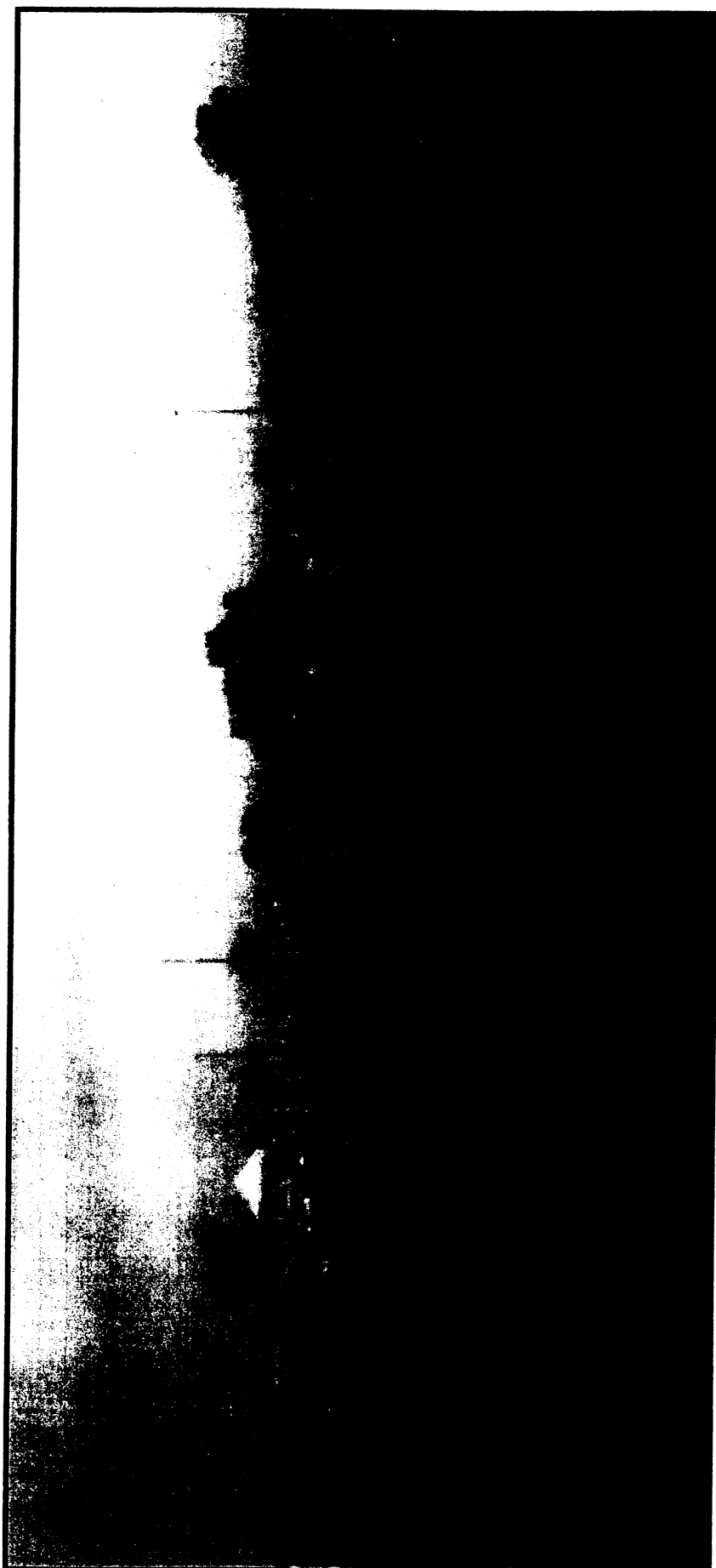
EARTH MACHINE COMPOST BIN EVENT

FROM START - TO FINISH



EARTH MACHINE.

Century Home Composites
Norseman Plastics



Pricing

\$ 36.00 each plus tax

Cost for promotion and distribution included

Confirmation

Confirmation of Acceptance

Fayette County / Fayette County Cooperative Extension has received Norseman Plastics' proposal for a backyard compost bin Truckload Sale for Spring 2004 and hereby confirms its approval to proceed as outlined.

Name: _____
(Print) (Signature)

Title: _____

Date: _____

Please fax back to:

Bonnie Wrightman
Environmental Products Division
Norseman Plastics Limited
Fax: (416) 745 - 7140

CITY OF PEACHTREE CITY

INTER-OFFICE MEMORANDUM

TO: Mayor Brown and Members of Council

VIA: City Manager, ATTN: Mr. Bernie McMullen 
Assistant City Manager, ATTN: Mr. Colin Halterman
Director of Administrative Services, ATTN: Jane Miller 
Chief Lohr 

FROM: John Dailey
Fire Marshal

DATE: January 28, 2004

SUBJECT: Adoption of Georgia Minimum Fire Safety Standards
(February 5th, 2004 Council Agenda)

RECOMMENDATION. Staff recommends that Council adopt the State Fire Marshal's Rules and Regulations/minimum state fire safety standards as adopted under O.C.G.A 25-2, approve and sign the Resolution at Inclosure 4 for return and signature by the Georgia Insurance and Safety Fire Commissioner, and approve the revised Chapter 38 of the Peachtree City Code of Ordinances at Inclosure 6.

DISCUSSION.

a. Section 2-12(b), Title 25, Official Code of Georgia Annotated (O.C.G.A.) authorizes cities of less than 45,000 population to adopt the state minimum fire safety standards adopted in the rules and regulations promulgated pursuant to this Chapter, including all subsequent revisions thereof. The City would then become responsible for enforcing these minimum fire safety standards. State law requires cities with a population of 45,000 or more to adopt these minimum standards.

b. The Peachtree City Fire Marshal already performs the duties that the State Fire Marshal also performs. Being authorized to act in lieu of the State Fire Marshal would enable developers, contractors, architects, and engineers to avoid the typical extended waiting period for actions and approvals by the State Fire Marshal's Office.

c. Local codes and standards may be more, but not less stringent than the state minimum fire safety code.

d. Peachtree City Code of Ordinances since about 1985 has adopted the entire National Fire Code published by the National Fire Protection Agency. This includes approximately 300 specialized codes. Effective 2003, the National Fire Code is known as the Uniform Fire Code.

e. The State's minimum adopted minimum fire safety standards include the 2003 edition of the International Fire Code (IFC), and 184 selected references from the National Fire Code. A listing of those references adopted as the state minimum fire safety standards is attached. (Inclosure 1)

f. Resolution in the event of conflict between various standards of a code, or between codes is provided by Sections 103.2 and 103.3 of the Rules and Regulations of the State Fire Commissioner, and by Section 2-13 (g) of Title 25, Official Code of Georgia Annotated, which are attached. (Inclosure 2)

g. Since about 1980, Section 38-33 of Peachtree City Code of Ordinances has authorized appeals to decisions made by the Fire Chief to City Council within 30 days of the date of the decision. For appeals on decisions by the State Fire Marshal, O.C.G.A. 25-2-10 authorizes appeals to the State Insurance and Fire Safety Commissioner and then to superior court. This would include determinations and interpretations of minimum state fire safety codes.

h. A list of affected types of facilities is attached. These are the type of facilities that would benefit from adoption of the state minimum fire safety standard. (Inclosure 3)

i. A recommended Agreement Resolution is attached for approval. The State Fire Marshal has reviewed it and concurs. (Inclosure 4)

j. Section 109, Violations; Section 110, Unsafe Buildings; and Section 111, Stop Work Order; were not adopted by the State minimum Fire Safety Standards for purposes of Rules and Regulations of the State Fire Commissioner. They are authorized for adoption, and are recommended for inclusion in Peachtree City Ordinance. Extracts are attached. (Inclosure 5)

k. Implementing Peachtree Code of Ordinance language is attached. This is a comprehensive rewrite of Chapter 38 that includes changes recently approved for fees and false alarms (Inclosure 6).

l. The City Attorney has reviewed this action and concurs.

BUDGET IMPACT. There is no cost to the City for this action other than maintaining the appropriate reference codes on hand, and attending periodic meetings with the State Fire Marshal's Office in Atlanta.

6 Enclosures- as

1	International Fire Code (IFC), 2003 Edition	
2	NFPA 10, 2002 Edition	
3	NFPA 11, 2002 Edition	Standard for Portable Fire Extinguishers
4	NFPA 12, 2000 Edition	Standard for Low-, Medium-, and High-Expansion Foam Systems
5	NFPA 12A, 1997 Edition	Standard on Carbon Dioxide Extinguishing Systems
6	NFPA 13, 2002 Edition	Standard on Halon 1301 Fire Extinguishing Systems
7	NFPA 13D, 2002 Edition	Standard for the Installation of Sprinkler Systems
8	NFPA 13R, 2002 Edition	Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes
9	NFPA 14, 2000 Edition	Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height
10	NFPA 15, 2001 Edition	Standard for the Installation of Standpipe, Private Hydrants, and Hose Systems
11	NFPA 16, 1999 Edition	Standard for Water Spray Fixed Systems for Fire Protection
12	NFPA 17, 2002 Edition	Standard for the Installation of Foam-Water Sprinkler and Foam-Water Spray Systems
13	NFPA 17A, 2002 Edition	Standard for Dry Chemical Extinguishing Systems
14	NFPA 18, 1995 Edition	Standard for Wet Chemical Extinguishing Systems
15	NFPA 20, 1999 Edition	Standard for Wetting Agents
16	NFPA 22, 1998 Edition	Standard for the Installation of Stationary Pumps for Fire Protection
17	NFPA 24, 2002 Edition	Standard for Water Tanks for Private Fire Protection
18	NFPA 25, 2002 Edition	Standard for the Installation of Private Fire Service Mains and Their Appurtenances
19	NFPA 30	Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems
20	NFPA 30A	Flammable and Combustible Liquids Code
21	NFPA 30B	Code for Motor Fuel Dispensing Facilities and Repair Garages
22	NFPA 31	Code for the Manufacture and Storage of Aerosol Products
23	NFPA 32	Standard for the Installation of Oil-Burning Equipment
24	NFPA 33	Standard for Drycleaning Plants
25	NFPA 34	Standard for Spray Application Using Flammable or Combustible Materials
26	NFPA 35	Standard for Dipping and Coating Processes Using Flammable or Combustible Liquids
27	NFPA 36	Standard for the Manufacture of Organic Coatings
28	NFPA 37	Standard for Solvent Extraction Plants
29	NFPA 40, 2001 Edition	Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines
30	NFPA 42, 2002 Edition	Standard for the Storage and Handling of Cellulose Nitrate Film
		Code for the Storage of Pyroxylin Plastic

31	NFPA 45, 2000 Edition	Standard on Fire Protection for Laboratories Using Chemicals
32	NFPA 50, 2002 Edition	Standard for Bulk Oxygen Systems at Consumer Sites
33	NFPA 50A 1999 Edition	Standard for Gaseous Hydrogen Systems at Consumer Sites
34	NFPA 50B, 1999 Edition	Standard for Liquefied Hydrogen Systems at Consumer Sites
35	NFPA 51	Standard for the Design and Installation of Oxygen-Fuel Gas Systems for Welding, Cutting, and Allied Processes
36	NFPA 51A	Standard for Acetylene Cylinder Charging Plants
37	NFPA 51B	Standard for Fire Prevention During Welding, Cutting, and Other Hot Work
38	NFPA 52	Compressed Natural Gas (CNG) Vehicular Fuel Systems Code
39	NFPA 53, 1999 Edition	Recommended Practice on Materials, Equipment and Systems Used in Oxygen-Enriched Atmospheres
40	NFPA 54	National Fuel Gas Code
41	NFPA 55	Standard for the Storage, Use, and Handling of Compressed Gases and Cryogenic Fluids in Portable and Stationary Containers, Cylinders, and Tanks
42	NFPA 57	Liquefied Natural Gas (LNG) Vehicular Fuel Systems Code
43	NFPA 58	Liquefied Petroleum Gas Code
44	NFPA 59	Utility LP-Gas Plant Code
45	NFPA 59A	Standard for the Production, Storage, and Handling of Liquefied Natural Gas (LNG)
46	NFPA 61, 2002 Edition	Standard for the Prevention of Fires and Dust Explosions in Agricultural and Food Processing Facilities
47	NFPA 68, 2002 Edition	Guide for Venting of Deflagrations
48	NFPA 69, 2002 Edition	Standard on Explosion Prevention Systems
49	NFPA 70, 2002 Edition	National Electrical Code® National Electrical Code™
50	NFPA 70B, 2002 Edition	Recommended Practice for Electrical Equipment Maintenance
51	NFPA 70E, 2000 Edition	Standard for Electrical Safety Requirements for Employee Workplaces
52	NFPA 72, 2002 Edition	National Fire Alarm Code™
53	NFPA 75, 1999 Edition	Standard for the Protection of Electronic Computer/Data Processing Equipment
54	NFPA 76, 2002 Edition	Recommended Practice for the Fire Protection of Telecommunications Facilities
55	NFPA 77, 2002 Edition	Recommended Practice on Static Electricity
56	NFPA 79, 2002 Edition	Electrical Standard for Industrial Machinery
57	NFPA 80, 1999 Edition	Standard for Fire Doors and Fire Windows
58	NFPA 80A, 2001 Edition	Recommended Practice for Protection of Buildings from Exterior Fire Exposures
59	NFPA 82, 1999 Edition	Standard on Incinerators and Waste and Linen Handling Systems and Equipment
60	NFPA 85, 2001 Edition	Boiler and Combustion Systems Hazards Code
61	NFPA 86, 1999 Edition	Standard for Ovens and Furnaces
62	NFPA 86C, 1999 Edition	Standard for Industrial Furnaces Using a Special Processing Atmosphere
63	NFPA 86D, 1999 Edition	Standard for Industrial Furnaces Using Vacuum as an Atmosphere

97	NFPA 232, 2000 Edition	Standard for the Protection of Records
98	NFPA 241, 2000 Edition	Standard for Safeguarding Construction, Alteration, and Demolition Operations
99	NFPA 251, 1999 Edition	Standard Methods of Tests of Fire Endurance of Building Construction and Materials
100	NFPA 252, 1999 Edition	Standard Methods of Fire Tests of Door Assemblies
101	NFPA 253, 2000 Edition	Standard Method of Test for Critical Radiant Flux of Floor Covering Systems Using a Radiant Heat Energy Source
102	NFPA 255, 2000 Edition	Standard Method of Test of Surface Burning Characteristics of Building Materials
103	NFPA 256, 1998 Edition	Standard Methods of Fire Tests of Roof Coverings
104	NFPA 257, 2000 Edition	Standard on Fire Test for Window and Glass Block Assemblies
105	NFPA 258, 2001 Edition	Recommended Practice for Determining Smoke Generation of Solid Materials
106	NFPA 259, 1998 Edition	Standard Test Method for Potential Heat of Building Materials
107	NFPA 260, 1998 Edition	Standard Methods of Tests and Classification System for Cigarette Ignition Resistance of Components of Upholstered Furniture
108	NFPA 261, 1998 Edition	Standard Method of Test for Determining Resistance of Mock-Up Upholstered Furniture Material Assemblies to Ignition by Smoldering Cigarettes
109	NFPA 262, 2002 Edition	Standard Method of Test for Flame Travel and Smoke of Wires and Cables for Use in Air-Handling Spaces
110	NFPA 265, 2002 Edition	Standard Methods of Fire Tests for Evaluating Room Fire Growth Contribution of Textile Coverings on Full Height Panels and Walls
111	NFPA 267, 1998 Edition	Standard Method of Test for Fire Characteristics of Mattresses and Bedding Assemblies Exposed to Flaming Ignition Source
112	NFPA 268, 2001 Edition	Standard Test Method for Determining Ignitibility of Exterior Wall Assemblies Using a Radiant Heat Energy Source
113	NFPA 269, 2000 Edition	Standard Test Method for Developing Toxic Potency Data for Use in Fire Hazard Modeling
114	NFPA 270, 2002 Edition	Standard Test Method for Measurement of Smoke Obscuration Using a Conical Radiant Source in a Single Closed Chamber
115	NFPA 271, 2001 Edition	Standard Method of Test for Heat and Visible Smoke Release Rates for Materials and Products Using an Oxygen Consumption Calorimeter
116	NFPA 272, 1999 Edition	Standard Method of Test for Heat and Visible Smoke Release Rates for Upholstered Furniture Components or Composites and Mattresses Using an Oxygen Consumption Calorimeter
117	NFPA 285, 1998 Edition	Standard Method of Test for the Evaluation of Flammability Characteristics of Exterior Non-Load-Bearing Wall Assemblies Containing Combustible Components Using the Intermediate-Scale, Multistory Test Apparatus
118	NFPA 286, 2000 Edition	Standard Methods of Fire Tests for Evaluating Contribution of Wall and Ceiling Interior Finish to Room Fire Growth

119	NFPA 287, 2001 Edition	Standard Test Methods for Measurement of Flammability of Materials in Cleanrooms Using a Fire Propagation Apparatus (FPA)
120	NFPA 288, 2001 Edition	Standard Method of Fire Tests of Floor Fire Door Assemblies Installed Horizontally in Fire Resistance Rated Floor Systems
121	NFPA 291, 2002 Edition	Recommended Practice for Fire Flow Testing and Marking of Hydrants
122	NFPA 302, 1998 Edition	Fire Protection Standard for Pleasure and Commercial Motor Craft
123	NFPA 303, 2000 Edition	Fire Protection Standard for Marinas and Boatyards
124	NFPA 306, 2001 Edition	Standard for the Control of Gas Hazards on Vessels
125	NFPA 307, 2000 Edition	Standard for the Construction and Fire Protection of Marine Terminals, Piers, and Wharves
126	NFPA 312, 2000 Edition	Standard for Fire Protection of Vessels During Construction, Repair, and Lay-Up
127	NFPA 318, 2002 Edition	Standard for the Protection of Semiconductor Fabrication Facilities
128	NFPA 326, 1999 Edition	Standard for the Safeguarding of Tanks and Containers for Entry, Cleaning, or Repair
129	NFPA 329	Recommended Practice for Handling Releases of Flammable and Combustible Liquids and Gases
130	NFPA 385	Standard for Tank Vehicles for Flammable and Combustible Liquids
131	NFPA 407	Standard for Aircraft Fuel Servicing
132	NFPA 408, 1999 Edition	Standard for Aircraft Hand Portable Fire Extinguishers
133	NFPA 409, 2001 Edition	Standard on Aircraft Hangars
134	NFPA 410, 1999 Edition	Standard on Aircraft Maintenance
135	NFPA 415, 2002 Edition	Standard on Airport Terminal Buildings, Fueling Ramp Drainage, and Loading Walkways
136	NFPA 418, 2001 Edition	Standard for Heliports
137	NFPA 423, 1999 Edition	Standard for Construction and Protection of Aircraft Engine Test Facilities
138	NFPA 424, 2002 Edition	Guide for Airport/Community Emergency Planning
139	NFPA 430, 2000 Edition	Code for the Storage of Liquid and Solid Oxidizers
140	NFPA 432, 2002 Edition	Code for the Storage of Organic Peroxide Formulations
141	NFPA 434, 2002 Edition	Code for the Storage of Pesticides
142	NFPA 484, 2002 Edition	Standard for Combustible Metals, Metal Powders, and Metal Dusts
143	NFPA 490, 2002 Edition	Code for the Storage of Ammonium Nitrate
144	NFPA 495	Explosive Materials Code
145	NFPA 496	Standard for Purged and Pressurized Enclosures for Electrical Equipment
146	NFPA 497, 1997 Edition	Recommended Practice for the Classification of Flammable Liquids, Gases, or Vapors and of Hazardous (Classified) Locations for Electrical Installations in Chemical Process Areas
147	NFPA 498	Standard for Safe Havens and Interchange Lots for Vehicles Transporting Explosives
148	NFPA 501A, 2000 Edition	Standard for Fire Safety Criteria for Manufactured Home Installations, Sites, and Communities
149	NFPA 502, 2001 Edition	Standard for Road Tunnels, Bridges, and Other Limited Access Highways

150	NFPA 505, 2002 Edition	Fire Safety Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Conversions, Maintenance, and Operation
151	NFPA 520, 1999 Edition	Standard on Subterranean Spaces
152	NFPA 555, 2000 Edition	Guide on Methods for Evaluating Potential for Room Flashover
153	NFPA 560, 2002 Edition	Standard for the Storage, Handling, and Use of Ethylene Oxide for Sterilization and Fumigation
154	NFPA 600, 2002 Edition	Standard on Industrial Fire Brigades
155	NFPA 654, 2000 Edition	Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids
156	NFPA 655, 2001 Edition	Standard for Prevention of Sulfur Fires and Explosions
157	NFPA 664, 2002 Edition	Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities
158	NFPA 701, 1999 Edition	Standard Methods of Fire Tests for Flame Propagation of Textiles and Films
159	NFPA 703, 2000 Edition	Standard for Fire Retardant Impregnated Wood and Fire Retardant Coatings for Building Materials
160	NFPA 704, 2001 Edition	Standard System for the Identification of the Hazards of Materials for Emergency Response
161	NFPA 705, 1997 Edition	Recommended Practice for a Field Flame Test for Textiles and Films
162	NFPA 750, 2000 Edition	Standard on Water Mist Fire Protection Systems
163	NFPA 780, 2000 Edition	Standard for the Installation of Lightning Protection Systems
164	NFPA 801, 1998 Edition	Standard for Fire Protection for Facilities Handling Radioactive Materials
165	NFPA 804, 2001 Edition	Standard for Fire Protection for Advanced Light Water Reactor Electric Generating Plants
166	NFPA 805, 2001 Edition	Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants
167	NFPA 820, 1999 Edition	Standard for Fire Protection in Wastewater Treatment and Collection Facilities
168	NFPA 850, 2000 Edition	Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations
169	NFPA 851, 2000 Edition	Recommended Practice for Fire Protection for Hydroelectric Generating Plants
170	NFPA 853, 2000 Edition	Standard for the Installation of Stationary Fuel Cell Power Plants
171	NFPA 909, 2001 Edition	Code for the Protection of Cultural Resources
172	NFPA 914, 2001 Edition	Code for Fire Protection of Historic Structures
173	NFPA 1122	Code for Model Rocketry
174	NFPA 1123	Code for Fireworks Display
175	NFPA 1124	Code for the Manufacture, Transportation, Storage and Retail Sales of Fireworks and Pyrotechnic Articles
176	NFPA 1125	Code for the Manufacture of Model Rocket and High Power Rocket Motors
177	NFPA 1126	Standard for the Use of Pyrotechnics before a Proximate Audience
178	NFPA 1127	Code for High Power Rocketry
179	NFPA 1141, 1998 Edition	Standard for Fire Protection in Planned Building Groups
180	NFPA 1142, 2001 Edition	Standard on Water Supplies for Suburban and Rural Fire Fighting

181	NFPA 1221, 2002 Edition	Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems
182	NFPA 1961, 2002 Edition	Standard for Fire Hose
183	NFPA 1962, 1998 Edition	Standard for the Inspection, Care and Use of Fire Hose, Couplings and Nozzles; and the Service Testing of Fire Hose
184	NFPA 1963, 1998 Edition	Standard for Fire Hose Connections
185	NFPA 2001, 2000 Edition	Standard on Clean Agent Fire Extinguishing Systems

**RULES AND REGULATIONS OF
THE SAFETY FIRE COMMISSIONER
CHAPTER 120-3-3 RULES AND REGULATIONS FOR
THE STATE MINIMUM FIRE SAFETY STANDARDS**

TABLE OF CONTENTS

120-3-3-.01	Promulgation and Purpose
120-3-3-.02	Application
120-3-3-.03	Definitions
120-3-3-.04	State Minimum Fire Safety Standards with Modifications
120-3-3-.05	Request for Modification of Specific Requirements
120-3-3-.06	Fire Safety Information to be Furnished in Hotels, Motels, Apartments and Dormitories
120-3-3-.07	Access to and Use of Public Facilities by Persons with Disabilities
120-3-3-.08	Parking Space Designation for Persons with Disabilities
120-3-3-.09	Notes
120-3-3-.10	Severability

120-3-3-.01 Promulgation and Purpose

(1) These rules and regulations of the Safety Fire Commissioner entitled, "Rules and Regulations for the State Minimum Fire Safety Standards" are promulgated to establish the State's minimum fire safety standards as specified in the Official Code of Georgia Annotated, (O.C.G.A.) Section 25-2-4.

(2) The purpose of these rules and regulations is to establish the state minimum fire safety standards and requirements for the prevention of loss of life and property from fire, panic from fear of fire, explosions or related hazards in all buildings, structures and facilities with the exception of one- and two-family dwellings, one- and two-family row houses (townhouses) separated by a 2-hour fire wall and two-family townhouses separated by a 2-hour fire wall.

120-3-3-.02 Application. Whenever the provisions of this chapter of the Rules and Regulations of the Safety Fire Commissioner offer alternatives, as far as fire safety requirements are concerned, that were not permissible under previous editions of any Rules and Regulations of the Safety Fire Commissioner covering the same subject matter, the provisions of this chapter may be used by the authority having jurisdiction in determining whether a building is in compliance with the provisions of O.C.G.A. Title 25, Chapter 2, and the rules and regulations promulgated thereunder.

120-3-3-.03 Definitions

(1) "Code" or "standard" of the National Fire Protection Association (NFPA), as published in the National Fire Codes (NFC), shall mean any of the codes and/or standards of the National Fire Protection Association adopted and modified in this chapter or any other chapter of the Safety Fire Commissioner's Rules and Regulations.

(2) "Occupiable Story" shall mean, for the purpose of this chapter, a story occupied by people on a regular basis. Stories used exclusively for mechanical equipment rooms, elevator penthouses and similar spaces are not occupiable stories.

(3) "Personal Care Home" shall mean, for the purpose of this chapter and O.C.G.A. Section 25-2-13 (b)(1)(J), a facility licensed as a personal care home or an assisted living facility.

administrative provisions of the various chapters of the Rules and Regulations of the Safety Fire Commissioner shall apply to and regulate the application and enforcement of this *Code*. For conditions existing prior to the adoption of this *Code*, the provisions and modifications adopted in Chapter 120-3-3, under Rule 120-3-3-.04 for Section 4.6 of NFPA 101, the *Life Safety Code (LSC)*, shall apply to the application of this *Code*.

“NOTE: Nothing herein shall be construed as prohibiting any local jurisdiction from adopting the deleted portions of Chapter 1 of this *Code* for local purposes, provided, however, local amendments shall not be less restrictive than the code as adopted in these regulations.

“**102.10.2** The provisions of O.C.G.A. Title 25, Chapter 2, and other applicable state laws, and the applicable provisions of various chapters of the Rules and Regulations of the Safety Fire Commissioner regarding the requirements for certificates, licenses, permits, plan reviews, inspections, approvals, fees, etc. shall apply. Local authorities having jurisdiction need to be consulted to determine if rules and regulations of the local jurisdiction regarding the requirements for local certificates, licenses, permits, plan reviews, inspections, approvals, fees, etc. also apply.”

4. Delete Section 103 in its entirety and substitute in its place the following:

“**103 PURPOSE AND INTENT**

“**103.1 General.** The primary purpose of the *Code* as adopted is to provide, along with other adopted codes and standards, for the reasonable minimum protection of life and property from the hazards created by fire, smoke, explosion, or panic created from a fear of fire or smoke. It is intended that the purposes of this *Code* be accomplished by: (1) Coordinating application and enforcement of its provisions with those of other applicable codes, standards and regulations; and (2) By coordinating the application of its provisions where possible with educational programs or efforts designed to bring about changes in high risk attitudes and behaviors that are the root causes of most fire related problems in Georgia; and (3) By encouraging or requiring informational and awareness programs designed to make the citizens of Georgia aware of their responsibilities for compliance with this *Code* as well as the other Rules and Regulations of the Safety Fire Commissioner.

“**103.2 Coordination of provisions.** This *Code* shall apply to all buildings, structures and facilities as provided in subsection 102.1, except as herein provided and shall be utilized in conjunction with the *Life Safety Code (LSC)*, the *International Building Code (IBC)*, the *International Fire Code (IFC)*, the *International Mechanical Code (IMC)*, and the *International Fuel Gas Code (IFGC)*, to the degree provided in 103.1. Where specific occupancy types and structures have been addressed by additional NFPA standards in addition to the *LSC*, the specific NFPA standard related to the occupancy type and/or structure shall take precedence over any of the requirements of the *International Codes* referenced in subsection 1.4.3 of the *LSC*, except for areas where the *International Codes* provide for additional requirements related to minimum construction requirements and standpipes.

“*Exception: This Code does not apply to one- and two-family dwellings or one- and two-family row houses (townhouses) separated by a 2-hour fire wall.*

“**103.3 Resolution of Conflicts.** Where any technical requirements which are addressed by this *Code* and the *IBC*, the *IMC*, and the *IFGC*, and other referenced NFPA Codes and /or Standards; and where two or more of the aforementioned codes and/or standards establish differing requirements, whether conflicting or more restrictive, the code conflict resolution principles specified in O.C.G.A. Section 25-2-13(g) shall be applied by the authority having jurisdiction.

“*Exception: Where this Code provides for additional requirements related to standpipes.*”

5. The provisions of Section 105, PERMITS, are not adopted for purposes of the Rules and Regulations of the Safety Fire Commissioner. Local governing authorities may adopt the provisions for local purposes. Refer to 102.10.2 with regard to permits required by the Rules and Regulations of the Safety Fire Commissioner.

6. Delete Section 107.6 in its entirety and substitute in its place the following:

“**107.6 Overcrowding.** Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. The Fire Code Official, upon finding any overcrowded conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected, or to take other actions deemed appropriate to have the condition or obstruction corrected.”

halls or corridors, the detectors shall be installed in each sleeping room. All detection systems permitted after April 1, 1992, shall be powered from the building's electrical system and all detection systems required by this chapter, permitted after April 1, 1992, shall have a one and one-half hour emergency power supply source. Required corridor smoke detector systems shall be electrically interconnected to the fire alarm, if a fire alarm is required. If a fire alarm is not required, the detectors at a minimum shall be approved single station detectors powered from the building electrical service.

(e) All rules and regulations promulgated before April 1, 1968, by the Commissioner or the state fire marshal and the minimum fire safety standards adopted therein shall remain in full force and effect where applicable until such time as they are amended by the appropriate authority.

(f) The municipal governing authority in any incorporated area or the county governing authority in any unincorporated area of the state shall have the authority to enact such ordinances as it deems necessary to perform fire safety inspections and related activities for those buildings and structures not covered in this Code section.

(g) Notwithstanding any other provision of law or any local ordinance to the contrary, in the event of a conflict between any code or standard of the National Fire Protection Association (National Fire Code and National Electric Code) and of the Standard Building Code Congress (Southern Standard Building Code), the code or standard of the National Fire Protection Association (National Fire Code and National Electric Code) shall prevail. The order of precedence established by this subsection shall apply to all buildings and structures whether or not such buildings and structures are covered under this Code section. (Ga. L. 1949, p. 1057, § 8; Ga. L. 1967, p. 619, § 1; Ga. L. 1981, p. 1779, §§ 5, 6; Ga. L. 1982, p. 3, § 25; Ga. L. 1984, p. 1160, §§ 3-6; Ga. L. 1985, p. 149, § 25; Ga. L. 1985, p. 869, § 1; Ga. L. 1985, p. 936, §§ 1, 2; Ga. L. 1985, p. 1642, § 2; Ga. L. 1987, p. 3, § 25; Ga. L. 1988, p. 668, § 1; Ga. L. 1989, p. 815, §§ 1, 2; Ga. L. 1989, p. 918, § 1; Ga. L. 1989, p. 1795, § 2; Ga. L. 1990, p. 1500, § 1; Ga. L. 1992, p. 2186, §§ 3, 4; Ga. L. 1996, p. 1632, § 2.)

Cross references. — Construction standards and requirements for buildings and other structures generally, Ch. 2, T. 8. Duties of Commissioner with regard to enforcement of laws relating to access to and use of public buildings and facilities by the physically disabled, § 30-3-5. Required safety and security measures for detention facilities, § 42-4-31.

Code Commission notes. — Owing to the duplication in subparagraph designations, the subparagraph (b)(1)(I) added by Ga. L.

1985, p. 869, § 1 was redesignated subparagraph (b)(1)(J), pursuant to Code Section 28-9-5. Also, pursuant to Code Section 28-9-5, in the text of present subparagraph (b)(1)(J) "April 15, 1986" was substituted for "this subparagraph becomes effective".

Pursuant to Code Section 28-9-5, in 1988, a comma was added following "reformatories" in subparagraph (b)(1)(E).

Editor's notes. — Ga. L. 1985, p. 1642, § 3, not codified by the General Assembly, provided that nothing in that Act would

AFFECTED FACILITIES

The following facilities remain under the jurisdiction of the State Fire Marshal and actions involving them must be approved by the State Fire Marshal unless the City adopts and enforces the State adopted minimum fire safety codes.

1. Buildings and structures more than 3 stories in height
2. Any building three or more stories in height and used as a residence for three or more families.
3. Any building in which there are 15 or more sleeping accommodations for hire.
4. Any building or group of buildings which contain schools and academies for any combination of grades one through 12 having more than 15 students or children in attendance at any given time and all state funded kindergarten programs.
5. Racetracks, stadiums and grandstands.
6. Theaters, auditoriums, restaurants, bars, lounges, nightclubs, dance halls, recreation halls, and other places of public assembly having an occupant load of 300 or more persons, except that the occupant load shall be 100 or more persons in those buildings where alcoholic beverages are served.
7. Churches having an occupant load of 500 or more persons in a common area or having an occupant load greater than 1,000 persons based on total occupant load of the building or structure.
8. Department stores and retail mercantile establishments having a gross floor area of 25,000 square feet on any one floor, or having three or more stories that are open to the public.
9. Group day-care homes and day-care centers required to be licensed by the Department of Human Resources and in which at least 7 children receive care.
10. Personal care homes required to be licensed as such by the Department of Human Resources and having at least 7 beds for non-family adults.

If Fire Department personnel are deputized as State Officers, they could also perform duties for hospitals, nursing homes, mental health institutions, orphanages, nursing homes, convalescent homes, old age homes, mental health institutions, health care centers, jails, prisons and reformatories.

RESOLUTION

City of Peachtree City

WHEREAS, The City of Peachtree City desires to transfer the authority from the State of Georgia and the responsibilities of Office of the Insurance and Safety Fire Commissioner to the City of Peachtree City pursuant to O.C.G.A. Code Section 25-2-12 subsection (b); and

WHEREAS, Municipalities having a population of less than 45,000 as determined by the most recent decennial census published by the United States Bureau of the Census may adopt the state minimum fire safety standards adopted in the rules and regulations promulgated pursuant to this chapter, including all subsequent revisions thereof; and

WHEREAS, The City of Peachtree City desires to adopt the state minimum fire safety standards adopted in the rules and regulations promulgated pursuant to Chapter 2 of Title 25, including all subsequent revisions thereof and will enforce the state minimum fire safety standards as set forth in subsection (a) of Code Section 25-2-12 with respect to those buildings and structures listed in Code § 25-2-13, except for hospitals, nursing homes, jails, ambulatory health care centers, and penal institutions and except for buildings and structures which are owned and operated or occupied by the State and shall:

- (A) Conduct fire safety inspections on existing buildings and structures;
- (B) Review plans and specifications for proposed buildings and structures, issue building permits when plans are approved, and conduct fire safety inspections of such buildings and structures;
- (C) Issue permanent and temporary certificates of occupancy;
- (D) Conduct arson investigations; and

WHEREAS, The City of Peachtree City shall have the authority to charge and retain appropriate fees for performing the duties required in subparagraphs (A) and (B) of paragraph (2) of Code Section 25-2-12; and

WHEREAS, The City of Peachtree City is indicating its intention to adopt and enforce the state minimum fire safety standards by forwarding this resolution so indicating to the Safety Fire Commissioner.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Council of the City of Peachtree City, Georgia, that:

1. The City of Peachtree City adopts the state minimum fire safety standards adopted in the rules and regulations promulgated pursuant to Chapter 2 of Title 25, including all subsequent revisions thereof

2. The City of Peachtree City will enforce the state minimum fire safety standards as set forth in subsection (a) of Code Section 25-2-12 with respect to those buildings and structures listed in Code § 25-2-13, except for hospitals, nursing homes, jails, ambulatory health care centers, and penal institutions and except for buildings and structures which are owned and operated or occupied by the State.
3. The Safety Fire Division of the Office of the Insurance and Safety Fire Commissioner shall continue to perform those duties specified in O.C.G.A. §25-1-12(a)(2) with respect to hospitals, nursing homes, jails, ambulatory health care centers, and penal institutions and buildings owned and operated or occupied by the State.
4. The City of Peachtree City will be responsible for enforcing such fire safety standards within its jurisdiction and will:
 - (A) Conduct fire safety inspections on existing buildings and structures;
 - (B) Review plans and specifications for proposed buildings and structures, issue building permits when plans are approved, and conduct fire safety inspections of such buildings and structures;
 - (C) Issue permanent and temporary certificates of occupancy;
 - (D) Conduct arson investigations.
5. The City of Peachtree City will charge and retain appropriate fees for performing the duties required in subparagraphs (A) and (B) of paragraph (2) of Code Section 25-2-12.

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to the Honorable John W. Oxendine, Insurance and Safety Fire Commissioner, State of Georgia.

As adopted by the City of Peachtree City Council this _____ day of February, 2004

IN WITNESS WHEREOF the parties hereto have set their hand and affixed their seals on the dates as indicated.

Jane Miller, City Clerk

Stephen D. Brown, Mayor

Date

Date

SECTION 107 MAINTENANCE

107.1 Maintenance of safeguards. Whenever or wherever any device, equipment, system, condition, arrangement, level of protection, or any other feature is required for compliance with the provisions of this code, or otherwise installed, such device, equipment, system, condition, arrangement, level of protection, or other feature shall thereafter be continuously maintained in accordance with this code and applicable referenced standards.

107.2 Testing and operation. Equipment requiring periodic testing or operation to ensure maintenance shall be tested or operated as specified in this code.

107.2.1 Test and inspection records. Required test and inspection records shall be available to the fire code official at all times or such records as the fire code official designates shall be filed with the fire code official.

107.2.2 Reinspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the fire code official for inspection and testing.

107.3 Supervision. Maintenance and testing shall be under the supervision of a responsible person who shall ensure that such maintenance and testing are conducted at specified intervals in accordance with this code.

107.4 Rendering equipment inoperable. Portable or fixed fire-extinguishing systems or devices and fire-warning systems shall not be rendered inoperative or inaccessible except as necessary during emergencies, maintenance, repairs, alterations, drills or prescribed testing.

107.5 Owner/occupant responsibility. Correction and abatement of violations of this code shall be the responsibility of the owner. If an occupant creates, or allows to be created, hazardous conditions in violation of this code, the occupant shall be held responsible for the abatement of such hazardous conditions.

107.6 Overcrowding. Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. The fire code official, upon finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected.

SECTION 108 BOARD OF APPEALS

108.1 Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules

of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

108.2 Limitations on authority. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall have no authority to waive requirements of this code.

108.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or fire protection systems and are not employees of the jurisdiction.

SECTION 109 VIOLATIONS

109.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize a building, occupancy, premises or system regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

109.2 Notice of violation. When the fire code official finds a building, premises, vehicle, storage facility or outdoor area that is in violation of this code, the fire code official is authorized to prepare a written notice of violation describing the conditions deemed unsafe and, when compliance is not immediate, specifying a time for reinspection.

109.2.1 Service. A notice of violation issued pursuant to this code shall be served upon the owner, operator, occupant, or other person responsible for the condition or violation, either by personal service, mail, or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandoned locations, a copy of such notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the notice of violation shall be mailed by certified mail with return receipt requested or a certificate of mailing, to the last known address of the owner, occupant or both.

109.2.2 Compliance with orders and notices. A notice of violation issued or served as provided by this code shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the notice of violation pertains.

109.2.3 Prosecution of violations. If the notice of violation is not complied with promptly, the fire code official is authorized to request the legal counsel of the jurisdiction to institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant hereto.

109.2.4 Unauthorized tampering. Signs, tags or seals posted or affixed by the fire code official shall not be mutilated, destroyed or tampered with or removed without authorization from the fire code official.

109.3 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a [SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

109.3.1 Abatement of violation. In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

SECTION 110 UNSAFE BUILDINGS

110.1 General. If during the inspection of a premises, a building or structure or any building system, in whole or in part, constitutes a clear and inimical threat to human life, safety or health, the fire code official shall issue such notice or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this section and shall refer the building to the building department for any repairs, alterations, remodeling, removing or demolition required.

110.1.1 Unsafe conditions. Structures or existing equipment that are or hereafter become unsafe or deficient because of inadequate means of egress or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. A vacant structure which is not secured against unauthorized entry as required by Section 311 shall be deemed unsafe.

110.1.2 Structural hazards. When an apparent structural hazard is caused by the faulty installation, operation or malfunction of any of the items or devices governed by this code, the fire code official shall immediately notify the building code official in accordance with Section 110.1.

110.2 Evacuation. The fire code official or the fire department official in charge of an incident shall be authorized to order the immediate evacuation of any occupied building deemed unsafe when such building has hazardous conditions that present imminent danger to building occupants. Persons so notified shall immediately leave the structure or premises and shall not enter or re-enter until authorized to do so by the fire code official or the fire department official in charge of the incident.

110.3 Summary abatement. Where conditions exist that are deemed hazardous to life and property, the fire code official or fire department official in charge of the incident is authorized to abate summarily such hazardous conditions that are in violation of this code.

110.4 Abatement. The owner, operator, or occupant of a building or premises deemed unsafe by the fire code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.

SECTION 111 STOP WORK ORDER

111.1 Order. Whenever the fire code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the fire code official is authorized to issue a stop work order.

111.2 Issuance. A stop work order shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work is authorized to resume.

111.3 Emergencies. Where an emergency exists, the fire code official shall not be required to give a written notice prior to stopping the work.

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.

Peachtree City Code of Ordinances

FIRE PROTECTION AND PREVENTION

ARTICLE I. IN GENERAL

Section 38-1. Violation of abatement orders.

Any person served with a notice from the fire chief to abate any fire hazard shall comply with such notice and promptly notify the fire chief.

Section 38-2—38-30. Reserved.

ARTICLE II. FIRE PREVENTION CODE

Sec 38-31. Adopted.

There is adopted by the council, for the purpose of prescribing regulations governing conditions to life and property from fire, explosion and hazardous materials and conditions, those certain codes known as the National Fire Codes, published by the National Fire Protection Association (NFPA), and the International Fire Code (IFC), 2003 or more recent edition, both as modified and adopted as the State minimum fire safety standards. Additionally, NFPA Standard 1, Fire Prevention Code, 2000 or more current edition, also now known as the Unified Fire Prevention Code, will continue as a standard. The Fire Chief/Fire Marshal and the office of the City Clerk will maintain copies of these codes. These codes are adopted and incorporated as fully as if set out at length in this section; and the provisions of such codes shall be controlling within the city, subject to all amendments, modifications, deletions, and conflicting provisions in this Code of Ordinances that do not provide standards less stringent than the State minimum fire safety standards.

Section 38-32.

(a) (added) Section 109, Violations; Section 110, Unsafe Buildings and Section 111, Stop Work Order, of the International Fire Code, 2003 Edition and all future editions and amendments, are adopted.

(b) The fire prevention codes adopted in this article shall be enforced by the chief of the fire department.

Section 38-33. Appeals.

Whenever the chief of the fire department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the fire prevention

code do not apply or that the true intent and meaning of the fire prevention code may have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the chief of the fire department to the council within 30 days from the date of the decision appealed.

Section 38-34. Penalties

(a) Any person who shall violate any of the provisions of the fire prevention code adopted in this article or fail to comply with such code, or who shall violate or fail to comply with any order made under such code, or who shall build in violation of any detailed statement of specification or plans submitted and approved under such code, shall, for each violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided in section 1-11. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within reasonable; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

(b) The application of the penalty shall not be held to prevent the enforced removal of prohibited conditions.

Sec 38-35 False Alarm Definitions and Procedures:

(a) A false alarm shall mean the receipt by the Fire Department or 911 Dispatch Center via a private alarm monitoring service, (i.e. ADT, Wells Fargo, Simplex, etc), or by responsible individuals on site, any audio and or visual alarm or signal from an automatic fire alarm device set off by causes other than the occurrence of smoke or fire, or

(b) The activation of an alarm system through mechanical or electronic failure, malfunction, improper installation, or the negligence of the alarm user by way of failure to properly maintain such system by a qualified technician or company specializing in routine installation and maintenance of an automatic fire alarm system in accordance with NFPA Standard 72, National Fire Alarm Code.

(c) Once the fire department responds to any fire alarm, it shall be unlawful for the alarm panel to be reset by the owner of the premises or his/her designee until authorized by a fire department official (Fire Chief, Fire Marshal or Incident Commander).

(d) It shall be the responsibility of the owner or other responsible party to have his or her alarm system inspected, maintained and repaired in accordance with the manufacturer's recommendations and NFPA Standard 72, National Fire Alarm Code. It shall also be the responsibility of the owner or other responsible party to provide satisfactory alternate fire watch for any malfunctioning fire alarm system when that system is required for operation of the facility.

(e) The City of Peachtree City and the Peachtree City Fire Department assume no responsibility for alarm system problems or malfunctions between the individuals or businesses and their respective alarm company.

Sec 35-36 False Alarm Penalties and Fines:

(a) For any preventable false alarm that occurs at the same location and the same panel three (3) times within a 24-hour period the owner or responsible person(s) of the premises will be assessed a fine of up to \$250.00, and up to an additional \$100.00 for every subsequent false fire alarm thereafter until the system has been restored to proper working order and documentation of that repair provided to the fire department. For other false alarms separated by more than 24 hours, no fines shall be assessed to a business or residence for the first three (3) false alarms, at the same alarm panel location responded to by the fire department during each calendar year. For every subsequent preventable false alarm that occurs at the same premises within the calendar year, a fine shall be assessed in the amount of up to \$250.00. If the responsible person(s) for the property at which an alarm occurs fail to provide one or more current key holders, a fee of up to \$100.00 will be assessed against the person(s) responsible for the property. If a key holder refuses to respond when requested by the fire department, a fine of up to \$250.00 will be assessed against the person(s) responsible for the property, and the responsible person(s) for the property are liable for any damages and costs, of incidents or emergencies that may occur within or to their property, and/or to any other impacted property. Additionally, if responding firefighters are unable to access the building and have reason to believe that a fire or other emergency is occurring within the premises, they are authorized to use forcible entry at their discretion. The owner or responsible person(s) for the property and/or their insurance companies are also responsible for costs of repair or replacement of property that may be damaged by or due to forcible entry. A key holder is an authorized person designated by the owner or responsible person(s) of the property who has authorization, keys and/or codes required to access the property and reset the alarm. The Fire Chief, Fire Marshal, and Senior Fire Officer on Duty are authorized to issue or authorize issuance of appropriate citations.

The false alarm violations set forth herein shall not apply if the false fire alarms were caused by severe weather, lightning strikes, power surges, or any other potential sources for which the responsible party has no control. The Fire Officer in charge shall have the responsibility to determine if a false fire alarm was due to foreseeable and preventable conditions or if it was due to extraordinary reasons beyond the control of the responsible party. Additionally, if the property or fire alarm monitoring company from which an alarm is received provides appropriate information to verify that the alarm is false prior to the arrival of the first responding fire unit, the on scene fire officer will confirm the accuracy of the information and the cause of the incident. Absent other infractions, the first two such alarms will be documented but not counted in the incidents that activate citations in accordance with paragraph Section 35-36 (a) above.

(b) Once an establishment has been assessed a fine for excessive false fire alarms, the owner or occupant of the property must provide official documentation to include any necessary attachments from contractors of the status of the system, what if any portions of the system required replacement, and notification that the system is at 100% operational status. Documentation of repairs shall be sent to the Fire Department within 10 working days of the date of citation being adjudicated.

Sec. 38-37. Permits

The Peachtree City Fire Department is authorized to establish, require, and issue permits, certificates, notices, approvals and orders pertaining to fire control and fire hazards pursuant to the National Fire Codes published by the National Fire Protection Association (NFPA), and the International Fire Code (IFC), 2003 or more current edition, both as modified and adopted as the state minimum fire safety standards. They may revoke a permit or approval based upon any violation of the Code found during inspection, or for which there have been misrepresentations or false statements submitted in the application or plans upon which the permit or approval was based. Permits and approvals will be required for the following specific items:

- (a) Construction, alteration, or operation of amusement parks fire safety systems.
- (b) Installation of or modification of automatic fire suppression systems.
- (c) Kindling or maintaining any open fires on any public or private place, except Cooking fires.
- (d) Storage and handling of combustible fibers
- (e) Storage, handling or use of cellulose nitrate film.
- (f) Storage, handling or use of compressed gases.
- (g) Annual permit for covered mall buildings.
- (h) Cutting and welding operations.
- (i) Operation of all exhibits and trade shows.
- (j) Manufacture, sale, disposal, purchase, storage, use, possession and transportation of explosives within the City.
- (k) Installation or modification of fire alarm and detection systems and related equipment.
- (l) Installation of or modification to fire pumps and related fuel tanks, pumps, controllers and generators.
- (m) Possession, storage, manufacture, sale or discharge of fireworks.
- (n) Storage, use, handling or transportation of Class I, Class II, or Class IIIA flammable or combustible liquids; installation, modification, removal, abandonment, defueling or slurry fill of storage tanks; manufacture, processing, blending or refining; or operation of cargo tankers that transport flammable or combustible liquids.
- (o) Spray application of any flammable or combustible liquids, or installation or modification of any spray room or booth.
- (p) Storage of oxidizers or organic peroxides; repair, abandon, remove, close or substantially modify a storage facility; install, modify, alter, or add to any above ground or below ground hazardous material storage tank, secondary containment system, ventilation system, exhaust treatment system, explosion venting or suppression systems, or gas detection systems.

- (q) Plans to close a facility or terminate storage, dispensing, handling or use of hazardous materials must be submitted at least 30 days prior to the requested action.
- (r) Storage, handling and use of chlorine.
- (s) Storage, handling or use of anhydrous ammonia.
- (t) Storage, handling or use of hazardous materials of more than 250 gallons of any product with an NFPA 704 rating of 2 or higher in any two or more categories of health, flammability or reactivity; or of ten gallons or more of any product with an NFPA 704 rating of 3 in health or reactivity; or of 5 gallons or more of any product with an NFPA 704 rating of 4 in health or reactivity. In the event of conflicting information, the Fire Chief or Fire Marshal will render a decision based upon assessment of available information and circumstances.
- (u) Storage and use of LP gas; installation of or modification to any LP gas system; or operation of any cargo tankers that transport LP gas.
- (v) Storage of lumber exceeding 100,000 board feet.
- (w) Storage, handling or processing of magnesium.
- (x) Operation or maintenance of a facility that manufactures organic coatings.
- (y) Establish, conduct or maintain any outdoor storage of scrap tires that exceeds a total volume of 2,500 cubic feet.
- (z) Storage, handling, assembly or manufacture of pyroxylin plastics.
- (aa) Installation, modification or removal from service of any private fire hydrants.
- (bb) Operation of repair garages and service stations.
- (cc) Prior to the placement and operation of a tar kettle.
- (dd) Construction, modification or operation of roof top heliports.
- (ee) Installation, repair, modification or removal of any standpipe system.
- (ff) Review of construction documents and shop drawings for new construction, modification or rehabilitation.
- (gg) Construction site progress inspections.
- (hh) Recurring corrective fire and life safety inspections.

Sec. 38-38. Fee Schedule.

The Fire Department fee schedule for services provided shall be according to the following guidelines:

- (a) **New Construction Plan Reviews:** \$100.00, for plans less than 12,000 Square Feet, (Gross). For plans of 12,000 Square Feet or greater (gross), \$0.015 per Square Feet. Maximum Charge \$500.00
- (b) **Fire Alarm and Fire Sprinkler Plan Reviews:** New Construction Fire Alarm and Fire Sprinkler Systems / Modifications. \$50.00
- (c) **Construction Site Inspection at 80%, (Required).** Free
- (d) **Construction Site Inspection at 100% Completion, (Required)(1st Attempt).** Free.
- (e) **Construction Site Follow-Up, Number 1.** \$75.00

(f) **Construction Site Follow- Up, Number 2.** \$75.00

(g) **Construction Site Follow-Up, Number 3.** \$75.00

Whenever a follow-up inspection fee is required the fee is be paid prior to the performance of the next inspection.

(h) **Certificate of Occupancy.** Fire Marshal's Letter of Compliance with Life Safety requirements. \$50.00.

(i) **Routine Annual Fire Safety Inspections:** Free

(j) **Routine Annual Inspection, Follow-Up 1.** Free.

(k) **Routine Annual Inspection, Follow-Up 2.** \$50.00.

(l) **Routine Annual Inspection, Follow-Up 3.** \$75.00

If a business fails to meet the requirements of the annual fire safety inspection at this point, the Fire Chief or Fire Marshal are authorized to revoke the business's Certificate of Occupancy (C/O), or Certificate of Compliance with Fire Safety Standards**. The return of the C/O or Certificate of Compliance with Fire Safety Standards will follow having received a letter from the occupant or owners representative stating that issues of non-compliance have been corrected and are prepared for inspection to verify correction. Reissuing the Certificate of Fire Safety Compliance will include a fee of \$50.00.

**Removal of a C/O or Certificate of Compliance should only be exercised after careful consideration of the actual deficiencies and their importance to immediate life safety, and or building integrity.

(m) **Burn Permits for New Development (Commercial or Residential)** \$100.00 for each permitted site. Material to be burned at each site is limited to material that originates from that same site. Permit / Fee to be good for up to 30 days (on the same site). Small residential yard debris fires, when authorized, remain at no charge.

(n) **Blasting** \$100.00 Permit /Fee to be good for up to 30 days (on the same site).

(o) **Fireworks / Pyrotechnics** \$500.00 except for City sponsored fireworks events. Permit / Fee to be good only for those days permitted and will be non-transferable.

When a pyrotechnics or fireworks display is permitted the fire department may require the producer or vendor to provide qualified off duty Public Safety personnel on site based on its determined safety needs of the show.

(p) **All other permits.** \$25.00 for administrative action only; \$50.00 if one on site inspection is required; \$100.00 if multiple on site inspections are required; \$250.00 for complex actions requiring substantial research, inspection and coordination. The Fire Chief is authorized to issue regulations and procedures to implement the above actions, and the Fire Chief and Fire Marshal are authorized to exercise discretion in determining performance standards that are considered equivalent to specified standards.

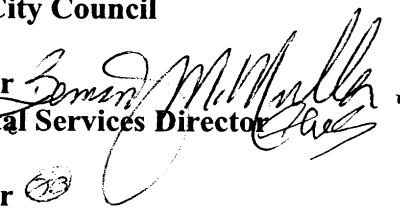
38-39. Implementation.

The requirements of this article are effective when approved. The fire chief is authorized to publish regulations, policies and procedures to implement these requirements, and may delegate enforcement of these requirements to the Fire Marshal and/or other designated fire officials.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager 
Developmental Services Director 

FROM: City Engineer 

DATE: January 29, 2004

SUBJECT: LCI Project: SR-54 Cart Path Tunnels - GDOT Agreement
Agenda Item – February 5, 2004

Recommendation. Staff is recommending that Council adopt the resolution authorizing execution of the Agreement by the Mayor.

Discussion. Attached is a Resolution and Local Government Project Agreement (LGPA) drafted by the Georgia Department of Transportation (GDOT). These documents address future maintenance of the path projects to be constructed in association with the SR-54 West widening project. The Agreement assigns repair and maintenance responsibilities to the City for the tunnels, the lighting system in the tunnels, and sidewalk/path connections within their right-of-way. GDOT has agreed to construct and pay for 80% of the installation costs for the tunnel and lighting according to the attached letter. This is an important element of our LCI program and serves to protect the appearance along the Corridor. The City Attorney has reviewed the documents and approved them for consideration.

Budget Implications. There is an indeterminate impact to the Public Services operational budget as it relates to routine maintenance resulting from normal use of the facilities. No direct capital costs are incurred as a result of this Resolution and Agreement.

Attachments

Resolution
LGPA – Tunnel / Lighting / Sidewalk Maintenance
Letter – December 29, 2000 – Frank Danchetz to Mayor Lenox

cc: *Financial Services Director*
Public Services Director
City Planner
file

**PEACHTREE CITY, GEORGIA
DEPARTMENT OF TRANSPORTATION AGREEMENT**

RESOLUTION

A RESOLUTION TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN THE STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION AND THE CITY OF PEACHTREE CITY, GEORGIA, TO PROVIDE FOR MAINTENANCE OF PEDESTRIAN TUNNELS, LIGHTING, AND SIDEWALKS.

WHEREAS: the Mayor and City Council of the City of Peachtree City, Georgia, desire to enter into an Agreement with the State Department of Transportation: and

WHEREAS: this Agreement provides for the repair and maintenance of the pedestrian tunnel proposed to be constructed adjacent to the CSX rail line under SR-54 along with the associated tunnel lighting and sidewalks: and

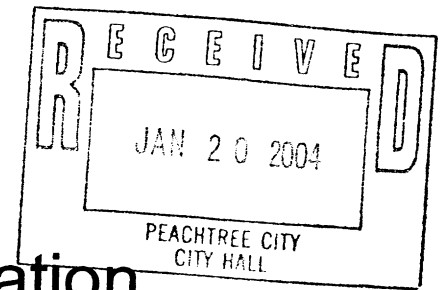
WHEREAS: under the Agreement, the City shall assume full responsibility for the repairs and maintenance associated with the tunnel, lighting, and sidewalks.

THEREFORE BE IT RESOLVED AND IT IS HEREBY RESOLVED: by the Mayor and City Council that the City of Peachtree City is authorized to execute said Agreement with the State Department of Transportation. Mayor Stephen D. Brown is hereby designated as the City Official authorized to execute the Agreement on behalf of the City of Peachtree City.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Peachtree City, Georgia, to be affixed this 5th day of February 2004.

Stephen D. Brown, Mayor

ATTEST: _____
Jane S. Miller, City Clerk



Department of Transportation

HAROLD E. LINNENKOHL
COMMISSIONER
(404) 656-5206

PAUL V. MULLINS
CHIEF ENGINEER
(404) 656-5277

State of Georgia
2 Capitol Square, S.W.
Atlanta, Georgia 30334-1002

LARRY E. DENT
DEPUTY COMMISSIONER
(404) 656-5212

EARL L. MAHFUZ
TREASURER
(404) 656-5224

January 13, 2004

STP-164-1 (30) Coweta / Fayette Counties
P.I.No. 322060

Honorable Stephen D. Brown, Mayor
Peachtree City
151 Willowbend Road
Peachtree City, Georgia 30269

RE: Pedestrian Tunnels, Lighting, and Sidewalks

Dear Mayor Brown:

This letter is in response to Peachtree City's request for special design culverts to be used as pedestrian tunnels and non-linear sidewalk along the above mentioned project. Attached for your review are three (3) original copies of a proposed Local Government Project Agreement (LGPA) between the Department of Transportation and Peachtree City, for City and State participation. It will be the responsibility of Peachtree City to fund all future repairs and maintenance associated with the pedestrian tunnels, the lighting of the tunnels, and sidewalk.

Prior to execution of this Agreement, a resolution by the City Counsel authorizing the execution of the Agreement and designating the appropriate person or persons to execute it should be procured. If you concur with the terms of this Agreement, please procure the required resolution, including all necessary signatures and seals, and attach an official copy to each copy of the Agreement. Then please obtain the necessary signatures and also the appropriate seals on all three copies of the Agreement and return all copies to this Office for further handling. **DO NOT** fill in the date on the first page of the Agreement, as this will be filled in upon execution by the Department. We will return one copy for your files.

If you need any additional information or assistance, please contact Mike Davidson or Matt Sanders at (404) 656-5383 or myself at (404) 656-5386.

Sincerely,

Gerald M. Ross, P.E.
State Road & Airport Design Engineer

GMR:MJS:ss

Attachment

cc: Thomas B. Howell, Jr., District Engineer, Thomaston, Georgia

AGREEMENT
BETWEEN
DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA
AND
PEACHTREE CITY, GEORGIA

THIS AGREEMENT is made and entered into this ____ day of _____, 2004, by and between the DEPARTMENT OF TRANSPORTATION, an agency of the State of Georgia, hereinafter called the **“DEPARTMENT,”** and PEACHTREE CITY, GEORGIA, acting by and through its City Council, hereinafter called the **“CITY.”**

WHEREAS, the CITY has represented to the DEPARTMENT a desire to construct two special design culverts (tunnels) that will be lighted and used for pedestrian traffic along with special non-linear sidewalks that will be located in Coweta / Fayette Counties, Georgia, currently described within the corridor of Georgia Department of Transportation Project Number STP-164-1(30), P.I. Number 322060 hereinafter referred to as the **“PROJECT”**; and

WHEREAS, the CITY has represented to the DEPARTMENT a desire to participate in providing the maintenance activities needed for the pedestrian tunnels, lighting, sidewalks, and other costs as specified in the AGREEMENT, and the DEPARTMENT has relied upon such representations; and

WHEREAS, the DEPARTMENT has expressed a willingness to participate in the funding of the construction of the PROJECT with funds of the DEPARTMENT, funds apportioned to the DEPARTMENT by the Federal Highway Administration, hereinafter referred to as the "FHWA," under Title 23, United States Code, Section 104, or a combination of funds from any of the above sources, subject to those certain conditions set forth in the AGREEMENT.

THEREFORE, in consideration of the mutual promises made and of the benefits to flow from one to the other, the DEPARTMENT and the CITY hereby agree each with the other as follows:

1. The CITY shall be responsible for funding all future repairs and maintenance associated with the pedestrian tunnels, lighting for the tunnels, and sidewalks which lie within the Department's Right-of-Way and within the city limits of Peachtree City as a part of this Agreement.

2. All future maintenance on the tunnels, lighting, and sidewalks will be in accordance with manufacturer's recommendations and performed to the satisfaction of the DEPARTMENT by the City or parties acting on their behalf.

IN WITNESS WHEREOF, the DEPARTMENT and the CITY have caused these presents to be executed under seal by their duly authorized representatives.

RECOMMENDED:

Peachtree City, Georgia

Gerald M. Ross
State Road & Airport Design Engineer

By: _____
Mayor

Thomas L. Turner, P.E.
Director of Preconstruction

Signed, sealed and delivered this _____
day of _____, 2004 in
the presence of

Paul V. Mullins, P.E.
Chief Engineer

Witness:

DEPARTMENT OF TRANSPORTATION

Witness:

BY: _____
Harold E. Linnenkohl
Commissioner

Notary Public

This Agreement approved by the City
Council at a meeting held at:

ATTEST:

The _____ day of _____, 2004

Earl Mahfuz, Treasurer

(Title) _____

REVIEWED AS TO LEGAL FORM:

Office of Legal Services

DATE: _____



Department of Transportation

State of Georgia

#2 Capitol Square, S.W.

Atlanta, Georgia 30334-1002

J. TOM COLEMAN, JR.
COMMISSIONER
(404) 656-5206

FRANK L. DANCHETZ
CHIEF ENGINEER
(404) 656-5277

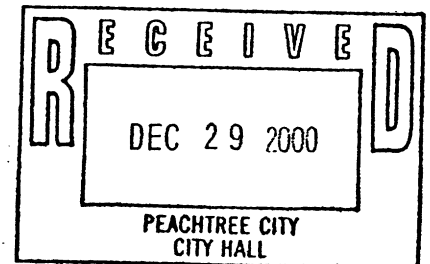
HAROLD E. LINNENKOHL
DEPUTY COMMISSIONER
(404) 656-5212

BILLY F. SHARP
TREASURER
(404) 656-5224

December 12, 2000

STP-164-1(30) Coweta/Fayette Counties
PI No. 322060

Honorable Bob Lenox
Mayor, Peachtree City
151 Willowbend Road
Peachtree City, Ga. 30269



Dear Mayor Lenox:

**RE: WIDEN AND RECONSTRUCTION OF STATE ROUTE (SR) 54 FROM FISCHER
CROSS ROAD IN COWETA COUNTY TO SR 74 IN PEACHTREE CITY/FAYETTE
CO.**

The Department has been in contact with the Federal Highway Administration (FHWA) concerning federal participation in funding the two proposed box culverts that will accommodate the multi-use paths under SR 54 and Peachtree City's proposed multi-use path bridge over the CSX Railroad.

FHWA and the Department have agreed to participate in 80% of the construction cost of the two culverts with Peachtree City's responsibility being the remaining 20% matching funds. A requirement for federal participation will be that Peachtree City provide the Department with an overall path plan showing the proposed locations of the path and the key access and destination points along the path.

FHWA and the Department have chosen not to participate in funding the multi-use path bridge with project STP-164-1(30). The Department recommends that Peachtree City seek alternative funding through other means such as the Transportation Enhancement Program.

Mayor Lenox
December 12, 2000
Page 2

We look forward to improving the safety and operational capacity of SR 54 in Peachtree City. Should you have any questions, please feel free to contact either myself or James A, Kennerly, Road & Airport Design Engineer, at (404)656-5277 or (404-656-5386 respectively.

Sincerely,

A handwritten signature in dark ink, appearing to read "Frank L. Danchetz", written over the word "Sincerely,".

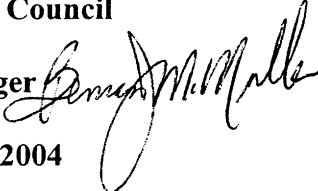
Frank L. Danchetz, P.E.
Chief Engineer

FLD:JAK:hcc

cc: Honorable Sam M. Wellborn, Member
State Transportation Board District 3
J. Tom Coleman, Commissioner
Walter Boyd, Federal Highway Administration
Tom Turner
Jim Kennerly
Paul Liles
Harvey Keepler
Glenn Durrence

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council
FROM: City Manager 
DATE: January 8, 2004
SUBJECT: APPROVAL OF POLICE FEES
February 5, 2004, Consent Agenda

Recommendation:

Staff recommends that Council officially approve fees that have historically been charged by the Police Department for copies of Accident Reports (\$5.00) and fingerprinting (\$25.00).

Discussion

These fees have been in place for well over ten years, but have not been officially adopted by the City Council. No fee is charged when dealing with Motions of Discovery by attorneys or with reasonable requests by media. In addition, the Chief of Police would have the authority to excuse the fee for reasonable cause or hardship if the person who makes the request submits a written affidavit that establishes that such person is indigent and unable to pay costs associated with the request. This item was held over from the January 15, 2004, Council agenda.

Budget Impact:

The budget should not be affected since these fees are already being collected.

BJM:gr



POLICE DEPARTMENT

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



JAMES V. MURRAY
Chief of Police

TO: MAYOR AND CITY COUNCIL

FROM: JAMES V. MURRAY, CHIEF OF POLICE

DATE: JANUARY 22, 2004

SUBJECT: ADDITION OF POLICE FEES TO CITY FEE SCHEDULE

The Director of Financial Services has advised me that fees the Police Department charges for certain services are currently not on the official list of fees the city has established. It was recommended that I request that these fees be added to the official city list with the approval of the Mayor and City Council. The below listed fees have been in place for well over ten years.

Copy of Accident Report:	\$5.00
Fingerprinting:	\$25.00

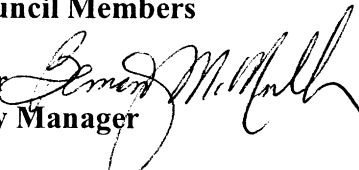
The fees established according to state law handle all open records request. No fee is charged when dealing with motions of discovery by attorneys or with reasonable requests by the media. In addition, the Chief of Police has the authority to excuse the fee for reasonable cause or hardship if the person who makes the request submits a written affidavit that establishes that such person is indigent and unable to pay costs associated with the request.

It is requested that council add these fees to the current fee schedule.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
Assistant City Manager

FROM: Administrative Services Director / City Clerk 

DATE: January 28, 2004

SUBJECT: Alcohol License – China Café 9
February 5, 2004 Council Agenda

Recommendation:

Staff recommends Council consider the attached application for an alcoholic beverage license for China Café 9.

Discussion:

China Café 9, a restaurant located at 1019 Peachtree Parkway has submitted an application for an alcoholic beverage license. Mr. Michael Tsoi has requested he be appointed as the Licensee and the License Representative. The application and consent forms are attached. Mr. Tsoi will attend the meeting to answer any questions you may have.

Budget Impact:

The budgetary impact of the alcoholic beverage license will be positive. The applicant will be required to pay the annual license fee for a pouring license and Sunday sales fees.

/jsm

Attachments



Peachtree City

Georgia

State of Georgia

City of Peachtree City:

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

Michael Tsoi
Name

3207 Peachtree Landing Circle Fairburn GA 30213
Address

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

James V. Murray
Signature
Jan. 27, 2004
Date

Major Mike Ducken
Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
Assistant City Manager

FROM: Administrative Services Director / City Clerk 

DATE: January 28, 2004

SUBJECT: Appoint Representative to Fayette County University Center Advisory Council
February 5, 2004 Council Agenda

Recommendation:

Appoint a council member as a representative to the Fayette County University Center Advisory Council.

Discussion:

The Fayette Council University Center Advisory Council is made up of representatives from the municipalities in Fayette County, the County government, Development Authorities, Board of Education and Chamber of Commerce. Former Councilmember Dan Tennant was the representative from Peachtree City. Since he is no longer on Council, another representative needs to be appointed to represent the City. The Advisory Council meets quarterly, usually on Friday mornings. The next meeting is scheduled for Friday, February 27 at 8 AM and will probably be held at the Fayette County Development Authority offices in the old courthouse.

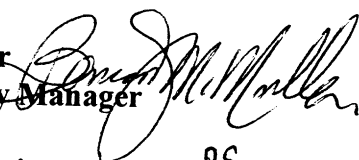
Budget Impact:

None

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager 
Assistant City Manager

FROM: Financial Services Director P.S.

DATE: January 29, 2004

SUBJECT: Adopt Library G.O. Bond Ordinance
February 5, 2004 City Council Meeting

Recommendation:

Adopt the bond ordinance for the Series 2004 Library General Obligation Bonds.

Discussion:

In November 2003, Peachtree City voters passed a bond referendum in the amount of \$4.9M to expand and improve the Peachtree City Library. The City's Financial Advisor, Todd Barnes of A.G. Edwards, has since conducted a cost analysis to determine if the bonds should be sold through a public offering or by private placement. He concluded that a bond sale through a private placement would be more favorable. He then proceeded to solicit bids from prospective investors, which were received in his office on Thursday January 29. RBC Centura offered the most favorable interest rate and terms. By approving the bond ordinance, Council will be authorizing the sale of the entire bond issue to RBC Centura. The ordinance is currently being drafted by bond counsel at Kilpatrick Stockton and will be available for review prior to the meeting. Todd Barnes will also be in attendance to answer any questions.

Budgetary Impact:

A budget amendment has already been made for the \$4.9M in bond proceeds and expenses. There is no other budgetary impact on the FY 2004 budget since the first debt service payment (due July 1 2004) will be paid from bond proceeds. The annual debt service for FY 2005 will be approximately \$385K and operating expense increases are estimated at \$157K, for a total annual cost increase in FY 2005 of approximately \$542K. This equals about .35 mills of ad valorem tax, or about \$28 per year for each \$200K of property. The average annual debt service over the life of the bond issue is approximately \$430K.