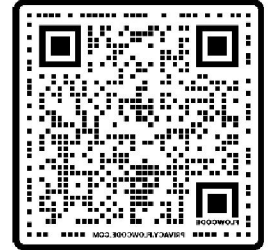




**CITY COUNCIL OF PEACHTREE CITY
REGULAR MEETING AGENDA
FEBRUARY 2, 2023
6:30 p.m.**

**Peachtree City
Mayor & City Council**
Kim Learnard, Mayor
Phil Prebor, Mayor Pro Tem
Mike King, Post 2
Clinton Holland, Post 3
Frank Destadio, Post 4

SCAN FOR AGENDA PACKET



- I. Call to Order
- II. Pledge of Allegiance and Moment of Silence
- III. Announcements, Awards, Special Recognition
- IV. Public Comment
- V. Agenda Changes
- VI. Minutes
 - January 18, 2023, Special Called Workshop Minutes
 - January 19, 2023, Regular Meeting Minutes
 - January 19, 2023, Executive Session Minutes
- VII. Consent Agenda
 - 1. Design of State Route 54/74 Upgrades
 - 2. Award purchase of Storage Replacement (Production and Backup) to CPAK Technologies
- VIII. Old Agenda Items
 - 01-23-04 Acceptance of the GMC Proposal for Professional Services for the Unified Development Ordinance (UDO) (Cailloux)
- IX. New Agenda Items
 - 02-23-01 Resolution #02022023-NA01 of Support - Tyrone Property Annexation by General Assembly (Meeker)
 - 02-23-02 2023 Municipal Election IGA (Julio)
- X. Public Hearings
 - 02-23-03 Annual Zoning Map Adoption (Cailloux)
- XI. Council/Staff Topics
 - 1. CAR 8-6 Citizen Recognition Program (Curnow)
- XII. Executive Session
- XIII. Adjourn

**City Council of Peachtree City
Special Called Workshop Minutes
Wednesday, January 18, 2023
6:30 p.m.**

The Mayor and Council of Peachtree City met for a special called workshop on Wednesday, January 18, 2023. Mayor Kim Learnard called the meeting to order at 6:30 p.m. Council members attending: Frank Destadio, Clinton Holland, Phil Prebor, and Mike King.

1. SR 54/74 Displaced Left Turn (DLT) Signage Design

City Manager Bob Curnow reminded Council they had approved funding for the design of upgraded sign supports for the SR 54/74 DLT intersection, and now Stantec was back to present the rendering showing Council's choice and asking for consensus to proceed with the design.

City Engineer Dave Borkowski went over the timeline of this project, recalling that Council voted at the November 3 meeting to fund the design for upgraded supports. Stantec proceeded with the design and presented options at the December 15 meeting. Council chose their preference then, and now needed Council to confirm this was the final choice. Also, Borkowski continued, Council must decide on allocating \$30,757 for a geotechnical survey required by the Georgia Department of Transportation (GDOT) to make sure the ground would tolerate these supports. They were looking only at the aesthetics tonight, he advised, and would be back before Council with a final rendering at the February 2 meeting, which was when Council would vote on funding the upgrades.

Learnard stated the rendering looked like what they decided on in December, and Council agreed. Destadio asked if the Peachtree City logo sign was accurate?

Learnard noted that it was different from the cutout logo used elsewhere in Peachtree City, including in the Council chambers. She would prefer that rather than the black square shown on the rendering.

Destadio said he would like that better, but Prebor asked how it could be lit? Could they put lights behind it? City Planning and Development Director Robin Cailloux said those were called halo lights.

It would be more consistent with the signage used elsewhere, Destadio remarked.

Stantec's Keith Strickland said it would be far more challenging to use backlighting, but lighting from the top or bottom would not be a problem. He felt sure they could implement that type of design.

The black sign would look better in the day and the other better at night, Prebor commented, saying he liked the black sign. Learnard said she could agree to that, while King said he had no opinion.

Holland said he liked the cutout sign better than the black one and remarked that he and his wife drove around the city and looked at the vertical parts of bridges. It did not jump out to him that this design was Peachtree City, nor did it to his wife, he commented. He preferred a design that was proposed at the last meeting with the words "Peachtree City" backlit and in a vertical design. That let people know exactly where they were, he stated, adding that he had a little background in marketing and this would be good branding.

The Mayor asked if anyone else wished to speak, and Destadio stated he was okay with the black sign, considering the lighting difficulties with the cutout, but thought it could be a little bigger.

Strickland replied they could do that. Destadio said he appreciated that they were using the logo, and Prebor agreed with that and also that the sign should be bigger.

Destadio added that the Geotech survey could show they had unsuitable soils, and they should consider the costs if they had to have larger or more sturdy foundations. Most projects, he stated, did have unsuitable soils.

The Mayor agreed, but said they were there for design. She asked Strickland if he was clear on the instructions, and he said he was. He would make the logo sign larger.

Holland asked if they could do some neon behind the lettering? Prebor told him it would be backlit.

Strickland said he had what he needed and thanked Council.

2. Discussion regarding proposed de-annexation of property from Tyrone by General Assembly

Cailloux displayed a map highlighting 11 acres in the northwest part of the City that were landlocked. She pointed out the railroad and MacDuff Parkway on its borders. The property was in Tyrone, but the owners had approached Tyrone and asked to de-annex. Right now, they paid Tyrone property taxes, but the land was accessible only through MacDuff, a Peachtree City road, via an easement through the property to the south. Because of that, all emergency services were provided by Peachtree City.

They approached Tyrone to de-annex with the intention of asking to annex into Peachtree City, but Cailloux explained that Tyrone's Town Attorney was of the opinion that de-annexation would create an illegal unincorporated island. Peachtree City City Attorney Ted Meeker agreed, and they concluded the only way forward was annexation by the Georgia General Assembly.

The State Legislature had the authority to decide where city boundaries were, but local State Representatives Josh Bonner and Marty Harbin had indicated they preferred to do this with support from both Tyrone's and Peachtree City's councils.

Zoning would not be included in the annexation, Cailloux stated; the land would come in under Peachtree City ordinance zoned Agricultural Reserve (AR). If the owners wanted to change that, they would have to go through the rezoning process, which would include a public hearing.

Meeker said there would be concurrent resolutions presented: one from Tyrone to de-annex the property and one from Peachtree City to annex it. This would go to the local legislative delegation and, hopefully, on to the General Assembly. Council did not need to vote on this tonight, he said; the legislators just wanted to be sure they supported it. If Peachtree City was not interested, this matter would be closed.

Destadio said he had been following this for awhile, indicating on the map where an adjacent parcel had been annexed, with the owners, Nana's Holdings LLC, saying that was all they wanted to do. Destadio stated he also talked to a representative of developer Brent Scarbrough, who told him they really wanted to take the whole 23 acres. Obviously, he concluded, Nana's was lying and always wanted to sell the whole property.

However, he continued, he was concerned because Peachtree City provided services, but got no tax money. They needed to look into correcting that, and if it meant bringing it into Peachtree City, that's what he thought they should do. He said Scarbrough would not want it to remain under the AR zoning, recalling that he had threatened to make the first parcel a dump or an industrial facility, but they all knew that would not happen. He would want to build more townhomes like on the original parcel, and Destadio said that was better than a dump. They would get the taxes from it. He noted that Scarbrough would have to ask for a rezoning.

It was not the best situation, but Destadio said getting the taxes and making it residential was better for the City in the long run.

Learnard thanked him and confirmed that he supported annexation.

Did they know what zoning they would be looking for? Holland asked, and Learnard told him they were not there to predict, but to decide if they wanted to annex this into Peachtree City. Holland said he was in favor of annexation, knowing that zoning would be down the road.

Prebor echoed Destadio's views. Their options were to annex or not annex. If they annexed it, they could control the zoning. If they did not, it could be rezoned by Tyrone, but Peachtree City would still have to provide services through the mutual aid agreement.

King pointed out they were providing services because the only access point was through the south. King said he had concerns, but if they did not annex, the property owner still had the right to annex the property and, with the townhomes that were already going in, he did not want the traffic from some sort of industrial site or whatever Tyrone allowed. If Peachtree City annexed this, they could control what went there. Learnard and Prebor agreed, with Destadio noting it was not a perfect situation.

All five members agreed they supported annexation, Learnard stated.

Meeker said he heard the direction, and this would be on the agenda at the first meeting in February.

Martha Barksdale, Recording Secretary

Kim Learnard, Mayor

City Council of Peachtree City
Meeting Minutes
Thursday, January 19, 2023
6:30 p.m.

The Mayor and Council of Peachtree City met in regular session on Thursday, January 19, 2023. Mayor Kim Learnard called the meeting to order at 6:30 p.m. Council members attending: Frank Destadio, Clinton Holland, Mike King, and Phil Prebor.

Announcements, Awards, Special Recognition

Learnard called attention to the display on the Special Purpose Local Option Sales Tax (SPLOST) in the lobby. She said it was their goal for every citizen to be able to access information about the SPLOST and its list of projects. There was information on the City website, along with posters at the library, the Kedron Fieldhouse, the Convention and Visitors Bureau (CVB), and at the Tennis Center. In addition to the kiosk at City Hall, there was a kiosk in the lobby of the Police Department. Anyone interested in hosting a presentation for a group should contact City Hall, she said, with Destadio adding there were already presentations scheduled for the American Legion and the Knights of Columbus.

2023 State of the City Address

The Mayor recalled she gave her first State of the City address last year after just two weeks in office. This year, she said she wanted to look back on an interesting and productive 2022. She mentioned how Council had worked to revitalize public communications, negotiated a Local Option Sales Tax distribution agreement with the County, unanimously passed a strong budget, and remained vigilant on their goals related to traffic, recreation, redevelopment, and public safety. They had attracted new talent to government and worked to maintain Peachtree City's quality lifestyle.

Other achievements included passing a budget that included no millage rate increase. Should SPLOST 2023 pass, they anticipated no increase for the next five years, Learnard remarked. The 2017 SPLOST collections exceeded expectations, and in 2022 a citizens committee worked to come up with a list of projects totaling \$67 million for the next SPLOST vote in March.

The Mayor also mentioned that the Comprehensive Plan was updated with citizen input in 2022. Traffic remained a concern, and there had been meetings with the Georgia Department of Transportation (GDOT) and with the Fayette County Transportation Committee. They received updates on the SR 54/74 Displaced Left Turn (DLT) project and discussed smaller changes such as a dedicated right turn lane from 74 to 54 West and signalization that would be part of the DLT project. They were also working with GDOT to create a dual left out of Huddleston Road to 54 West.

Parks and recreation milestones included the opening of the new All Children's Playground, the Riley Track was being resurfaced, tennis courts were resurfaced, and six new pickleball courts were added at Braelinn. The SPLOST list also included a 12-court pickleball facility. New bathrooms were coming to Drake Field, and Battery Way Park would be renovated. This year, she said they would be discussing the best way to fund new courts, lights, and the irrigation system at the Tennis Center.

Redevelopment activities included constructing Stagecoach Road and a path to the new Booth Middle School. The Fayette County Board of Education opened a new Center for Innovation at the former Booth school. It included Southern Crescent Technical College and Clayton State University. The City had stayed in touch with the owners of the old Kmart property in Braelinn Village, but they had been unable to attract a tenant. Huddleston Road needed sewer, and they were consulting with property owners about the future of the area.

In April, Clint Murphy, who had been with Peachtree City Fire Department for 25 years, was promoted to Chief. Public Safety staffing remained a concern. They had taken measures such as increased signing bonuses and take-home vehicles, in addition to an across the board 5% cost of living increase in an effort to recruit and retain personnel.

Another noteworthy event was a four-alarm fire at the Peachtree City Walmart in August. The person who started the fire was promptly arrested, and the grocery section of the Walmart re-opened in December. A new path crossing of SR 74 at Panasonic opened in 2022. The Tennis Center hosted a national pickleball tournament that attracted more than 700 players. Learnard pointed out that events at the Tennis Center brought in \$1.5 to \$2 million to the City each year. Ongoing events such as the concerts at The Fred, Night Market, and other family events and festivals continued.

Holland was elected to Council in November, and Learnard said he brought a fresh perspective. The City welcomed new City Manager Robert Curnow a few weeks ago after a months-long nationwide search. Learnard expressed appreciation for Assistant City Manager Justin Strickland for his guidance during the interim.

Looking to 2023, the Planning Department would be working on a Unified Development Ordinance (UDO) to streamline zoning and development ordinances. A Recreation Master Plan update was planned for the first time since 2011. Also, with the recalibrated Council and a new City Manager, Learnard anticipated developing a strategic plan for Peachtree City. She said dozens of high-caliber cities in Georgia had embraced this process of soliciting citizen input on various aspects of their cities with the goal of creating an overarching vision for the future. She wanted to put the "planning" back into this planned community.

She concluded by saying she saw generations of families now in Peachtree City, with more and more young people, new and expanding businesses, boundless educational opportunities, and amenities and quality of life that was second to none. Learnard said she was proud of what they did in 2022 and knew they were poised for robust planning in 2023 and a positive vision for the next 20 years and beyond.

Public Comment

Evan Huefler of Crabapple Lane reminded Council that he spoke to them in May about the need to keep the Crabapple Lane path open so his disabled daughter could get to and from her job independently. Council voted to keep the path open until December and to extend that deadline if Tyrone made progress towards constructing an alternate path. But, he said, after Peachtree City leaders refused to meet with Tyrone to review the plans, access to the path was shut off on December 1. He stated that traffic studies showed only 14 carts per day on Crabapple Lane, and Kedron Hills residents had stated they now felt safe with the road closed to through car traffic, so he did not understand the need to close the path. He also pointed out that Peachtree City would be losing the higher fees that non-residents paid to use the paths. He noted that carts from the County on the southside were still allowed access to Peachtree City's network, which he said showed discrimination, and he implored Council to reopen the path while Tyrone created a solution.

Steven Newton noted that through SPLOST, Peachtree City was willing to take funds other Fayette residents contributed and use them for path projects while refusing to open a gate for access. He

also remarked that Huefler was a military veteran and his wife was a teacher in the Fayette County School System. Newton said he would like to see Peachtree City sign on to the Fayette County Transportation Plan, which proposed a connected path network throughout the County. He said refusal to do that showed that Peachtree City did not want people from other areas in their City.

Suzanne Brown said she would like to see the City adopt an ordinance to allow people to keep chickens in their yards if their homeowners associations (HOAs) or covenants did not prohibit it. Many other areas, including in Atlanta, allowed backyard chickens.

Jason Pohl told Council that trains often stopped for prolonged periods at the at-grade crossing on Kelly Drive between Dividend and SR 74 and asked Council to look into it. He also asked Council to consider decriminalizing possession of one ounce or less of cannabis for personal use as many cities had done. There were medical reasons for its use, he stated. Finally, he said he heard a lot of negative comments about Council, but he felt they were doing a good job.

Keith Larson said Peachtree City had a speeding problem on streets and on the paths. The City had traditionally taken a passive approach and required neighbors to raise concerns before acting on a case-by-case basis. There needed to be uniform standards and enforcement, he stated, established with broad public input. The last City Manager said he did not want resident input, and Larson noted that was why the recommendations from the Multi-Use Path System Citizens Advisory were not available on the City website. They needed to change to the best practices recommended by the Federal Highway Administration for routine resident discussion to make safe streets, roads, and paths. City Policy 10-1, Traffic Calming, should be revised to restore transparency and trust by using a best practices speed management approach that included an appointed citizen advisory group.

Agenda Changes

None

Minutes

December 15, 2022, Regular Meeting Minutes

December 15, 2022, Executive Session Minutes

King moved to approve the December 15, 2022, Regular Meeting Minutes, and the December 15, 2022, Executive Session Minutes. Prebor seconded. Motion carried unanimously.

Quarterly Reports

Learnard said these reports contained summaries from each department and were available on the City website.

Consent Agenda

- 1. Resolution # 01192023-CA1 Call for election and setting of qualifying fees**
- 2. Legal Organ – Fayette County News**
- 3. FY-23 Budget Amendment- Lake Peachtree HOA donation for Lake Peachtree fish restock**
- 4. FY-23 Budget amendment – Insurance Reimbursement – Lightning damage**
- 5. Acceptance of the GMC Proposal for Professional Services for the Unified Development Ordinance(UDO)**
- 6. Proposal to change GIS Technician position to a second GIS Analyst position**

Destadio made a motion to move item 5 to Council/Staff Topics for further discussion and to approve Consent Agenda items 1-4 and 6. Prebor seconded. Motion carried unanimously.

The Mayor noted that item 3 was the acceptance of \$2,000 to match the City's expenses in restocking Lake Peachtree with sterile carp that would combat hydrilla, an invasive species.

Holland, referring to item 1, said he would like to see the City investigate conducting its own elections, rather than contracting with Fayette County. He commented that he believed it would result in savings for the taxpayers. Destadio added that the City Attorney had told them this would be possible.

Old Agenda items

11-22-03 Variance – Transitional Yard Buffer – 100 McWilliams Drive

Planning and Development Director Robin Cailloux said this item was tabled from the November 17 Council meeting. The property was an existing lot at the corner of SR 74 North and McWilliams Drive currently zoned Office-Institutional (OI). The proposal was for a 5,000 square foot medical office building, a reduction from the previously proposed 7,500 square feet. She explained that a transitional yard setback was an undisturbed buffer required between any residential zoning and non-residential zoning district. The site plan showed where the undisturbed buffer would lie, and where it would be if the request to encroach it by 30 feet were granted. A standard lot in the OI district would have a setback that allowed parking within 10 feet of the property line.

Since the last meeting, she continued, the developer had met with residents of the subdivision that this lot abutted and had obtained a letter of support from that subdivision.

Was this the request that was tabled on Prebor's recommendation? Destadio asked. Told that it was, he thanked Prebor, saying it was a good idea.

Architect Jefferson Brown, representing the applicant, said they hosted a meeting with community residents on December 17. The site plan they had presented was a result of that meeting.

The conditions staff recommended with the initial report were still being recommended, Cailloux remarked. They called for additional evergreen landscaping within that buffer, sight lighting limitations to a maximum of three feet high, a 75-foot wide public access easement for a future multi-use path, and interparcel access to the south.

Destadio said this was tabled due to concerns from the residents and confirmed with Brown that they had a good meeting and resident concerns were satisfied.

Prebor said he, too, was pleased with the result and said his question with variances were how the people most affected by it felt. He thanked Brown for making the effort to meet with the neighbors.

King had no questions.

Holland commented that he considered variances in terms of whether it was a need or a want. In this case, he said he was comfortable with the changes they had made and the conditions staff had attached.

Destadio moved to approve Old Agenda item 11-22-03, Variance–Transitional Yard Buffer–100 McWilliams Drive with conditions identified by staff. Prebor seconded. Motion carried unanimously.

New Agenda items

01-23-01 Resolution #01192023-NA1 Kelly Drive Road Abandonment and Disposal

City Attorney Ted Meeker said, as outlined in his memo, this had been discussed for at least 18 months. Former City Manager Jon Rorie and the Planterra residents had discussed selling a portion of Kelly Green. There was a review of traffic while Bernie McMullen was serving as the interim City Manager, and residents had regularly appeared before Council to express their concerns about safety.

With all this in mind, Meeker went on, they initiated the process of abandonment of at least a portion of the road. Notice was given to the adjoining property owners, which were the golf course and the Planterra Ridge HOA, and there was a 30-day option for them to acquire it. The golf course declined, but the HOA expressed interest. The purchase price was in the memo and had been agreed to at a staff level but needed Council approval.

Before them tonight, Meeker continued, was a resolution to make all that happen. The City would be abandoning a portion of Kelly Green, which would then be transferred to the HOA. At that point they could put up a gate. There was a savings clause in the resolution where the City would retain easement rights for the cart paths that were in the right-of-way that was being abandoned, along with any utilities located underground.

Destadio said he thought it was unfortunate that Peachtree City residents would not be able to travel through this portion of Planterra Ridge, but they should realize they were the cause of the problem. It was documented that vehicles had gone through Planterra Ridge at speeds of 60 to 80 mph, and that was unsafe. It was a shame to have to block off a road to public access, but it was the fault of the citizens, he stated, adding that this was a good idea.

King also concurred with this plan, reflecting on the comments they had heard from children and their parents reflecting on their inability to safely play in their front yards. Folks were getting off work at 4 p.m., which was the time the proposed gate would shut, until around 5:30. The gate would stop the cut-through traffic of folks who worked on Kelly Drive and Huddleston Road. He said he did not blame them for wanting to get home, but he could not put children's lives at risk. He apologized to the Planterra homeowners in attendance that it had taken 18 months to get this done.

Holland said he understood the danger and was glad they were doing something but, he asked Meeker, would the City resume ownership if the HOA went out of business? Meeker replied that there was no reversion in the agreement, but, like any other public right-of-way, they could reacquire it if necessary.

What about maintenance? Holland inquired, saying he believed Meeker had said the HOA would be required to maintain it. Did the City have recourse if it were not maintained to City standards? It would be a private road, Meeker answered, and that would be something the HOA would have to take up among themselves.

The Mayor mentioned in the State of the City address that they were working on making Huddleston Road two lanes going west, which would help with traffic. The traffic that previously cut through Planterra was primarily headed to Coweta, and Prebor said the Huddleston improvements would enable them to get there faster. He concurred with this proposal.

The Mayor did not. She acknowledged it was not an easy problem, and said she appreciated the children and adults who had brought this issue before Council. However, she stated, she believed she had an obligation to represent the City as a whole.

She was concerned that this agreement was permanent with no stipulations as to what happened next. It would be up to the HOA. Would they operate a gate? Put up a wall? Put up a fortress? Would it be open certain days? Certain hours? One direction? Two directions? They had no way of knowing. This was the sale of a portion of a road to an HOA, Learnard commented, and an HOA was made up of people with families and jobs. She did not know about the undertaking of operating a gate. To let only residents through at certain times was actually a bigger undertaking than most of them realized.

Again, she stated, she felt she had to look out for the City as a whole, and there were so many unknowns that she could not support this. That was a difficult thing for her to say, Learnard remarked, because she recognized the problem.

King moved to approve New Agenda item Resolution #01192023-NA1 Kelly Drive Road Abandonment and Disposal. Destadio seconded. Motion carried 4-1, with Destadio, Holland, King, and Prebor voting in favor, and Learnard voting against.

Public Hearings

01-23-03 Rezoning for 949, 951, 975, 976, 986, 1000, and 1001 Crosstown Drive and 555 – 575 Hwy 74 S from GI and LI Industrial to GC General Commercial

There were seven properties at the intersection of SR 74 and Crosstown Road that the standard passerby might be surprised to learn were zoned Industrial, Cailloux began. These properties were McDonald's, Wendy's, a hotel, an auto repair shop, an empty car wash, and two gas stations, which were all uses typically found in a Commercial zoning district.

Staff approached Council in the late summer last year with a concern that redevelopment would be hindered if these properties remained in the Industrial zoning. That zoning did not match the character of the corridor; of particular concern was the fact that Industrial uses did not have a height limitation. Council initiated the rezoning, and it was discussed by the Planning Commission at its December 12 meeting.

Cailloux presented some reasons why staff thought a change to the zoning that matched the current uses was in order. The commercial uses in place now were considered "grandfathered," she stated, which meant they could not expand, were limited in the amount of money they could invest in the property, and, if they discontinued use for one year, could not reopen as a commercial use. Rezoning to Commercial would allow these existing businesses to continue to operate in the current manner.

The Future Land Use showed these properties as Commercial; there was one parcel across the intersection marked as Industrial. As part of the Braelinn Village Center, Commercial was the appropriate zoning. Cailloux again stated there would be no land use changes because of this

rezoning. The Planning Commission, she reported, gave this unanimous support at a December 12 workshop.

The Mayor opened the public hearing.

Keith Larson said he lived in the area and felt this was a “no brainer” that gave them a chance to correct a situation created over the years and ensure the future well-being of Braelinn Village. This change would allow business owners to re-invest as appropriate instead of being limited, as they were now, to spending no more than 50% of the depreciated value on renovations. Larson said that limit would allow this area to deteriorate. He noted that the space for a car wash had been empty for a long while. What could be done there? Their hands were tied. They needed a common zoning suited to the commercial center of the village so the residents and the businesses could prosper.

Suzanne Brown, speaking in opposition, said she had been present for the two prior presentations on this topic. Just before Christmas she submitted an Open Records request for correspondence between the City and all the properties in this rezoning and received copies of building permits and correspondence for the hotel and older, irrelevant correspondence for the car wash property, but nothing regarding the other five properties.

The hotel was purchased on August 9, 2022. Four building permits to improve were approved between October 3 and November 3 totaling \$1,170,000. In both the Council and Planning Commission presentations, she stated, they were told the cap for renovations was 50% of the depreciated value, making it about \$900,000. But by November 3, the approved permits exceeded the cap by about \$270,000.

Over the next nine days, Brown said, signs were posted about the rezoning and the dates of the public hearing. Nothing was mentioned about exceeding the cap in either the City Council information session or the Planning Commission workshop. Did they tell the Acting City Manager? Did they tell the people in charge of the motel LLC? City staff should have gone to the LLC and explained the issue and asked them to apply for rezoning to General Commercial (GC), which would allow them to complete the renovations without a cap.

Before posting signs, Brown continued, Planning staff should have sought guidance from City Council and the City Attorney. She felt they blindsided Council with the request. She cautioned Council that she could not expect openness, honesty, and transparency from them if they were not getting it from staff.

Brown said she did not support this because of what she said was the lack of openness, but she did see how it would benefit the hotel owners and the owners of the car wash property. She stated she was sure they would approve this, but she hoped they would work on the issues of openness, honesty, and transparency.

No one else wished to speak, and the Mayor closed the public hearing.

Destadio said he was not opposed to this after meeting with Cailloux and the City Manager. He asked Cailloux to explain the disparity between the amount of the permits and the value of the property.

Cailloux said there was a duplication that occurred on the website. They could enter information manually when issuing a permit and could also upload a pdf with handwritten information. The information entered manually was different than what was on the paper. She looked only at the manually entered information when she wrote the first memo. When it came to light that there were differences in numbers, she opened the pdf and saw those numbers. The people who reviewed the building permits and the plan reviewers looked only at the pdf, she explained.

So, Destadio asked, it was the system at fault? It was a duplication of efforts, Cailloux said, so it could have been a typo or just an error that was made.

Destadio said he did not disagree with this rezoning, but why did they have to rezone all of them? The City Manager had said he thought it was better to do them all at once, but Destadio said he would like to see them pick and choose. Rezone the car wash and the hotel, then work on the others. He said he understood it would be more labor for staff but thought that would be a better approach.

Holland said he had no problem with a changeover to GC; his issue was the flawed data. Was the rezoning requested by the current owners once they knew the limit of their construction value was reached? Holland asked, and Cailloux said "no." He asked if anyone from the City suggested to them that they request a zoning change?, and she again said they did not.

Holland also said the data was flawed due to a bookkeeping error, and he wished they had the correct data from the beginning. He again stated his support for rezoning to GC.

This was long overdue, King said, noting he had lived in Peachtree City for 35 years, and those properties had always been commercial. He certainly did not want a five-story storage facility sitting on one of those lots. Everything in that area was commercial. Over the last few years, they had entered into a process of looking at their ordinances and trying to make things right. He stated that he agreed with Cailloux and Curnow that picking them one at a time would be a waste of effort.

Prebor recalled that Cailloux had mentioned McDonald's could not expand under the current zoning. If someone owned a business there, they would have let it go into ruin, and that is not what they wanted for the City. He thought they should revisit the rule about 50% of depreciated value in the future. If someone wanted to spend more, they should not stop them. He was in favor of the zoning change tonight.

Learnard asked Curnow to confirm that there were six building permits on the property and combined they were still under the 50% or less depreciated value.

That was correct, he stated. They did some additional research with information from the Fayette County Tax Assessor based on the price of the building. The current value was \$2.6 million, and 50% of that was \$1.3 million. The current permits were at \$1.1 million. Curnow said he also asked their building official to go out that day and do some inspections to confirm that the contractor doing the work was meeting that \$1.1 million limit.

King moved to approve New Agenda item 01-23-03, Rezoning for 949, 951, 975, 976, 986, 1000, and 1001 Crosstown Drive and 555 – 575 Hwy 74 S from GI and LI Industrial to GC General Commercial. Prebor seconded. Motion carried unanimously.

Council/Staff Topics

1. Updated Branding Initiatives – The Fred Amphitheater

Laura Valente of Premier Events Live noted they had a great working relationship with Peachtree City, and she wanted to go over some of the highlights of the last few years. In 2018, the City awarded the management contract of The Fred to PPR, which was a joint venture of three companies. RCS Productions did all the talent booking and artist management, and Valente introduced RCS owner Steven Moore and General Manager Todd Elmore. FreshTix handled ticketing, Valente continued, and Premier Events looked after marketing, concessions, and sponsorships. She commended Carol Kelley's work as The Fred's General Manager.

In 2018, Valente stated, the venue got a new roof and new paint. They upgraded signage and replaced awnings, along with reconfiguring the entry gate. 2019 saw the replacement of all the seats in the reserved seating area. All shows were cancelled in 2020 due to COVID. By 2021, they were cleared for a season of socially-distanced concerts, she reported, and were allowed to go to full capacity by mid-season. In that year, they replaced the picnic area with the new plaza area and upgraded the restroom area. Last year's big project was the addition of ticketed pub tables in the main concourse. They also revamped the cart path used by the courtesy shuttle.

In 2022, The Fred hosted 14 shows, and eight were sellouts. Most of the 26 sponsors from last year had already signed up for this season, Valente reported. The Atlanta Symphony partnered with them for a concert, and they also added an improv show. In preparation for the 2023 season, they had renovated the lawn seating area by leveling the tiers and installing new stairs, railings, and sod. Valente promised there were a few other projects in the works that would be announced later.

Tonight, she wanted to acquaint Council with the new branding package they were rolling out after several years of research and planning. The goal was to create something with a clean and contemporary design, that indicated the venue's rustic setting. Five bids were submitted, and four of those were from the Fayette County area. They chose Country Fried Creative of Peachtree City.

Country Fried Creative owner Joe Domaleski said this was exciting because it meant so much for them to have chosen a local firm. He reflected that he knew Fred Brown and learned a lot from him in his work with the Chamber of Commerce. He also enjoyed attending concerts at The Fred. In creating the new logo, Domaleski said they wanted to honor the traditions while creating something fresh that reflected Peachtree City. With that, he unveiled the logo, thanking them for the opportunity to create something for the city where their business was located.

Valente acknowledged that everyone wanted to know who the artists would be for the 2023 season and said that announcement would be coming February 20.

2. Acceptance of the GMC Proposal for Professional Services for the Unified Development Ordinance (UDO)

This was the item moved from the Consent Agenda. Cailloux explained they had budgeted for the UDO since 2020, but it was postponed because of COVID, then last year's update of the Comprehensive Plan. Bids were solicited in October, and Cailloux said they received two from reputable companies that had done similar projects. They selected Godwin Mills Cawood (GMC) not

only because they were the lowest bidder but because they had done a UDO for communities similar to Peachtree City, with a highly-educated, highly-participatory populace.

Prebor asked Cailloux to explain for the public just what was being done. She said there were multiple chapters in their code of ordinances that staff and the public needed to access. The first ordinances were adopted in 1977, and there was a complete overhaul in 1985, but the ordinances had not been comprehensively redone since then. They had been altered, but in a piecemeal fashion, Cailloux remarked. They were hundreds of pages long, and it was difficult to focus on one topic because the information was scattered. This lack of organization made it easy to create conflicts when amending ordinances.

A UDO took all that information and pulled it together into a cohesive document. It would still be long and full of "legalese," Cailloux cautioned, but there would be graphics and a logical progression. She said you would start at the beginning of the chapter and proceed through the process. This was a tool used in many communities, some far different from Peachtree City and others very similar. It could be tailored to fit the community.

It was not, Cailloux emphasized, an overhaul of the zoning and development regulations. They would not be adding any new districts or changing the zoning of anything. It would not include any rezoning on the map. It was just an organizing of those ordinances.

Destadio said he was in favor of the UDO, but he would like to see some changes, such as to the overlay district in The Avenue, where the approved paint colors were no longer manufactured. Lexington Circle and Wilshire Village were built out. It seemed to him that they should not only consolidate but add to the contract and do away with those outdated standards.

The Mayor asked for a motion, but Meeker said they must wait to vote at the next meeting.

King moved to adjourn to executive session at 7:57 p.m. to discuss pending or threatened litigation and the purchase, sale, or lease of real estate. Destadio seconded. Motion carried unanimously.

Prebor moved to reconvene on regular session at 8:24 p.m. Holland seconded. Motion carried unanimously.

There being no further business, King moved to adjourn the meeting. Prebor seconded. Motion carried unanimously.

The meeting adjourned at 8:24 p.m.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Robert Curnow, City Manager *RC*
Justin Strickland, Assistant City Manager *JS*
Paul Salvatore, Financial Services Director *PS*
Kelly Bush, Assistant Financial Services Director *KB*
Angela Egan, Purchasing Agent *ae*

FROM: David A. Borkowski, P.E., City Engineer *David A. Borkowski*

DATE: January 24, 2023

SUBJECT: Design of State Route 54/74 Upgrades
February 2, 2023 City Council Meeting

Recommendation:

Authorize the expenditure of \$30,757 for the geotechnical investigation for the proposed enhancements to the sign support structures.

Discussion:

During the January 18, 2023 Special Called Workshop, Staff presented that the Georgia Department of Transportation was requiring what was called a Bridge Foundation Investigation (BFI) report for the proposed enhancements. According to our consultant this type of special report is not typically required for sign support structures and was not included in the original design cost proposal. Therefore, we are requesting approval for these additional funds to finish the design.

Budget Impact:

Adequate funding is available in SPLOST Project 7.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Robert Curnow, City Manager *RC*

FROM: Paul Salvatore, Financial Services Director *PS*
Angela Egan, Purchasing Agent *ae*

DATE: January 23, 2023

SUBJECT: Storage Replacement (Production and Backup)
February 2, 2023, City Council Consent Agenda

Recommendation:

Award the purchase of storage replacement for production and backup storage to CPAK Technologies for \$195,375.00.

Discussion:

This approved capital equipment project was budgeted in the CIP fund during the FY2023 budget process. Staff received four qualified bids. The bids were as follows:

C-Pak Corp.	\$195,375.00
Saitech Inc.	\$308,715.00
LogixService dab AMTEK	\$338,450.39
Imperium Data Networks	\$523,941.57

Budget Impact:

Funds are budgeted in the CIP Fund 337.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Robert Curnow, City Manager *RC*

FROM: Robin Bechtel Cailloux, AICP
Planning and Development Director

DATE: January 26, 2023

SUBJECT: Accept GMC proposal for professional services for the Unified Development Ordinance
February 2, 2023 City Council Meeting

Recommendation

Approve proposal from GMC in the amount of \$92,600 to provide professional services and the architectural standards addendum from GMC for the Unified Development Ordinance.

Discussion

A project to combine and update the zoning and land development ordinance into a Unified Development Ordinance (UDO) was approved in this year's budget up to \$120,000. Peachtree City currently has two primary documents that regulate development: the Zoning Ordinance and the Land Development Ordinance. In addition to these regulatory documents, City has also adopted design guidelines to offer additional standards for design, architecture, and landscape in targeted areas of the City. In their entirety, these documents consist of several hundred pages that are often overlapping and sometimes inconsistent. A UDO would streamline these documents into one combined document that would be more easily accessible to the public, designers, and City staff reviewers.

The UDO is not intended as a wholesale rewrite of the City's zoning and development regulations and will not rezone any part of the City.

Peachtree City accepted two proposals for professional services from established firms practiced in writing UDO, PLB Planning Group and Goodwyn Mills Cawood (GMC). GMC has been selected based on their experience with similar communities in Georgia and overall cost. The original cost from GMC was \$80,000.

When presented to Council at the last meeting, Council requested that architectural updates be added to the scope of work. Architectural standard requirements are found in three locations in the city ordinances:

1. Architectural standards in the ordinance required on all non-residential properties on major thoroughfares throughout the City; and the
2. Conditions of zoning for certain properties in the city including those in the Wilshire Village and in the Lexington Village; and the
3. The Highway 54 W Corridor Design Guidelines.

UDO Professional Services

Page 2

Staff requested an addendum from GMC to review the architectural standards found in items 1 and 2 listed above. The Corridor Design Guidelines were recently updated by Jefferson Architecture and will be presented to the Planning Commission for their review and approval at their upcoming meeting in February. GMC has proposed an additional \$12,600 to update the architectural standards found in the ordinance and associated with conditions of zoning approval on certain properties throughout the City.

Planning Process & Timeline

The UDO planning process is a 12 to 18 month process that includes public participation. A Kick-off Meeting will be held at the beginning of the process where the public and major stakeholders such as the elected officials will be invited. There the consultant will explain why the project is important, whose input will be sought, how that input will be incorporated, and what the final product will be. A Steering Committee comprised of development experts and citizens will be appointed by Council to help guide the process.

Following the Kickoff meeting, the consultant will interview major stakeholders, including the Planning Commission members. The Planning Commission will also be invited to all of the Steering Committee meetings and the Public Workshops. Their insight into the Planning Commission's role in the development process is paramount to a successful UDO.

Public participation is an integral part of the planning process. After the Stakeholder Interviews, the consultant will hold at least 2 public meetings where identified conflicts and outdated regulations will be highlighted with proposed solutions.

The public will have full access to all analysis and recommendations both in person and through the project website, which will be hosted on the city's website. Minor changes to correct code references and title changes may be made, but no changes to regulations will be made without full knowledge and participation of the public or the elected officials. And as stated above, no property will be rezoned (change of land use) through this process.

Once complete, the UDO must go through the public hearing process stipulated in the Georgia Zoning Procedures Law. This will include a public hearing hosted by the Planning Commission and a public hearing held by the City Council. City Council will make the final decision as to whether or not adopt the UDO.

Budget Impact

Funds are available in the Planning Department operating budget to cover the cost of UDO professional services at \$80,000, plus architectural standards addendum at \$12,600, for a total of \$92,600.

SUMNER | MEEKER
LLC
ATTORNEYS AT LAW

THEODORE P. MEEKER, III

14 EAST BROAD STREET
NEWNAN, GEORGIA 30263

TELEPHONE 770-251-1750
FACSIMILE 770-251-1770

TO: City Council
Peachtree City, Georgia

FROM: Theodore P. Meeker, III
City Attorney



DATE: January 27, 2023

RE: De-annexation of property from Town of Tyrone to Peachtree City

Nana's Holdings, LLC is the owner of certain property located within the Town of Tyrone. That parcel does not have direct access to any right of way within Tyrone. Rather, the only direct access is from streets in Peachtree City.

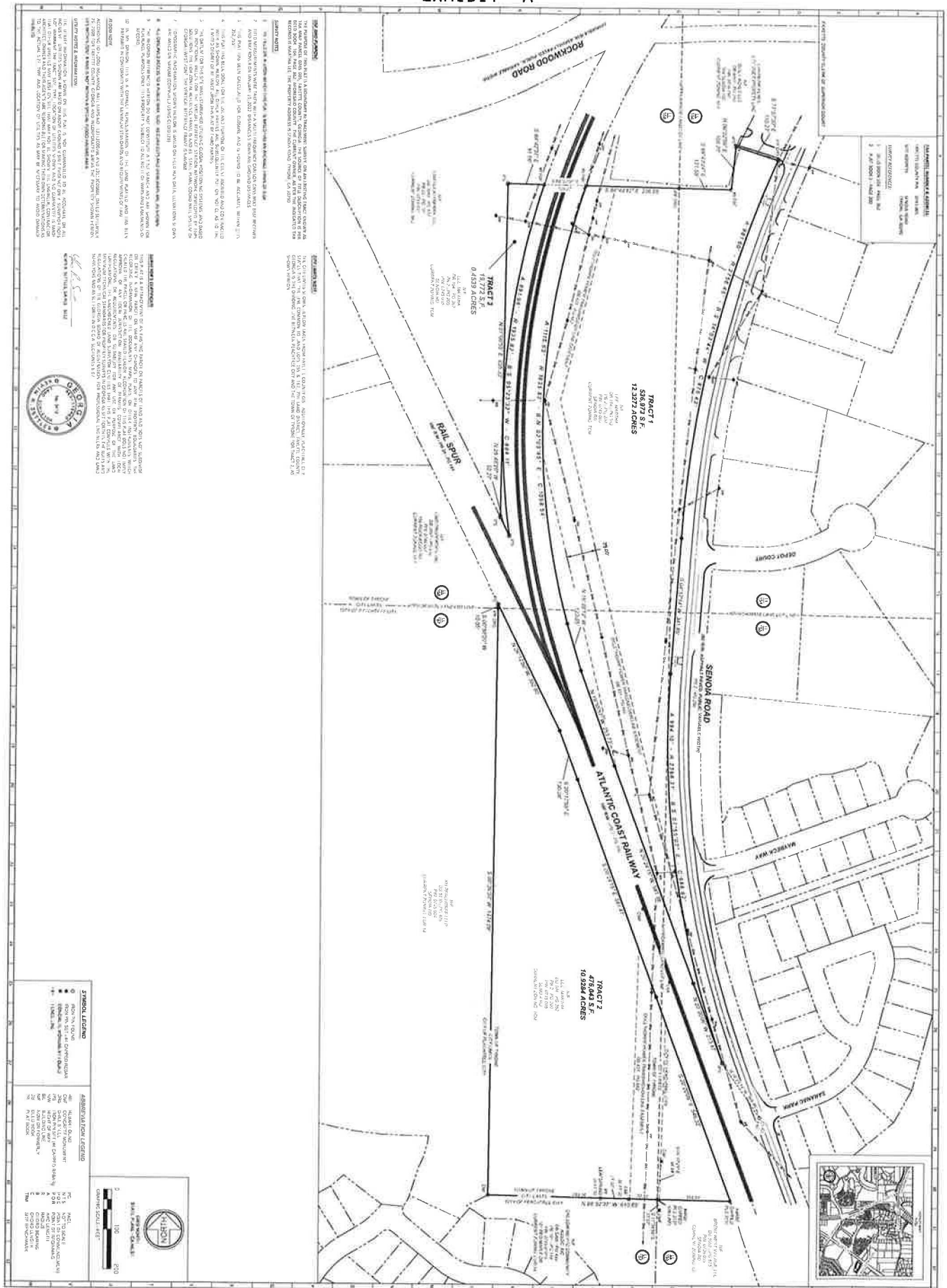
The property owner has requested that the property be de-annexed from the municipal limits of the Town of Tyrone into the city limits of Peachtree City. Doing so requires action by the Georgia General Assembly. Attached is a resolution to authorize the local delegation to introduce a bill in the General Assembly to de-annex the property from Tyrone and annex the property into Peachtree City.

Requested action:

That Council makes a motion to adopt the attached resolution.

TPM/jm

EXHIBIT "A"



BOUNDARY RETRACEMENT SURVEY FOR:

NANA'S HOLDINGS, LLC

Land Lots 154, 155, 167 & 168, 7th Land District, Town of Tyrone, Fayette County, Georgia



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BOUNDARY SURVEY

SHEET
1 OF 1

EXHIBIT "B"

LEGAL DESCRIPTION - NANA'S HOLDINGS - TRACT 2

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 154, 155, 167 & 168, 7TH LAND DISTRICT, TOWN OF TYRONE, FAYETTE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A PK NAIL FOUND AT THE CENTERLINE INTERSECTION OF SARANAC PARK (50' R/W) AND SENOIA ROAD (80' R/W) THENCE S 18°46'37" W A DISTANCE OF 222.20' TO A #4 CAPPED REBAR FOUND STAMPED "PLS 3137" ALONG THE WESTERN RIGHT OF WAY LINE OF THE ATLANTIC COAST RAILWAY (100' R/W), SAID POINT BEING THE **TRUE POINT OF BEGINNING**; THENCE LEAVING THE AFORESAID RIGHT OF WAY LINE N 88°52'37" W A DISTANCE OF 610.85' TO A CONCRETE MONUMENT FOUND; THENCE N 00°39'30" E A DISTANCE OF 1474.08' TO A DRILL STEEL FOUND ALONG THE LINE SEPARATING LAND LOTS 167 & 168; THENCE N 00°58'20" E A DISTANCE OF 10.05' TO A #4 CAPPED REBAR SET ALONG THE WESTERN RIGHT OF WAY LINE OF A RAIL SPUR FROM THE ATLANTIC COAST RAILWAY (100' R/W); THENCE S 26°12'50" E A DISTANCE OF 352.80' TO A POINT WHERE THE WESTERN RIGHT OF WAY LINE OF THE RAIL SPUR AND THE WESTERN RIGHT OF WAY LINE OF THE MAIL LINE OF THE ATLANTIC COAST RAILWAY MEET; THENCE ALONG THE WESTERN RIGHT OF WAY LINE OF THE ATLANTIC COAST RAILWAY THE FOLLOWING BEARINGS AND DISTANCES, S 20°17'55" E A DISTANCE OF 130.38' TO A POINT; THENCE S 20°24'15" E A DISTANCE OF 581.41' TO A POINT; THENCE S 20°20'06" E A DISTANCE OF 546.32' TO A #4 CAPPED REBAR FOUND STAMPED "PLS 3137" ALONG THE WESTERN RIGHT OF WAY LINE OF THE ATLANTIC COAST RAILWAY (100' R/W), SAID POINT BEING THE **TRUE POINT OF BEGINNING**.

SAID PARCEL HAVING AN AREA OF 476,043 S.F., OR 10.9284 ACRES AND BEING DESIGNATED AS TRACT 2 ON THAT CERTAIN BOUNDARY RETRACEMENT SURVEY FOR NANA'S HOLDINGS, LLC, PREPARED BY FRONTIER SURVEYING & MAPPING, DATED 01/21/2022 AND RECORDED IN PLAT BOOK 101, PAGE 207, SUPERIOR COURT RECORDS OF FAYETTE COUNTY, GEORGIA.

A BILL TO BE ENTITLED

AN ACT

To amend an Act reincorporating and recreating the City of Peachtree City, approved September 9, 2001 (Ga. L. 2002, p. 4801), as amended by an Act approved November 7, 2002 (Ga. L. 2003, p. 4875) so to change the corporate limits of the City; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act reincorporating and re-creating the City of Peachtree City, approved September 9, 2001 (Ga. L. 2002, p. 4801), as amended by an Act approved November 7, 2002 (Ga. L. 2003, p. 4875) is amended by adding a new subsection to Section 1. 2(c) to read as follows:

“(c)”. The corporate limits shall include the following described territory:

LEGAL DESCRIPTION – NANA’S HOLDINGS – TRACT 2

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 154, 155, 167 & 168, 7TH LAND DISTRICT, TOWN OF TYRONE, FAYETTE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A PK NAIL FOUND AT THE CENTERLINE INTERSECTION OF SARANAC PARK (50’ R/W) AND SENOIA ROAD (80’ R/W) THENCE S 18°46’37” W A DISTANCE OF 222.20’ TO A #4 CAPPED REBAR FOUND STAMPED “PLS 3137” ALONG THE WESTERN RIGHT OF WAY LINE OF THE ATLANTIC COAST RAILWAY (100’ R/W), SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE LEAVING THE AFORESAID RIGHT OF WAY LINE N 88°52’37” W A DISTANCE OF 601.85’ TO A CONCRETE MONUMENT FOUND; THENCE N 00°39’30” E A DISTANCE OF 1474.08’ TO A DRILL STEEL FOUND ALONG THE LINE SEPARATING LAND LOTS 167 & 168; THENCE N 00°58’20” E A DISTANCE OF 10.05’ TO A #4 CAPPED REBAR SET ALONG THE WESTERN RIGHT OF WAY LINE OF A RAIL SPUR FROM THE ATLANTIC COAST RAILWAY (100’ R/W); THEN S 26°12’50” E A DISTANCE OF 352.80’ TO A POINT WHERE THE WESTERN RIGHT OF WAY LINE OF THE RAIL SPUR AND THE WESTERN RIGHT OF WAY LINE OF THE MAIL LINE OF THE ATLANTIC COAST

RAILWAY MEET, THEN ALONG THE WESTERN RIGHT OF WAY LINE OF THE ATLANTIC COAST RAILWAY THE FOLLOWING BEARINGS AND DISTANCE, S 20°17'55" E A DISTANCE OF 130.38' TO A POINT; THENCE S 20°24'15" E A DISTANCE OF 581.41' TO A POINT; THENCE S 20°20'06" E A DISTANCE OF 546.32' TO A #4 CAPPED REBAR FOUND STAMPED "PLS 3137" ALONG THE WESTERN RIGHT OF WAY LINE OF THE ATLANTIC COAST RAILWAY (100' R/W), SAID POINT BEING THE TRUE POINT OF BEGINNING.

SAID PARCEL HAVING AN AREA OF 476,043 S.F., OR 10.9284 ACRES AND BEING DESIGNATED AS A TRACT 2 ON THAT CERTAIN BOUNDARY RETRACEMENT SURVEY FOR NANA'S HOLDINGS, LLC, PREPARED BY FRONTIER SURVEYING & MAPPING, DATED 01/21/2022 AND RECORDED IN PLAT BOOK 101, PAGE 207, SUPERIOR COURT RECORDS OF FAYETTE COUNTY, GEORGIA.

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed

SECTION 3.

This Act shall become effective July 1, 2023.

RESOLUTION # 02022023-NA01

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF PEACHTREE CITY GEORGIA
REQUESTING THE INTRODUCTION OF LOCAL LEGISLATION IN THE GEORGIA
GENERAL ASSEMBLY DE-ANNEXING A PORTION OF FAYETTE COUNTY
TAX PAREL 0745 0054 LYING SOUTH WEST OF THE CSX RAILROAD RIGHT WAY
LOCATED WITHIN THE CORPORATE LIMITS OF THE TOWN OF TYRONE, GEORGIA AND
ANNEXING SAID PARCEL INTO THE CORPORATE LIMITS OF THE
CITY OF PEACHTREE CITY, GEORGIA; AND FOR OTHER PURPOSES**

WHEREAS, the parcel of land more particularly described on Exhibit A attached hereto and identified as Tract 2 on Plat of Survey for Nana's Holdings, LLC dated 1/21/2022 by Frontier Surveying attached hereto as Exhibit B is located within the corporate limits of the Town of Tyrone; and

WHEREAS, the parcel of land is bound on the west and southwest by the corporate limits of the City of Peachtree City and on the north and east by the CSX Railroad right of way; and

WHEREAS, the parcel of land does not abut a public road and its only access to a public road is by way of an access easement through other property located in the corporate limits of Peachtree City; and

WHEREAS, the Town of Tyrone is unable to provide services to the parcel of land except through the Peachtree City road system and through other property located in the corporate limits of Peachtree City; and

WHEREAS, the provision of first responder emergency and other services would fall upon Peachtree City due to the access restraints to the parcel of land; and

WHEREAS, it appears that in the best interest of the property owner, the Town of Tyrone and the City of Peachtree City, that the parcel of land be de-annexed from the corporate limits of the Town of Tyrone and annexed into the corporate limits of the City of Peachtree City; and

WHEREAS, due to the limitations set out in O.C.G.A. Title 36-36-1 et seq for the de-annexation and annexation of property and the prohibition for creating unincorporated islands, it has been determined that it is appropriate for the General Assembly to approve of the de-annexation and annexation of the property by a legislative local act.

NOW THEREFORE, BE IT RESOLVED that upon consenting resolutions by the Town Council of the Town of Tyrone and approval of the local legislative delegation of the Town of Tyrone and the City of Peachtree City, that the local legislative delegation be authorized to advertise for and prepare legislation for submission in the current General Assembly Session to de-annex the parcel of land more particularly described on Exhibit A attached hereto and identified as Tract 2 on Plat of Survey for Nana's Holdings, LLC dated 1/21/2022 by Frontier Surveying

attached hereto as Exhibit B from the corporate limits of the Town of Tyrone and annex the parcel of land into the corporate limits of the City of Peachtree City.

FURTHER RESOLVED that the City Manager and City Attorney are authorized to assist in this process.

SO RESOLVED by the _____ in open session regularly assembled this _____ day of _____, 2023.

Mayor Kim Learnard

Phillip E. Prebor, Mayor Pro Tem

Mike King, Post 2

Clinton Holland, Post 3

Frank Destadio, Post 4

ATTEST: _____
Yasmin Julio, City Clerk

A BILL TO BE ENTITLED

AN ACT

To amend an Act reincorporating and recreating the Town of Tyrone, approved August, 1911, (Ga. L. 182, p. 1604), as amended by an Act approved March 24, 1939 (Ga. L. 1939 p. 1375, and by an Act approved March 22, 1974 (Ga. L. 1974, p. 3030), so to change the corporate limits of the Town; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act reincorporating and re-creating the Town of Tyrone, approved August, 1911, (Ga. L. 182, p. 1604), as amended by an Act approved March 24, 1939 (Ga. L. 1939 p. 1375, and by an Act approved March 22, 1974 (Ga. L. 1974, p. 3030), is amended by adding a new subsection to Section 1. 103 (c) to read as follows:

“(c)”. The corporate limits shall not include the following described territory:

LEGAL DESCRIPTION - NANA'S HOLDINGS - TRACT 2

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 154, 155, 167 & 168, 7TH LAND DISTRICT, TOWN OF TYRONE, FAYETTE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A PK NAIL FOUND AT THE CENTERLINE INTERSECTION OF SARANAC PARK (50' R/W) AND SENOIA ROAD (80' R/W) THENCE S 18°46'37" W A DISTANCE OF 222.20' TO A #4 CAPPED REBAR FOUND STAMPED “PLS 3137” ALONG THE WESTERN RIGHT OF WAY LINE OF THE ATLANTIC COAST RAILWAY (100' R/W), SAID POINT BEING THE **TRUE POINT OF BEGINNING**; THENCE LEAVING THE AFORESAID RIGHT OF WAY LINE N 88°52'37" W A DISTANCE OF 610.85' TO A CONCRETE MONUMENT FOUND; THENCE N 00°39'30" E A DISTANCE OF 1474.08' TO A DRILL STEEL FOUND ALONG THE LINE SEPARATING LAND LOTS 167 & 168; THENCE N 00°58'20" E A DISTANCE OF 10.05' TO A #4 CAPPED REBAR SET ALONG THE WESTERN RIGHT OF WAY LINE OF A RAIL SPUR FROM THE ATLANTIC COAST RAILWAY (100' R/W); THENCE S 26°12'50" E A DISTANCE OF 352.80' TO A POINT WHERE THE WESTERN RIGHT OF WAY LINE OF THE RAIL SPUR AND THE WESTERN RIGHT OF WAY LINE OF THE MAIL LINE OF THE ATLANTIC COAST RAILWAY MEET; THENCE ALONG THE WESTERN RIGHT OF WAY LINE OF THE ATLANTIC COAST RAILWAY THE FOLLOWING

BEARINGS AND DISTANCES, S 20°17'55" E A DISTANCE OF 130.38' TO A POINT; THENCE S 20°24'15" E A DISTANCE OF 581.41' TO A POINT; THENCE S 20°20'06" E A DISTANCE OF 546.32' TO A #4 CAPPED REBAR FOUND STAMPED "PLS 3137" ALONG THE WESTERN RIGHT OF WAY LINE OF THE ATLANTIC COAST RAILWAY (100' R/W), SAID POINT BEING THE **TRUE POINT OF BEGINNING**.

SAID PARCEL HAVING AN AREA OF 476,043 S.F., OR 10.9284 ACRES AND BEING DESIGNATED AS TRACT 2 ON THAT CERTAIN BOUNDARY RETRACEMENT SURVEY FOR NANA'S HOLDINGS, LLC, PREPARED BY FRONTIER SURVEYING & MAPPING, DATED 01/21/2022 AND RECORDED IN PLAT BOOK 101, PAGE 207, SUPERIOR COURT RECORDS OF FAYETTE COUNTY, GEORGIA.

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

SECTION 3.

This Act shall become effective July 1, 2023.

RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF TYRONE GEORGIA
REQUESTING THE INTRODUCTION OF LOCAL LEGISLATION IN THE GEORGIA
GENERAL ASSEMBLY DE-ANNEXING A PORTION OF FAYETTE COUNTY
TAX PAREL 0745 0054 LYING SOUTH WEST OF THE CSX RAILROAD RIGHT OF WAY
LOCATED WITHIN THE CORPORATE LIMITS OF THE TOWN OF TYRONE, GEORGIA
AND ANNEXING SAID PARCEL INTO THE CORPORATE LIMITS OF THE
CITY OF PEACHTREE CITY, GEORGIA; AND FOR OTHER PURPOSES

WHEREAS, the parcel of land more particularly described on Exhibit A attached hereto and identified as Tract 2 on Plat of Survey for Nana's Holdings, LLC dated 1/21/2022 by Frontier Surveying attached hereto as Exhibit B is located within the corporate limits of the Town of Tyrone; and

WHEREAS, the parcel of land is bound on the west and southwest by the corporate limits of the City of Peachtree City and on the north and east by the CSX Railroad right of way; and

WHEREAS, the parcel of land does not abut a public road and its only access to a public road is by way of an access easement through other property located in the corporate limits of Peachtree City; and

WHEREAS, the Town of Tyrone is unable to provide services to the parcel of land except through the Peachtree City road system and through other property located in the corporate limits of Peachtree City; and

WHEREAS, the provision of first responder emergency and other services would fall upon Peachtree City due to the access restraints to the parcel of land; and

WHEREAS, it appears that in the best interest of the property owner, the Town of Tyrone and the City of Peachtree City, that the parcel of land be de-annexed from the corporate limits of the Town of Tyrone and annexed into the corporate limits of the City of Peachtree City; and

WHEREAS, due to the limitations set out in O.C.G.A. Title 36-36-1 et seq for the de-annexation and annexation of property and the prohibition for creating unincorporated islands, it has been determined that it is appropriate for the General Assembly to approve of the de-annexation and annexation of the property by a legislative local act.

NOW THEREFORE, BE IT RESOLVED that upon consenting resolutions by the Town Council of the Town of Tyrone and the City of Peachtree City and approval of the local legislative delegation of the Town of Tyrone and the City of Peachtree City, the City of Peachtree City and the local legislative delegation be authorized to advertise for and prepare legislation for submission in the current General Assembly Session to de-annex the parcel of land more particularly described on Exhibit A attached hereto and identified as Tract 2 on Plat of Survey for Nana's Holdings, LLC dated 1/21/2022 by Frontier Surveying attached hereto as Exhibit B from the corporate limits of the Town

of Tyrone and annex the parcel of land into the corporate limits of the City of Peachtree City.

FURTHER RESOLVED that the Town Manager and Town Attorney are authorized to assist in this process.

SO RESOLVED by the _____ in open session regularly assembled this ____ day of _____, 2023.

MAYOR AND COUNCIL FOR
THE TOWN OF TYRONE, GEORGIA

(SEAL)

By: _____
H. ERIC DIAL, Mayor

ATTEST:

Dee Baker, Town Clerk

Approved as to form:

Town Attorney

LEGAL DESCRIPTION - NANA'S HOLDINGS - TRACT 2

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 154, 155, 167 & 168, 7TH LAND DISTRICT, TOWN OF TYRONE, FAYETTE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A PK NAIL FOUND AT THE CENTERLINE INTERSECTION OF SARANAC PARK (50' R/W) AND SENOIA ROAD (80' R/W) THENCE S 18°46'37" W A DISTANCE OF 222.20' TO A #4 CAPPED REBAR FOUND STAMPED "PLS 3137" ALONG THE WESTERN RIGHT OF WAY LINE OF THE ATLANTIC COAST RAILWAY (100' R/W), SAID POINT BEING THE **TRUE POINT OF BEGINNING**; THENCE LEAVING THE AFORESAID RIGHT OF WAY LINE N 88°52'37" W A DISTANCE OF 610.85' TO A CONCRETE MONUMENT FOUND; THENCE N 00°39'30" E A DISTANCE OF 1474.08' TO A DRILL STEEL FOUND ALONG THE LINE SEPARATING LAND LOTS 167 & 168; THENCE N 00°58'20" E A DISTANCE OF 10.05' TO A #4 CAPPED REBAR SET ALONG THE WESTERN RIGHT OF WAY LINE OF A RAIL SPUR FROM THE ATLANTIC COAST RAILWAY (100' R/W); THENCE S 26°12'50" E A DISTANCE OF 352.80' TO A POINT WHERE THE WESTERN RIGHT OF WAY LINE OF THE RAIL SPUR AND THE WESTERN RIGHT OF WAY LINE OF THE MAIL LINE OF THE ATLANTIC COAST RAILWAY MEET; THENCE ALONG THE WESTERN RIGHT OF WAY LINE OF THE ATLANTIC COAST RAILWAY THE FOLLOWING BEARINGS AND DISTANCES, S 20°17'55" E A DISTANCE OF 130.38' TO A POINT; THENCE S 20°24'15" E A DISTANCE OF 581.41' TO A POINT; THENCE S 20°20'06" E A DISTANCE OF 546.32' TO A #4 CAPPED REBAR FOUND STAMPED "PLS 3137" ALONG THE WESTERN RIGHT OF WAY LINE OF THE ATLANTIC COAST RAILWAY (100' R/W), SAID POINT BEING THE **TRUE POINT OF BEGINNING**.

SAID PARCEL HAVING AN AREA OF 476,043 S.F., OR 10.9284 ACRES AND BEING DESIGNATED AS TRACT 2 ON THAT CERTAIN BOUNDARY RETRACEMENT SURVEY FOR NANA'S HOLDINGS, LLC, PREPARED BY FRONTIER SURVEYING & MAPPING, DATED 01/21/2022 AND RECORDED IN PLAT BOOK 101, PAGE 207, SUPERIOR COURT RECORDS OF FAYETTE COUNTY, GEORGIA.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: Robert Curnow, City Manager *RC*

FROM: Yasmin Julio *YJ*

DATE: January 24, 2023

SUBJECT: Municipal Elections Intergovernmental Agreement
February 2, 2023, City Council Meeting

Recommendation:

Authorize the Mayor to execute the attached intergovernmental agreement with Fayette County for the 2023 municipal election.

Discussion:

In January, Council approved the formal resolution for the November 7, 2023, municipal election and the designation of the Fayette County Board of Elections as the Elections Superintendent and Absentee Ballot Clerk. The attached contract finalizes that arrangement. Fayette County owns as well as maintains voting equipment. The County's election staff attends trainings and conducts annual elections, which ensures that Peachtree City Municipal Elections are held in accordance with State and Federal Law.

The attached agreement gives the Fayette County Board of Elections the authority to conduct the November election and subsequent run-off if necessary. The City will reimburse the County for all expenses incurred in the managing of the election.

These are the standard terms under which the County conducts our elections every two years.

Budgetary Impact:

The proposed FY2024 Budget will include funding for the 2023 Municipal Election and run-off election, if necessary.

STATE OF GEORGIA

COUNTY OF FAYETTE

**INTERGOVERNMENTAL AGREEMENT FOR CONDUCTING MUNICIPAL
ELECTION**

This Agreement entered this _____ day of _____ between _____ the CITY OF PEACHTREE CITY, a municipal corporation lying wholly or partially within Fayette County, Georgia, hereinafter referred to as "The City" and Fayette County, Georgia, a political subdivision of the State of Georgia hereinafter referred to as "The County".

W I T N E S S E T H:

WHEREAS the City in the performance of its governmental functions will hold the Election hereinafter described; and,

WHEREAS, under the provisions of the Georgia Election Code, particularly O.C.G.A. §21-2-45 of the Official Code of Georgia Annotated, the city may, by ordinance, authorize the County to conduct such election and the City has heretofore adopted such an ordinance; and

WHEREAS, the County has staff and equipment to conduct such election; and WHEREAS, the County desires to assist said City in the conduct of its municipal Election.

NOW THEREFORE, for and in consideration of the premises contained herein, it is hereby agreed as follows:

1.

This Agreement shall govern the conduct of the City of Peachtree City municipal election to be held on November 7, 2023, and any and all run-offs which may be necessary and any special elections that may occur within twelve (12) months of this Agreement.

2.

Fayette County through the Fayette County Board of Elections shall operate as superintendent of the aforementioned election and shall perform any and all functions of the City or any of the City's officials in connection with the conduct of such election with the exception of duties pertaining to the qualification of candidates and pertaining to the Responsibility of acting as the Qualifying Officer and providing notification to the State Elections Commission concerning candidacy compliance.

3.

A City official shall operate as the Superintendent with respect to qualifications of candidates. Such official shall perform any and all functions of the City or any of its officials. In connection with the qualifications of candidates in accordance with O.C.G.A. § 21-2-45(C) (2). Further, such official shall be responsible for acting as the Qualifying Officer and for notification to the State Elections Commission concerning candidacy compliance.

4.

The County shall supply all of the necessary manpower and transportation to pick up, deliver, set up, store and return to the County all of the voting equipment used in the election along with all ancillary equipment and necessary supplies.

5.

All the voting equipment shall be programmed by the County in conjunction with the office of the Secretary of State.

6.

All absentee ballots shall be ordered, issued, mailed, and accounted for by the County.

7.

Staffing of the polling locations and training of the staff shall be provided by the County.

8.

All expenses and charges incurred in the performance of said election (except for the actual cost of the State-owned voting system and State-owned ancillary equipment) shall be the responsibility of the City. Said expenses and charges shall include but not be limited to the following: all costs of training and providing personnel for the election, costs of printing, mailing, and processing absentee ballots, the costs of expendable supplies and a pro-rated maintenance cost for the voting equipment. An invoice for the costs and expenses of the election shall be submitted to the City and the City shall remit payment of the invoice to Fayette County within 30 days of receipt of the invoice.

9.

To the extent permitted by law, the City shall indemnify, defend, and hold harmless the County from any liability and/or litigation expenses to which the County may be subjected as a consequence of or as a result of the election for the City. The City will furthermore, to the extent permitted by law, reimburse the County for any and all necessary legal representation, by counsel chosen by the County, in any action arising from the conduct of the City election. Said reimbursement shall be paid by the City within thirty days of invoice by the County.

10.

This intergovernmental contract is a full and complete statement of the agreement of the parties as to the subject matter hereof and has been authorized by proper action of the respective parties.

11.

Should any provision of this Agreement or application thereof to any person or circumstance be held invalid or unenforceable, the remainder of this Agreement or the application of such provision to any person or circumstance, other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each provision of this Agreement shall be valid and enforceable to the full extent permitted by law.

12.

Should it be necessary to comply with any legal requirements, the necessary members of the County's personnel may be temporarily sworn in as officers and employees of the City.

[SIGNATURES FOLLOW ON NEXT PAGE]

FAYETTE COUNTY, GEORGIA

By: _____

Lee Hearn, Chairman

Board of Commissioners

Attest:

Tameca Smith, County Clerk

CITY OF PEACHTREE CITY

By: _____

Kim Learnard, Mayor

Attest:

Yasmin Julio, City Clerk

FAYETTE COUNTY ELECTIONS &
VOTER REGISTRATION

By: _____

Darryl Hicks, Chairman

Attest:

Brian W. Hill, Director of Elections

City of Peachtree City - 2023 Municipal Cost Election Calculations

PTC total registered voters	31,367
Total registered voters for all Cities	53,837
Percentage of all cities registered voters	57.83%

Early Voting Cost (% of Total Reg. Voters)

Early Voting Training (18 total workers)	\$ 312
Early Voting Poll Workers (18 total workers)	\$ 19,472
ABM Workers (3 total workers)	\$ 4,025
Truck Rental (7)	\$ 1,668
Technical (2 total workers)	\$ 2,113
Supplies	TBD
Subtotal	\$ 27,591

Election Day Cost (Actual)

Election Day Worker (5/Prect.)	\$ 9,480
Election Day Training (85)	\$ 1,800
Ballot Printing/Postage	TBD
Subtotal	\$ 11,280

Total Election Cost	\$ 38,871
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City of Peachtree City - 2023 Municipal Runoff Cost Election Calculations

PTC total registered voters	31,367
Total registered voters for all Cities	53,837
Percentage of all cities registered voters	57.83%

Early Voting Cost (% of Total Reg. Voters)

Early Voting Poll Workers (18 total workers)	\$ 19,472
ABM Workers (3 total workers)	\$ 4,025
Truck Rental (7)	\$ 1,668
Technical (2 total workers)	\$ 2,113
Supplies	TBD
Subtotal	\$ 27,278

Election Day Cost (Actual)

Election Day Worker (5/Prect.)	\$ 9,480
Ballot Printing/Postage	TBD
Subtotal	\$ 9,480

Total Election Cost	\$ 36,758
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CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: Robert Curnow, City Manager *RC*

FROM: Robin Bechtel Cailloux, AICP, Director Planning & Development

DATE: January 26, 2023

SUBJECT: Adoption of Official Zoning Map and Zoning Ordinance
February 2, 2023 City Council Agenda

Recommendation:

Re-adopt the Official Zoning Map and Zoning Ordinance as presented by staff.

Discussion:

The purpose of this agenda item is for Council to officially re-adopt the Peachtree City Zoning Map and Zoning Ordinance. These documents have been readopted annually by the City Council to ensure their validity and legal standing.

The Official Zoning Map and Zoning Ordinance have been updated as appropriate to reflect all map amendments adopted during calendar year 2022. No additional zoning map or text changes are included with the adoption of this ordinance.

Budget Impacts:

There are no budget impacts associated with this request.

Ordinance Number 1205

**AN ORDINANCE TO AMEND THE PEACHTREE CITY ZONING ORDINANCE,
SPECIFICALLY ARTICLE IV, ENACTMENT CLAUSE, AND
ARTICLE VII SECTION 702 DISTRICT BOUNDARIES,
TO FORMALLY ADOPT THE PEACHTREE CITY ZONING ORDINANCE
AND THE PEACHTREE CITY OFFICIAL ZONING MAP,
AND FOR OTHER PURPOSES**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that:

Section1. Article IV – Enactment Clause of the Peachtree City Zoning Ordinance be amended as follows:

In accordance with an adopted land use and thoroughfare plan for the development of a new town and in pursuance of authority granted by the State of Georgia General Planning and Zoning Enabling Act of 1957, as amended [Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq.], the City Council of the City of Peachtree City, Georgia, does hereby ordain and enact into law the articles and sections of this ordinance for application to the entire incorporated area of Peachtree City, Georgia.

The zoning map, dated ~~January 15, 2015~~February 2, 2023 is hereby adopted as the official zoning map as a part of this zoning ordinance by the City Council of the City of Peachtree City, Georgia.

Section2. Article VII, Section 702 – District boundaries of the Peachtree City Zoning Ordinance be amended as follows:

The location and boundaries of each zoning district are as shown on the "Official Zoning Map of Peachtree City, Georgia." The city zoning map, dated September 12, 1977, as amended is hereby updated and replaced by the city zoning map dated ~~October 7, 2010~~ February 2, 2023 attached to Ord. No. 1011 as Exhibit "A" and incorporated herein by express reference. The zoning map dated ~~October 7, 2010~~February 2, 2023 is hereby adopted and by such adoption all properties in the city are hereby zoned to the zoning classifications indicated for such properties on said map until such time as said property may be rezoned to some other zoning classification.

A copy of the zoning map shall be kept on file in the office of the city clerk, and preserved by the city clerk. It shall be the express duty of the city clerk or someone authorized by the city clerk, to replace the zoning map as it is amended by the city council. A copy of the zoning map shall be available for all persons desiring to examine it and shall be considered the official zoning map of the city.

As properties are rezoned, it shall be the express duty of the city clerk or their designee to make the authorized rezoning changes such that the zoning map reflects the

changes authorized by the city governing authority. A copy of the zoning map shall be available for all persons desiring to examine it and shall be considered the official zoning map of the city.

Section 3. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 4. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 5. This ordinance shall be in full force and effect upon its official adoption by the City Council.

Done, Ratified, and Passed this 2nd day of February, 2023.

Kim Learnard, Mayor

Phil Prebor, Post 1

Mike King, Post 2

Clint Holland, Post 3

Frank Destadio, Post 4

Attest: _____
City Clerk