

City Council of Peachtree City
Agenda
February 1, 2001
7:00 p.m.

- I. Pledge of Allegiance
- II. Announcements, Awards, Special Recognition

Commendation of Honor - Police Corporal Vicki Roman and Richard Scott (citizen)
- III. Minutes
- IV. Consent Agenda
 - 1. Consider Bids – Computer System Police Station
 - 2. Consider Bids - Telephone – Police Station
 - 3. Consider Bids - New Police Station Landscaping & Irrigation
 - 4. Alcohol License – (transfer) – Creekside Chevron (fka Mini Mart)
- V. Old Agenda Items
- VI. New Agenda Items
 - 02-01-01 Discussion of Planterra Tennis Center Phase III
 - 02-01-02 Charter Revisions
- VII. Council/Staff Topics
- VIII. Executive Session

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



POLICE DEPARTMENT

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JAMES V. MURRAY
Chief of Police

TO: JIM BASINGER, CITY MANAGER
FROM: JAMES V. MURRAY, CHIEF OF POLICE
DATE: JANUARY 24, 2001
SUBJECT: COMMENDATION OF HONOR AWARDS
CITY COUNSEL AGENDA FEBRUARY 1, 2001

On January 5, 2001, at approximately 1514 hrs, Cpl. Vicki Roman and Richard Scott (Citizen) entered a burning apartment to save the life of a senior citizen. While Cpl. Roman was in an off-duty capacity, a young female juvenile approached her and Mr. Scott, advising them that her grandmother (Sarah Ann Beasley) was trapped inside building 2000 of Harmony Village and that the apartment was on fire. The young female informed Cpl. Roman and Mr. Scott that her grandmother was confined to a recliner in the back bedroom of the apartment and because of her medical condition, she was unable leave the residence without assistance. Without hesitation and without considering their own personal safety, Cpl. Vicki Roman and Richard Scott entered the burning building and carried Mrs. Beasley to safety. Subsequent to their actions, Cpl. Roman and Mr. Scott were treated at the scene for smoke inhalation. Because Cpl. Roman's injuries were more aggravated, she required further treatment at the Fayette Community Hospital.

As a result of their courageous acts, the following awards are recommended:

1. Commendation of Honor - Awarded to Cpl. Vicki Roman for demonstrating Bravery at the imminent risk of serious bodily injury and demonstrating exceptional courage by performing a voluntary course of action in an extremely dangerous situation.
2. Commendation of Honor - Awarded to Citizen Richard Scott for demonstrating bravery at the imminent risk of serious bodily injury and demonstrating exceptional courage by performing a voluntary course of action in an extremely dangerous situation.

City Council of Peachtree City
Minutes of Meeting
January 18, 2001
6:00 p.m.

The City Council of Peachtree City met in a regular session, Thursday, January 18, 2001, at 6:00 p.m. in the City Hall Council Chambers. Mayor Robert L. Lenox led those attending in the pledge of allegiance. Other Council members present were: Carol Fritz, Bob Brooks, and Dan Tennant. (Annie McMenamin arrived during the announcements due to a family illness.)

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Employee of the Month - Robert Eidson

Supervisor of the Quarter – Jim Miller

Marcie Blind – 15-year Service pin

Proclamation - Girls Lazer White Soccer Team – winner of the GA State Open Cup

Recognized All Children's Playground Gold Sponsors

Presentation of Annual Builder Awards

CAFR Recognition – City received Certificate of Achievement for Excellence in Financial Reporting

MINUTES

McMenamin made a motion to approve the January 4, 2000, minutes as submitted. Brooks seconded the motion. Motion carried unanimously.

CONSENT AGENDA – approved 5-0

1. Resolution to Transmit Short Term Work Program/Capital Improvement Element to ARC for review
2. Resolution to Establish Election Qualification Fees
3. Consider SR-74 / Kedron Drive North Intersection Improvements & Signalization
4. Award Bid - Hydraulic Boom Excavator
5. Award Contract - Livable Centers Initiative Grant

Lenox made a motion to approve the consent agenda. Fritz seconded the motion. Motion carried unanimously.

OLD AGENDA ITEMS

12-00-06 Consider Policy – E-Mail/Internet – approved 5-0

Jim Basinger, City Manager, reviewed proposed revisions to a City policy, City Administrative Regulation 3-8, which contains Internet and email policies for city officials and employees. The revision addressed quorum issues and eliminated conflicts that existed between acceptable and unacceptable uses of Internet services. The policy was drafted to ensure proper use of the Internet and Email services by city employees and to keep use of these services limited to that which is necessary to accomplish one's job duties.

Fritz made a motion to approve the revisions as presented. Brooks seconded the motion. Motion passed unanimously.

NEW AGENDA ITEMS

01-01-07 Consider Sewer Service for Braelinn Baptist Church – approved 5-0

Jeff Killingsworth, representative for the Braelinn Baptist Church, addressed Council to request access to the Peachtree City sewer system. The church is being built on Highway 74 North. The main portion of the property is located within the city limits of Tyrone and a portion of the property is located in Peachtree City.

Mayor Lenox explained that Council approval was required to allowing sewerage service to extend outside the city limits of Peachtree City.

Fritz asked what facilities would be built on the property. Killingsworth replied that the church was still in the concept phase of their development plans, but that they would first build a sanctuary / multipurpose building with plans to expand that facility in the future.

McMenamin asked what the current zoning was for the property. Killingsworth said that he believed the current zoning was AR (Agricultural.)

Lenox reviewed staff's proposed conditions for approval and asked Mr. Killingsworth if he agreed to such:

1. The sewer service could not be extended beyond the church property to

serve other properties.

2. The church could not subdivide its property for sale or lease to a non-church entity, and then provide sewer access for that non-church entity.
3. The church should define for the city what church uses it intends to provide on the property, and sewer service should be limited to those uses.

Killingsworth said the church would agree to those conditions.

Fritz asked Larry Turner, Water and Sewerage Authority (WASA) General Manager, if WASA had received the necessary permits to expand the Rockaway Wastewater Treatment Plant. Turner said WASA had not received the final permit, but that the Environmental Protection Division (EPD) did grant approval for them to proceed with the final design on the expansion. Turner said that once WASA received the final EPD permit, they would be able to commit to provide the church with the capacity needed for sewerage service.

Brooks was in favor of granting the request for three reasons: part of the property was located in Peachtree City; the watershed would be protected; and a significant number of Peachtree City residents would attend the church. Brooks made a motion to grant the request with the three conditions recommended by staff and agreed to by Killingsworth. Fritz seconded the motion. Motion carried unanimously.

01-01-08 Discuss Helmet Safety Education Program – no action taken

Tennant expressed his concern about the safety of children riding Scooters that have become a very popular past-time in Peachtree City. Police Chief Murray addressed Council to review a Safety Program to address those concerns. He said that there were more head injuries in children than any other type of injury. He said that while the law does not require helmets to be worn while riding scooters, he felt it could be encouraged through a productive safety program. He added that leg and arm protection would also be encouraged. Murray said a Scooter Safety pamphlet would be distributed in schools and made available to parents. He also recommended that the Recreation Department plan events to close some of their parking lots to allow a safe area for parents to bring their children to practice riding not only their scooters, but also bikes and roller blades. He said Police and EMS officers would also take part in these activities to provide information on safety equipment that is needed for protection. Murray

said the Police Department had adopted this project as a Quality Improvement Project so they could explore other ways to expand the safety program.

Council was supportive of the program. Tennant said he was delighted with what Chief Murray had put together to address the problem. No action was taken on this item.

01-01-08 Discussion of City Clerk Position - tabled 3-2

McMenamin asked Council to reconsider the decision made at the last meeting concerning the appointment of the City Clerk. She said that while it should in no way reflect poorly on Marty Jones, the attorney who represented City Attorney Rick Lindsey in his absence, she felt Council had not been given accurate legal advice regarding whether the issue could be tabled for two weeks. She explained that the Charter called for the appointment of the City Clerk at the first organizational meeting when the City was first chartered, and thereafter to be appointed at the regular meeting in January. She said in the past the Council held a workshop meeting and a regular meeting each month. She said the procedure has been changed and the Council now conducts two regular meetings each month. She said Lindsey has since told her that he would have allowed the two-week extension.

Additionally, Council had been told that if the City Clerk was reappointed, they would not be able to rescind the appointment without cause and therefore could complicate any proposed revisions to the Charter. Nancy Faulkner had addressed Council and said that if reappointed, she would support Council's future decisions about the position. McMenamin said the City had always accepted the word of a developer or an attorney in a public meeting, and to do otherwise of the City Clerk would be contradicting the way things had been done in the past. She also said Lindsey has since told her he would have taken Ms. Faulkner's word that she would support Council's future decisions and would have allowed her to be reappointed.

McMenamin also stressed that she felt great concern when a title is taken away from a woman, who is trained and certified, and that title is given to a man, but the woman is told she may continue doing her job. She said it flew in the face of everything she had been striving to do for young women.

McMenamin asked Council to reconsider their decision and to return the title of City Clerk to Nancy Faulkner with the responsibility of supervision for her

position to fall under the City Manager, Jim Basinger. She said it was no reflection on Mr. Basinger and hoped that things were working well.

She also said that Council was reviewing the Charter at the request of Councilmember Fritz because of her concerns about the structure and form of government as it related to the Mayor and Council's role with the City Manager. McMenamin said the position of City Clerk was to be one of the many other things they would review in the Charter.

Tennant said he understood McMenamin's sensitivity, but that in no way did gender factor into his decision.

McMenamin said she was not implying that was indeed the case, but she was concerned with the appearance of it. She said appearance had a lot to do with what women go through everyday, but she pointed out that was not the only reason she felt Council should reconsider. She felt Council should have been able to table the issue or accept Ms. Faulkner's word to support future changes. But, she said it was certainly important to her because it does happen to women often and it was unacceptable, especially when there was a caveat that Council would be reviewing the Charter and could possibly change the structure of the City Clerk's job requirements.

Lenox resented the implication. He felt the decision that was made was appropriate. He did not think it needed to be revisited, especially when they were about to go into discussions about the Charter. Lenox made a motion to table the item until such time the Charter discussions were concluded. Tennant seconded the motion. Motion carried with McMenamin and Fritz opposing.

COUNCIL/STAFF TOPICS

Basinger requested volunteers to serve on the selection committee for vacancies on the Development Authority. Lenox and Tennant volunteered.

Lenox made a motion to adjourn into Executive Session to discuss a real estate matter. Tennant seconded the motion. Motion carried unanimously.

Recess – 15 minutes

01-01-08 Workshop Discussion – City Charter - no action taken.

Lenox said they would stop discussions at 8:30 p.m. because there was an Executive Session item to be discussed. He said they would schedule another workshop to continue discussions if needed.

Lindsey said the City Charter was written over 40 years ago. In his review of the charter, Lindsey said he found several comical items, such as the regulation of a Flying Jenny (WWII airplane) and the discrimination of herders of sheep, lama, goats and cattle. He also pointed out there was a provision in the Charter that allowed the City to impose a \$3.00 street tax on residents between the ages of 18 – 50 years old. Lindsey said most of the changes in the charter were housekeeping items, but there were some items that Council needed to discuss and provide direction. He said on such items concerned the form of government of the City.

The following discussion took place concerning various sections of the Charter:

Section 4. Governing body; composition, quorum meetings.

Tennant asked Lindsey to clarify the following sentence in this section: "Less than a quorum may meet and compel the attendance of absentees as provided by ordinance." Lindsey said it was meant to address the possibility of stonewalling.

Lindsey was instructed to write an ordinance regarding attendance requirements and procedures.

Tennant asked to have the word "councilman" changed to "councilmember" throughout the document.

Section 5. Eligibility Qualification of Mayor and Councilmen

Lenox questioned the six-month residency requirement. Lindsey said it was a common requirement. Tennant asked if the law allowed Council to impose an age requirement above the age of 18. Lindsey said Council could impose any age they wished. Lindsey was not instructed to make any changes to this section.

Section 6. Duties and Authority of Mayor

Lindsey said the position of City Manager was not created in the charter, but was created with an ordinance. He suggested the position be placed in the

Charter. He also said that this was a section that Council needed to discuss and provide direction.

Lenox did not feel it should be changed. He said the ordinance allowed the Mayor to designate powers and responsibility to the City Manager. He described the Mayor's position as the Chief Executive Officer of the City who could delegate his responsibilities to the City Manager, which he described as the Chief Operating Officer of the City. He felt there was a joint responsibility between them. He said the City had been operating in that manner for some time.

Brooks said he obtained information from the Georgia Municipal Association (GMA) that described the various forms of governments. He felt the City had actually been operating as a Council/Manager form of government for some time. He felt it made sense to clarify that in the Charter.

Fritz thought the Charter was written as a Strong Mayor form of government and that if the Council intended to continue operating as a Council/Manager form of government, the Charter should be amended and sent through the legislature.

Brooks said he also thought the Charter was written as a Strong Mayor form of government.

Tennant read the definition for a Council/Manager form of government and asked if everyone agreed that was how the City was currently operating.

Fritz agreed, but noted that was not how it was described in the Charter.

Brooks described the various forms of government. (Council/Manager, Strong Mayor, Weak Mayor) He did not feel that the City operated as a Strong Mayor form of government. And, he added that he was comfortable operating as a Council/Manager form of government.

Lenox disagreed with Fritz and Brooks. He said a Strong Mayor form of government was described completely different than what the City Charter described. He gave the City of Atlanta as an example of a municipality with a Strong Mayor form of government. He felt that the responsibilities given to the Mayor in the Charter were described in a manner that indicated he was carrying out the will of Council and that Council served as both the executive and legislative functions of the City.

Brooks felt Lenox was describing a Weak Mayor form of government, but stated the City was actually operating as a Council/Manager form of

government.

Fritz said she wanted the Charter to be amended to reflect a Council/ Manager form of government. She also asked that the title of Chief Administrative Officer be changed to City Manager throughout the document.

Lindsey was instructed to draft up an amendment that would designate a Council/Manager form of government using sample ordinances from GMA and ICMA. He was also instructed to contact the GMA regarding the procedures to forward the amendments to the General Assembly.

Section 9. Date of municipal general election; election of Mayor and council, post designation; assuming office; term and oath

Lindsey recommended that the oath of office should be amended. Council agreed.

Discussion also took place concerning the intent of term limitations for the Mayor and Council. Lenox said it concerned him because it was not clear as to whether or not he could run for a Council seat after serving two terms as Mayor. Brooks said when Council adopted term limitations, it was very clear that after serving two terms as a Councilmember or Mayor, the individual could serve in the alternate position. However, he said it was not intended to allow Councilmembers to serve as a Councilmember with an alternate post after serving two terms. Lindsey was instructed to clarify the section as Brooks described.

Section 10. Filling vacancies on Council

Lindsey was instructed to provide procedures for the selection process to fill vacancies on Council.

Section 11. Declaration of vacancy in office of mayor and Councilman.

Council discussed this section and did not recommend any changes.

Section 12. Compensation of Mayor and Council as fixed; expenses of office allowable

Discussion took place concerning whether or not expenses should be capped, and ultimately Council did not recommend a change. However, Lindsey was instructed to modify the section to reflect the actual pay schedule.

Section 13. Organization of Council; mayor pro tem; provision mayor pro tem

Lindsey was instructed to remove the following sentence from this section: "In case neither the Mayor nor Mayor Pro tem can attend to or discharge the duties of mayor, whatever the cause, the City Council shall elect a provisional Mayor Protem to act until a Mayor or Mayor Pro tem can act, from its membership, who shall take the same oath and be clothed with all of the rights, power and authority of Mayor until a Mayor or Mayor Pro tem can act.

Section 14. Appointment of officer by council; removal; salaries as fixed

Council discussed the appointment of various positions. Lindsey was instructed to change this section so that appointments do not have to be made once a year. He was also instructed to add the City Attorney and City Auditor to the section.

Lenox felt the City Manager should determine the employee structure and appointments of employees. He felt the employee structure varied among cities. He did not feel the City Clerk's position should be politicized.

Brooks agreed and gave examples of other cities that have appointed the Manager as the City Clerk. Fayette County and the City of Fayetteville were two examples, but recently the County changed its structure. He felt it was easier for the County to change the employee structure because there was a vacant position. He said it was difficult for the City to change the structure because there were people and various personalities currently in those positions. He felt that having the City Clerk report to the Finance Director was an illogical system that was put in place to accommodate personalities. He felt the City Clerk may need to report to the City Manager, but agreed that it may be somewhat problematic for the City Manager.

Tennant said he was trying to be very objective. He agreed with the Mayor's remarks that the position should not be politicized, but he felt placing the City Clerk's position under the City Manager, with the understanding the removal could only be accompanied by the consent of Council, might de-politicize the situation because it would eliminate the potential for misinterpretation of duties.

Lenox said Council had never had a public discussion about the reporting structure, job duties or personality of any other employee. He said no part of the City's personnel process had ever been subjected to this type of political discussion. He said he had spent more time talking about this relatively simple

problem in the last three months than he had spent in his entire nine years talking about every other position within the city. He said Council should not have to do that and that he felt there was a very simple solution, and that was to appoint the City Manager as the City Clerk. He said the City Manager manages all of the employees of the City and was the person he held responsible for making sure that laws are followed and that the City complies with open records and meetings. He said it should be up to the City Manager to control the resources and the people to make sure the job gets done.

Fritz said she had attended a class on the Clerk's Role with City Council. She said after all the research she had done and her understanding of the duties and functions of the Clerk, she strongly felt that the City Clerk should be appointed by Council and terminated by Council, but that she could report to the City Manager. She said the Clerk does not need to report to Council on a daily basis, but that it was her duty to ensure that the legislative process occurs as it is supposed to occur. She said the Clerk was not there to undermine the manager, but in fact, she should be considered a golden asset to the manger.

Brooks agreed with Fritz to some extent. But, he felt it could be looked at from a different prospective. If the City Manager were responsible for evaluating the Clerk's job performance, he would have a certain amount of control. He said one of the things that had not been mentioned was that were state statutes that required Council to appoint a City Clerk. He said they could literally stick the Clerk out there on her own, but that one of the most important things he has been told by other clerks is that the City Clerk should be viewed as a team player and part of the staff. So, he felt the Clerk should be working with the administration.

Lenox said he felt the statutory requirements imposed by the State went back to a different era that the ideal situation would be to appoint the City Manager as the City Clerk because it would be simple, neat, clean, solved management structure problem, and still leave the Council in the position to receive the expertise that a trained City Clerk can offer.

Fritz said she absolutely disagreed.

Tennant said for clarification purposes he felt that they all agreed that the City Clerk position should in fact report to the City Manager. He said the only assessment the needed to make was how to protect the public's interest. He said by doing so, he did not feel it would undermine the day-to-day activates of the City Manager.

Fritz said that was what the whole issue was about.

Lenox said it did not have to undermine the City Manager, but there was the potential that it could. He felt the Council should create a structure where good performance is not reliant upon the personalities of the people who hold the particular jobs or the personalities of the people on Council. He said by appointing the Chief Administrative Officer as the City Clerk, they would totally eliminate any possibility of personalities from having anything to do with it.

Fritz said that if the City Manager was appointed as the City Clerk there could be the potential for a total disaster. She said that she was not saying Mr. Basinger.... (interrupted by Lenox)

Lenox asked why there would be a potential for total disaster?

Fritz said she would talk to Lenox about it later. Lenox asked why? Fritz said because she knew some things she was not supposed to know. She said if there was a situation where the City Manager was also the City Clerk...(interrupted by Basinger)

Basinger said he felt he had a right to know what some of those things were that Fritz said she was not supposed to know.

Fritz said she often had a problem with Basinger taking her comments personally. She clarified that her comments were not directed at him or his personality. She said she was talking about the structure of the positions of the City Manager and the City Clerk with the personalities removed.

Basinger felt there was an insinuation that the things she knew were about him. She said there was no insinuation. Brooks asked Fritz why she couldn't make her comments public if she was just talking about structure? He felt she had surprised about 25 people.

Fritz explained her position by reading the following statement, which she asked to be included in the minutes verbatim:

It was at my recommendation that this governing body take a look at our City Charter and ordinances pertaining to that Charter. The current charter as written, has served this City well, and allowed the flexibility needed for this City to grow. Many things have changed since the time this City Charter was legislated. The most obvious change is the population size. With that growing population come growing demands from our constituents, which I feel our current charter does not address.

When I was elected and went to Newly Elected Officials' school, a course that is required by law in this state, I was given a handbook titled "Handbook for Georgia Mayors and Council members." In this book, it discusses many things, including government structure.

I asked the Mayor and Mr. Basinger what form of government we were, and I was told we were a Council/Manager form of government. So I looked up our City in this book, and it says we are recognized as a "general management" form of government, of which I have not found much information. Then I read the Charter again. It is my view that we are a variation of the Strong Mayor form of government. I believe it is very important to clearly establish what form of government we are, so that we are best able to determine staffing requirements, and establish an effective management structure within City Hall. In turn, we will be able to serve the citizens of Peachtree City, as well as give them a sense that City Council and City Government works for them.

The responses and opinions I have received from speaking to many people about this issue during my endeavor to research this issue, have been very interesting. I have spoken with attorneys, citizens, and other elected officials inside and out of Peachtree City to validate, or invalidate my concerns. I also attended a Clerk's class, which validated my understanding of the role of the City Clerk.

Eighteen months ago, the City Clerk presented Council information about the role of a City Clerk in government, and asked us to clarify her job duties. The information provided to us explained how the legislative and administrative components of local government are separated. Each component has distinct areas of responsibility and accountability. For instance, the Mayor and Council are directly accountable to their constituents to protect their health, safety and welfare. Council has the legislative duty to translate the needs and expectations of their constituents into city ordinances and policies, and to specify the types and levels of city services that should be provided. The City Manager is accountable to the City Council and is responsible for providing those city services and carrying out Council's legislative policy and direction. In essence, policies and services of our government are formulated and promulgated (make known to the public, disseminate, proclaim) by legislature while the implementation of such are carried out by the administration. It is important that the responsibilities of these separate components of government be kept separate and distinct and neither should interfere with the prerogative (right or privilege) of the other. Given this setting, it is necessary to structure our government so that the City Clerk serves as a link between the separate legislative and administrative components of government. The Clerk should record and promulgate the Mayor and Council's directions and should administer and protect the processes for bringing forth legislative direction and action. It is prudent and wise to structure our government so that the City Clerk is impartial and unbiased to provide guidance and ensure the integrity of our legislative process. This cannot be achieved if the City Clerk is directed and controlled by the administration, because administration is not impartial nor unbiased. The administration has goals and objectives to influence and question legislative policy and direction. Therefore, if the Clerk is controlled by the administration, communication between the City Clerk and the Council could become stifled and the integrity of legislative process could be jeopardized.

It is my opinion, after the research I have done, that we should operate as the Council/Manager form of government. This is the form of government I was told we were when I was elected. Should this body, because of time restraints be unable to submit a change to legislature, or, along with our citizens instead choose to remain a Strong Mayor form of government, the organizational charts of all these forms of government to be discussed, show the City Clerk position as an appointed position along side of the City

Attorney and Auditor positions. It is the norm for the City Clerk to work closely with the City Attorney and City Manager, and City Council when called for. While we should operate in a business like manner, the one thing we are NOT, and will never be, is a private corporation. Government becomes dysfunctional when they attempt to operate as such. We are a public service.

Our Federal, State, and local governments are all established with checks and balances. I was told some people find the term "checks and balances" offensive. That absolutely amazed me, and as I have given that serious thought, it struck me as very odd. As an elected official, I welcome having checks and balances in place to protect the Citizens of this country, as well as the protection it provides for elected officials at all levels of government. One of those forms of checks and balances is the placement of a City Clerk within the structuring of City Hall Offices. The function of this clerk is to protect the legislative process, which in essence, is the integrity of Council. The Clerk ensures that the legislative process, policies and procedures are followed, along with ethics. The Clerk is a neutral party to the process. The Clerk is NOT a spy or informant, but an unbiased representative. However the Clerk can be rendered ineffective if the Clerk is directly hired and fired by the City Manager. Which is why, in my opinion, it is necessary that this appointment be made by Council, terminated by Council, with the Clerk reporting directly to the City Manager, and to Council when directed by Council or the City Manager

Should the Manager and Clerk be one and the same person, checks and balances are nullified. However, this is common in small towns where either the budget or the population cannot support the position being separate. Checks and balances are in place to ensure public trust, protect the integrity of government, in this case, Council, and at the end of the day, ensure a smooth running government, which has the full confidence of the citizens.

Brooks said he did not see any reason why she could not have made those comments public. He said he agreed with her other than the point of whom the City Clerk should work with. He said their government was only as honest, good and efficient as the people who were in place to run it. He said if the City Manger wanted to play games, he would be able to do so regardless of whom the City Clerk reported to. He added that the City Manger would still have a certain level of control by evaluating the City Clerk's job performance. He said the City needed honest people with integrity working for them.

Fritz felt the Council did have such people working for them.

Taking into consideration that the State mandates the appointment of a City Clerk, Brooks suggested that, in order to protect the integrity and dignity of the people involved, the City Clerk should work for the City Manger as opposed to appointing the City Manger as the City Clerk. He also suggested that a written policy be established to provide guidelines for the City Manager's directives and evaluation of the City Clerk and to establish guidelines that would prevent the City Manager from being undermined. He said the position of City Clerk

should be de-politicized. He also suggested a provision be added to the Charter that would protect the City Manager by restricting Council's interference with administration.

Lenox felt Fritz's comments described the system used in Russia. He said every significant operation in Russia had an appointed political officer whose job was to be completely separate from the management structure and report back to the legislative body to ensure them that everything was being done properly and politically. They were not concerned with whether or not the management was achieving their goals, but that they were operating politically. He said that was the last thing he wanted for the City, but he did not have a problem with a compromise.

Tennant felt that Fritz's comments indicated that the City in fact has a Strong Mayor form of government, but they had all agreed that they were operating as a Council/Manager form of government. He said the Mayor did not have any more power than what was in the Charter.

Brooks said Fritz had eluded that there was something bad that she could not talk in public, but he pointed out there was nothing there.

Brooks asked Lindsey if he understood how they wanted the Charter to be changed. Lindsey said that he did and suggested that since they were past the time that Lenox had allocated for the discussion, he would draft the revisions and get it back to them. He said the remaining sections were routine and he felt he could make the changes housekeeping changes that were needed.

Lenox made a motion to adjourn into Executive Session to discuss a real estate matter. Tennant seconded the motion. Motion carried unanimously.

EXECUTIVE SESSION

In accordance with the Open Meetings law **50-14-3 (4)**, the minutes of this discussion and action taken will be made public once the subject matter has been concluded.

Attest: _____ Robert L. Lenox Mayor

Nancy Faulkner, City Clerk

BUILDING DEPARTMENT **2000 MONTHLY REPORTS**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	2000 YEAR-TO-DATE	1999 YEAR-TO-DATE
DEVELOPMENT PERMITS:	12	21	14	17	12	11	9	12	14	10	21	6	159	309

BUILDING PERMITS:														
Single Family Residential	14	11	11	14	10	8	5	16	12	3	17	8	129	264
Multi-Family Residential	0	0	0	0	399	0	0	0	0	0	192	0	591	0
Misc.-Pools/fences/additions	45	69	85	72	68	85	45	61	52	42	38	43	705	684
Commercial/Industrial	8	5	13	15	7	11	4	11	8	17	14	23	136	116

TOTAL INSPECTIONS:	454	400	420	439	482	367	437	488	291	425	416	726	5,345	8,847
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CERTIFICATE OF OCCUPANCY:														
Residential	11	17	20	18	16	16	16	19	8	11	11	5	168	301
Commercial	3	2	4	1	1	2	2	2	1	4	2	2	26	18
Multi-Family Residential	0	0	0	0	0	0	0	0	0	0	0	0	0	6

CODE ENFORCEMENT:														
Complaints	264	241	356	285	545	564	485	417	240	317	298	228	4,240	3,692
Warning	297	250	425	244	470	353	258	339	366	405	332	244	3,983	4,245
Stop Work Orders	2	4	10	6	4	8	5	4	5	3	6	3	60	66
Citations	0	2	1	1	2	0	1	4	4	2	0	2	19	39

PERMIT FEES COLLECTED:	15,942	19,967	21,656	35,629	68,857	66,772	20,975	28,954	56,212	53,978	22,158	29,729	440,829	327,368
POPULATION: Based on 2.9 of completed occupancy	33,340	33,392	31,580*	31,633	31,679	31,725	31,771	31,826	31,849	31,881	31,913	31,928	31,928	33,306

*Revised to reflect
2000 Census figures

Financial Services Monthly Report

STATUS OF FUNDS AS OF DECEMBER 30, 2000									
Fund	Cash		Total		Total Fund		YTD		MTHLY % INC/(DEC)
	Balance	Investment	Balance	Interest	Balance	Interest	Balance	Interest	
General Fund	\$58,361	\$3,204,999	\$3,263,360	\$29,563	\$3,263,360	\$29,563	1,881	1,994	-5.67%
Land Reserve Fund	\$166,703	\$0	\$166,703	\$5,890	\$166,703	\$5,890	203	210	-3.33%
Library Sales Tax Fund	\$47,256	\$0	\$47,256	\$372	\$47,256	\$372	32	38	-15.79%
Public Improvement Fund	\$43,000	\$3,674,895	\$3,717,895	\$44,004	\$3,717,895	\$44,004	92	95	-3.16%
Police Station Lease	\$0	\$1,151,638	\$1,151,638	\$17,434	\$1,151,638	\$17,434	222	331	-32.93%
Self Insurance Fund	\$1,134,922	\$531,598	\$1,666,520	\$5,316	\$1,666,520	\$5,316	2,194	2,386	-8.05%
Debt Service Fund	\$10,057	\$0	\$10,057	\$143	\$10,057	\$143	26	29	-10.34%
Bond Fund	\$0	\$0	\$0	\$0	\$0	\$0	9	18	-50.00%
Municipal Court Fund	\$35,653	\$0	\$35,653	\$385	\$35,653	\$385	65	118	-44.92%
Develop & Impact Fees	\$87,656	\$346,486	\$434,142	\$6,854	\$434,142	\$6,854	\$1,219,876	\$868,053	40.53%
Collateral Analysis as of December 30, 2000									
Security Location	Bank		Total Held						
Bank of New York	First Union		\$9,752,824						
Bank of New York	Peachtree National		\$3,122,728						
			\$12,875,552						

General Fund Budget Comparison									
Expenditures by Division YTD									
Division	2001 Budget	Actual YTD	Difference	%					
Administrative	\$1,389,436	\$238,231	\$1,151,205	17%					
Developmental	\$760,849	\$176,298	\$584,551	23%					
Finance	\$496,238	\$106,747	\$389,491	22%					
Leisure Services	\$2,769,398	\$707,231	\$2,062,167	26%					
Public Safety	\$5,089,823	\$1,208,656	\$3,881,167	24%					
Public Works	\$2,178,935	\$477,995	\$1,700,940	22%					
Trfr to PCDA/PCAA	\$449,321	\$124,360	\$324,961	28%					
Confiscated Funds	\$10,188	\$3,500	\$6,688	34%					
Council Cont. Res.	\$700,000	\$58,942	\$641,058	8%					
Land Acquisition	\$161,221	\$0	\$161,221	0%					
Library Sales Tax Fund	\$58,238	\$11,929	\$46,309	20%					
Youth Sports Scholar	\$7,061	\$0	\$7,061	0%					
Transfer to PIP	\$2,813,227	\$2,349,992	\$463,235	84%					
Transfer to Self Ins	\$1,199,157	\$1,199,157	\$0	100%					
Total	\$18,083,092	\$6,663,037	\$11,420,055	37%					

Summary of Major Expenditures by City Manager									
Description	Budget	Award	Svgs/Short	Date					
MacDuff Pkwy Pole	\$11,783	\$11,783	\$0	12/12/00					
Holly Grove Landscape	\$42,349	\$17,330	\$25,019	12/13/00					
Wynn Conn Landscape	\$20,000	\$15,941	\$4,059	12/14/00					
Police Station Furniture	\$35,000	\$34,859	\$141	12/27/00					

Revised

BUILDING DEPARTMENT

2001 MONTHLY REPORT

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	2001 YEAR-TO-DATE	2000 YEAR-TO-DATE
<u>DEVELOPMENT PERMITS:</u>	15	9	38	22	44	14	20	15	18				195	122
<u>BUILDING PERMITS:</u>														
Single Family Residential	12	10	25	14	27	18	20	11	14				151	101
Multi-Family Residential	0	0	0	0	0	0	0	0	0				0	399
Misc.-Pools/fences/additions	33	40	55	64	74	61	78	52	51				508	582
Commercial/Industrial	15	12	29	4	8	9	10	8	8				103	82
<u>TOTAL INSPECTIONS:</u>	838	789	749	551	555	686	631	899	700				6,398	3,778
<u>CERTIFICATE OF OCCUPANCY:</u>														
Residential	10	12	17	8	12	16	11	15	24				125	141
Commercial	2	7	16	15	6	8	2	6	4				66	18
Multi-Family Residential	69	35	0	0	0	83	0	212	0				399	0
<u>CODE ENFORCEMENT:</u>														
Sign Violations	84	46	152	97	166	187	171	113	87				1,103	0
Rehab	16	11	13	31	18	13	13	2	1				118	0
Notice of Violations	282	195	234	376	260	282	240	233	194				2,296	3,002
Citations *	1	2	2	4	4	0	0	4	36				53	15
Stop Work Orders	7	3	4	12	7	5	5	1	7				51	48
Complaints From Citizens	14	8	13	25	29	6	16	5	16				132	3,397
Assessments	135	176	115	294	79	58	61	4	1				923	0
<u>PERMIT FEES COLLECTED:</u>	21,956	30,692	47,309	16,939	23,856	33,109	32,766	36,149	37,036				279,812	334,964
<u>POPULATION:</u> Based on 2.9 of completed occupancy	32,158	32,294	32,343	32,366	32,401	32,688	32,720	33,378	33,448				33,448**	31,849**

*35 citations to AT&T Broadband

**Adjusted to reflect
2000 Census figures

CRIME REPORT - DECEMBER 2000

PART I CRIMES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YTD 2000	YTD 1999
MURDER	0	0	0	0	0	0	0	0	0	0	0	0	0	0
RAPE	0	0	0	0	1	0	0	0	0	0	0	0	1	1
ROBBERY	0	1	0	0	0	0	0	1	0	0	1	0	3	2
AGGRAVATED ASSAULT														
ARSON	0	3	1	0	1	0	1	0	0	0	0	0	6	8
AUTO THEFT	0	0	0	0	0	1	0	0	0	0	0	0	1	0
THEFT	2	0	1	7	10	5	21	4	4	1	2	0	57	29
BURGLARY	11	18	16	18	29	18	10	21	17	19	10	9	196	250
TOTAL PART I CRIMES	0	2	1	1	2	0	0	2	1	3	1	3	16	19
ALCOHOL/DRUG ARRESTS	13	24	19	26	43	24	32	28	22	23	14	12	280	309
DUI - TOTAL	19	16	14	6	13	18	17	9	14	14	15	16	171	143
DUI - ADULT	14	14	13	4	10	17	16	8	12	11	10	15	144	116
DUI - UNDERAGE	5	2	1	2	3	1	1	1	2	3	5	1	27	27
OTHER UNDERAGE														
ALCOHOL ARRESTS	7	25	24	8	7	27	25	14	14	5	7	7	170	148
DRUG ARRESTS	10	12	14	8	16	9	8	7	8	12	5	12	121	108
ARRESTS														
PROPERTY CRIMES	7	5	4	4	8	10	4	14	9	9	11	8	93	95
PERSON CRIMES	4	7	8	5	6	4	7	5	9	5	4	4	68	54
CITY ORDINANCES	41	48	51	44	59	60	42	67	29	45	59	43	588	421
*OTHER	126	145	127	89	135	162	126	109	99	65	133	80	1396	1324
ADMINISTRATIVE AVERAGE RESPONSE TIME	5.15	5.35	5.31	5.45	5.49	5.38	5.28	5.31	5.31	5.18	5.13	5.19	5.29	3.86
CALLS ANSWERED	3595	3637	5133	4965	5134	4957	4765	4890	4693	4966	5705	5095	57,535	33,224
TRAFFIC														
CITATIONS ISSUED	673	604	576	441	634	722	711	597	692	674	738	727	7789	6843
WARNINGS ISSUED	611	443	403	256	558	594	535	499	593	483	603	639	6217	4698
ACCIDENTS - TOTAL	60	63	85	69	71	82	67	59	62	86	107	99	910	1016

TOP 5 ACCIDENT LOCATIONS - MONTH TOTAL

1. HWY 74/CROSSTOWN DR. 8
2. HWY 54/PEACHTREE PARKWAY 7
3. HWY 54/WYNNMEADE PARKWAY 4
4. HWY 74/SENOIA ROAD 4
5. HWY 54/HWY 74 3

TOP 5 ACCIDENT LOCATIONS - YEAR TOTAL

1. HWY 54/HWY 74 62
2. HWY 74/CROSSTOWN ROAD 44
3. HWY 54/PEACHTREE PARKWAY 40
4. HWY 54/WALTBANKS RD. 30
5. HWY 54/HUDDLESTON DR. 18

2000 Monthly Report Fire/EMS Department

Fire/Accident Calls	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	2000 Y-T-D	1999 Y-T-D
Fire/Accident Calls														
Residential	4	1	2	2	0	2	4	0	0	2	5	4	26	25
Business/Industrial	1	0	2	1	0	1	0	0	1	1	1	3	11	8
Other	109	91	116	109	107	112	110	90	110	99	116	116	1285	1223
Total Engine Response	114	92	120	112	107	115	114	90	111	102	122	123	1322	1256
Dispatched Fire Calls	59	33	51	41	34	48	60	36	42	46	43	42	535	528
Response Time Fire	4:44	4:47	4:06	4:44	4:34	4:15	3:59	4:43	4:30	4:25	4:11	4:15	4:23	4:31
Rescue/EMS														
Trauma	46	57	55	65	79	84	74	61	55	91	65	72	804	818
Medical	78	86	83	65	85	73	86	75	85	65	78	107	966	934
Total # Patients	124	143	138	130	164	157	160	136	140	156	143	179	1770	1752
Patients Transported	78	77	77	60	83	80	68	59	74	70	77	85	888	927
Dispatched EMS Calls	113	127	128	109	145	125	131	119	128	114	128	157	1524	1403
Total Medic Response	155	149	151	146	186	182	182	153	163	174	167	204	2012	1698
Dispatched Fire/EMS Total	172	160	179	150	179	173	191	155	170	160	171	199	2059	1931
Response Time EMS	4:16	3:50	4:23	3:52	4:17	4:03	4:13	4:16	4:05	4:14	4:24	4:03	4:03	4:10
EMS BILLING														
Patients Billed	93	76	73	49	59	112	40	89	62	64	76	62	855	905
Revenue Generated	19,699	15,463	15,140	9,473	11,872	23,452	8,402	18,380	12,737	21,840	26,725	23,080	206,263	182,607
*Total Revenue Received	22,905	17,874	13,958	8,541	10,558	15,936	6,809	13,733	6,835	8,753	8,054	2501	136,457	138,866

*Revenue Received On All Outstanding Patient Accounts

LEISURE SERVICES MONTHLY REPORT 2000

Adult Athletics figures revised for 2000

ACTIVITY DESCRIPTION	UNIT	January	February	March	April	May	June	July	August	September	October	November	December	2000 Year to Date	1999 Year to Date
LIBRARY															
1. Books Circulated	Nun.	10,975	11,907	12,831	11,356	13,091	17,277	15,804	14,175	13,528	14,102	12,755	9,496	157,337	284,337
2. Average Daily Traffic															
a. Monday - Saturday	Nun.	539	623	565	520	507	626	633	512	506	555	523	408	539	555
b. Sunday	Nun.	288	385	423	289	222	205	220	209	313	349	367	350	286	318
3. Story Time Participants	Nun.	85	150	182	185	174	1,015	975	0	91	215	144	50	3,266	3,067
4. Revenue from Overdue Books	Dis.	313	1,128	1,450	1,456	1,747	1,349	1,348	1,741	1,496	1,462	1,648	1,310	16,448	15,384
5. Revenue from Copy Machine	Dis.	465	1,105	1,492	540	564	378	349	312	603	920	879	605	8,212	9,192
6. Reference Assistance	Nun.	842	976	958	1,015	987	960	871	827	1,496	1,456	1,213	1,053	11,178	9,953
7. Internet Usage	Nun.	754	837	833	867	978	1,021	1,045	1,250	936	725	728	825	12,803	5,016
8. Renewals by Phone	Nun.	756	812	832	918	902	780	642	897					9,753	9,575
*FY99 Circulation totals skewed due to glitch in old AS400 system.															
RECREATION															
Leisure Programs															
1. Adult Athletics															
a. Ongoing Programs	Nun.	1	1	2	2	2	2	2	2	3	2	2	2	23	26
b. New Programs	Nun.	0	0	0	0	1	1	0	0	0	1	1	0	4	2
c. Participants	Nun.	285	285	1,215	1,122	1,217	570	910	845	845	428	428	315	8,465	9,924
d. Revenues	Dis.	0	0	28,074	35	0	1,764	12,581	0	14,365	0	1,557	0	58,376	56,892
e. Expenses	Dis.	146	32	6,799	4,387	3,939	12,842	3,849	1,183	10,965	1,058	7,170	1,060	53,430	49,275
f. Refunds	Dis.	0	0	0	675	0	0	533	0	0	0	39	0	1,247	975
g. Balance (+ or -)	Dis.	-146	-32	21,275	-5,027	-3,939	-11,078	8,200	-1,183	3,400	-1,058	-5,652	-1,060	3,700	\$6,642.00
* Some figures for Jan/Feb were erroneously reported as Adult Athletics as well as Classes.															
RECREATION															
Leisure Programs															
1. Classes/Programs															
a. Classes/programs	Nun.	99	98	96	102	103	100	96	68	106	112	107	97	1,184	1,193
b. Participants	Nun.	2,055	2,139	3,794	2,143	2,562	1,189	1,715	2,237	2,891	3,784	2,498	1,153	28,169	20,510
c. Revenues	Nun.	16,503	17,753	24,016	18,520	17,217	34,298	19,284	6,566	18,945	26,837	19,909	18,249	238,093	213,774
d. Expenses	Dis.	12,908	13,460	19,088	14,629	13,395	25,466	16,053	5,148	14,994	21,063	15,787	14,304	186,296	168,831
e. Refunds	Dis.	180	777	64	11	0	255	513	60	276	212	35	79	2,462	965
f. balance (+ or -)	Dis.	3,415	3,516	4,863	3,880	3,822	8,576	2,717	1,358	3,674	5,562	4,087	3,866	\$49,335.16	\$43,977.24
2. Special Events															
a. Events	Nun.	0	0	3	7	6	2	1	1	2	5	2	2	31	32
b. Participants	Nun.	0	0	493	1,045	76	6	10,000	3,000	6,825	510	20	1,000	22,975	23,782
c. Revenues	Dis.	0	0	25	0	0	1,500	255	895	0	220	0	359	3,254	5,846
d. Expenses	Dis.	0	0	220	1,541	385	175	0	5,125	24	215	110	162	7,937	9,441
e. Refunds	Dis.	0	0	25	0	0	0	255	175	0	0	0	0	455	185
f. balance (+ or -)	Dis.	0	0	-220	-1,541	-365	1,325	0	-4,405	-24	5	-110	197	(\$5,138.00)	(\$3,779.95)
Sports and Facilities															
1. Playing Surface Mowing	Hrs.	0	112	239	315	260	253	287	317	335	334	132	51	2,635	2,672
2. Playing Field Preparation	Hrs.	339	650	697	518	552	528	252	448	528	350	136	154	5,192	4,565
3. Building Maintenance	Hrs.	240	199	168	32	80	112	64	128	136	64	64	320	1,607	1,571
4. Parks/Pools/Tennis Courts															
a. Safety Inspections	Nun.	0	0	0	0	40	40	40	40	32	32	32	32	288	116
b. General Repairs/Maint.	Hrs.	292	210	100	48	64	64	24	24	24	16	24	254	1,144	1,715
c. Grounds/Landscape Maint.	Hrs.	308	176	96	0	48	64	48	48	32	32	48	282	1,182	1,697
5. Litter Removal	Nun.	128	128	128	128	88	56	104	128	112	112	112	116	1,340	1,522
6. Vandalism Repairs	Dis.	0	0	0	0	0	0	0	0	73	0	0	0	73	71
7. Complaints Answered	Nun.	0	0	0	0	0	0	0	0	0	0	2	1	3	13
Please Note: Facility Manager's figure for August will be added to September's report.															

PERSONNEL DEPARTMENT

2000 MONTHLY REPORT

REPORT PERIOD	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	2000 YTD TOTAL	1999 YTD TOTAL
1. Authorized Permanent Positions	211	211	211	211	211	211	211	211	211	223	223	223	223	210
2. Positions Open	16	13	11	12	11	10	10	11	12	18	16	19	-----	-----
3. Workers Comp. Claims Filed	3	5	0	3	3	1	4	4	11	3	6	3	46	30
4. City Veh./Equip. Accidents	1	0	0	0	0	3	3	2	0	1	1	3	14	13
5. Health Insurance Claims	\$51,319	\$101,195	\$92,721	\$76,285	\$(3,446)	\$100,460	\$(54,830)	\$3,853	\$60,530	\$(5,522)	\$155,325	\$105,363	\$683,253	\$551,465
6. Law Suit Legal Fees	\$598	\$646	\$18,378	\$188	\$1,679	\$170	\$-	\$4,706	\$4,817	\$1,065	\$4,482	\$3,360	\$40,090	\$6,869

- Police Officer/Police (4); Police Captain/Police (1); Assistant Building Official/Building (1); Building Inspector/Building (1); Maintenance Technician I/Public Works (5); Maintenance Technician I/Recreation (2); Parks Monitor/Recreation (1); Fire Chief/Fire (1); Staff Assistant/Fire (1); Youth Services Librarian/Library (1); Court Clerk CSR II/Admin (1).
- Maintenance Technician struck leg on truck hitch (1) Public Works; Police Corporal struck on bridge of nose during training exercise (1) Police; Firefighter/Paramedic missed step of ambulance and sprained ankle (1) Fire.
- Police Corporal attempting U-turn, struck by another vehicle causing damage to front end of patrol car (1) Police; Police Sergeant backed into dumpster and damaged bumper of patrol car (1) Police; Police Officer scuffed bumper of patrol car on guard rail while making a turn (1) Police.
- Balance remaining in health insurance account: \$545,227.58.
- Wimbush \$715.00; O'Keefe \$2,580.22; Pathways \$65.00.

* Excess insurance reimbursement was greater than claims expense during month.

2000 MONTHLY REPORT
PUBLIC SERVICES DIVISION

Activity Description	Unit	1999													
		January	February	March	April	May	June	July	August	September	October	November	December	YEAR-TO-DATE	YEAR-TO-DATE
CART PATHS															
1. Const./Reconst./Overlay	Ft.	50	0	2,086	560	2,710	0	3,415	50	0	0	0	8,871	17,200	1999
2. Drainage Maintenance	Hrs.	83	105	113	114	40	83	60	102	150	173	98	1,222	938	
3. General Maintenance	Hrs.	180	414	361	114	143	61	83	306	129	200	301	2,337	2,388	
4. Mowing	Hrs.	0	0	0	135	171	144	75	233	106	30	1	895	1,104	
5. Litter Removal	Hrs.	68	45	90	53	30	75	64	60	30	68	75	688	850	
FLEET MANAGEMENT															
1. Equipment Maintenance	Hrs.	43	39	43	12	15	19	3	83	26	35	15	338	249	
2. Equipment Repairs	Hrs.	121	171	154	167	128	152	113	203	108	142	148	1,777	1,802	
3. Vehicle Maintenance	Hrs.	76	118	133	104	133	177	108	108	157	90	193	1,401	1,163	
4. Vehicle Repairs	Hrs.	237	256	283	229	243	213	210	172	192	256	171	2,503	2,977	
5. Fleet Down Time	Hrs.	482	542	620	521	526	563	441	573	490	542	512	6,304	10,263	
GROUNDS															
1. Litter Removal	Hrs.	321	257	464	380	217	325	347	349	282	352	406	4,063	5,079	
2. Right-of-Way Mowing	Hrs.	0	0	331	653	945	792	653	1,073	600	368	75	5,490	5,174	
3. General Maintenance	Hrs.	874	752	797	431	445	552	462	302	300	375	602	6,508	6,709	
LANDSCAPE															
1. Litter Removal	Hrs.	20	32	70	68	102	115	164	118	48	100	53	958	739	
2. Mowing (Sub. Entrances)	Hrs.	0	0	226	625	780	624	647	900	729	731	303	5,682	4,377	
3. General Maintenance	Hrs.	657	689	544	264	196	135	143	231	249	172	719	4,182	2,541	
4. Planting	Hrs.	100	0	0	23	0	53	0	0	24	108	153	461	681	
RECYCLING SITE															
1. City Employees Hours	Hrs.	151	110	69	142	66	59	111	120	120	106	94	1,238	1,435	
2. City Employees Salaries	Dis.	1,188	866	544	1,120	528	472	888	960	960	1,060	1,516	11,574	12,809	
3. Revenues	Dis.	731	515	740	754	573	644	589	474	537	618	488	7,203	7,360	
4. Participants															
a. Recycling	Num.	546	659	570	680	892	611	748	628	585	736	753	7,632	8,025	
b. Composting	Num.	1,296	1,084	1,159	1,446	1,625	1,003	1,061	1,062	1,129	1,208	1,054	13,530	12,976	
c. Mulch (Pick Up)	Num.	68	112	187	261	361	254	178	118	229	268	175	2,240	1,591	
SIGN MAINTENANCE															
1. Building Maintenance	Hrs.	20	21	23	20	22	22	21	19	20	22	20	250	255	
2. Subdivision Sign Maintenance	Hrs.	81	102	172	93	87	79	70	58	72	76	78	1,045	936	
3. Traffic Sign Maintenance	Hrs.	148	143	82	141	162	130	143	151	149	165	170	1,748	1,716	
STREETS															
1. Street Sweeping	Hrs.	8	40	16	70	55	0	8	47	56	4	31	351	394	
2. Pavement Patching	Hrs.	0	213	147	154	0	670	154	60	307	248	401	2,407	1,500	
3. Drainage Maintenance	Hrs.	0	102	210	117	128	128	90	113	467	203	279	2,029	2,112	
4. General Maintenance	Hrs.	576	356	399	258	199	174	79	539	286	433	304	3,987	4,088	
MISCELLANEOUS															
1. Vandalism	Dis.	139	79	161	89	81	79	57	93	121	71	106	1,076	1,137	
2. Complaints Answered	Num.	90	38	24	34	29	22	24	37	31	18	16	375	445	
3. Wash Police Cars	Hrs.	8	83	68	15	38	0	18	9	0	6	15	262	360	
December															

December

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: Brad Williams, System Administrator *BW*

VIA: Jim Basinger, City Manager *[Signature]*
Paul Salvatore, Director of Financial Services *P-S-*

DATE: 1-25-2001

SUBJECT: Awarding of bid for new computers and printers for Police Department

The City recently solicited bids for new computers and printers for the new Police station. After examining the 12 sealed bids from a variety of local and national vendors, the choice was narrowed down to the lowest bids:

GINSTAR COMPUTERS	Norcross, GA	\$43,090.00
LOGISYS CORP.	Milpitas, CA	\$41,675.00

It is our recommendation that the bid be awarded to **GINSTAR COMPUTERS** of Norcross, GA. While the Logisys Corp. bid is slightly lower, the City has an established relationship with Ginstar of more than four years, and almost every computer currently in use was purchased from Ginstar. Also, if the need for warranty work arose, Ginstar is located in Norcross, GA, as opposed to Logisys in California where shipping and high turnaround times would be expected. The City has never conducted business previously with Logisys, and staff does not feel the nominal price difference in the two bids warrants the potential risks associated in choosing Logisys. The City's past experience with Ginstar Computers has been very positive, and we believe purchasing from Ginstar would be the best overall value and in the best interest of the City.

The budget for this equipment in the new Police station is \$50,000, so sufficient funding exists for the purchase amount of \$43,090.00.

**CITY OF PEACHTREE CITY
BID TABULATION SHEET**

BID TITLE: *Computer Hardware - P.D.* BIDS OPENED BY: *Mayor* *nd*
 DATE: *Jan. 25, 2008* WITNESSED BY: *R. L. G.*
 BUDGET: *3:10 PM* TIME COMPLETED: *3:10 PM*

Page 1 of 2

BIDDER NAME	MAILING ADDRESS	BID AMOUNT	BOND	MISC. INFO
<i>Linstar Computers, Inc.</i>	<i>6000 A+B Dawson Blvd. Morrow, Ga 30093</i>	<i>\$43,090.00</i>		
<i>Computer South, Inc.</i>	<i>101 Crossings East Peachtree City, Ga 30269</i>	<i>\$53,085.00</i>		
<i>Gateway Computers, Inc.</i>	<i>610 Saterway Drive N Laurel City, SD 57049</i>	<i>\$63,995.00</i>		
<i>SDE Professional Computer</i>	<i>813 South Evans Street Hammville, NC 27834</i>	<i>\$83,624.95</i>		
<i>Dell Marketing L.P.</i>	<i>One Dell Way Round Rock, TX 78682</i>	<i>\$53,385.00</i>		
<i>Exousoft Controls, Inc.</i>	<i>313 Devidend Drive Peachtree City, Ga 30269</i>	<i>\$55,131.00</i>		
<i>Comp USA</i>	<i>3400 Around Lenox Rd. Atlanta, Ga. 30326</i>	<i>\$54,902.08</i>		
<i>Muro System Engineering</i>	<i>10430 Shady Trail, Suite 105 Dallas, TX 75220</i>	<i>\$48,477.00</i>		

BID TITLE: Computer Hardware - P.D. BIDS OPENED BY: *Harold Blair*
DATE: Jan. 25, 2001 WITNESSED BY: *[Signature]*
BUDGET: TIME COMPLETED: 3:22 PM

BUDGET:

TIME COMPLETED: 3:22 PM

Page 2 of 2

[illegible]

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager 

FROM: Director of Financial Services P.S.
Police Chief 
Purchasing Agent 

DATE: January 25, 2001

SUBJECT: Telephone & Voice Mail Systems and Cabling

Staff sent out a Request for Proposals to twenty-six (26) firms and listed the request on the website for a Telephone System, Voice Mail System and Cabling for these and the computer system. The City received fourteen (14) responses. Police Department personnel reviewed the proposals and selected three (3) systems to evaluate. These systems evaluated were Panasonic, Toshiba and NEC. The second low proposal was from AMC Global Communications located in Norcross for a NEC Electra Elite system. A list of references was requested and three firms were contacted. The information received from all three firms was that the company was responsive to calls, the technicians were well trained on the equipment, that the installations were done in a timely manner and that the training on the system was done very well. AMC Global also handles the transfer of the lines from the old station and orders any new lines from BellSouth. There was also included a letter of recommendation that included this same information. This equipment was chosen for its reliability, the reputation of the manufacturer, the features of the systems and the style of the telephones. The proposal met all the specifications that were included in the request. Attached is a tabulation sheet on the proposals received.

The prices submitted by AMC Global are; NEC Electra Elite Telephone System is \$18,207.00, EliteMail Voice Mail System is \$4,132.00, Voice and Data Cabling is \$12,615.00 for a total of \$34,954.00.

Staff recommends that the contract for \$34,954.00 for the Telephone System, Voice Mail System and related Cabling be awarded to AMC Global Communications of Norcross for supplying the equipment and installation of it. This price is below the estimated \$50,000 for the equipment and there are sufficient funds in the project account to cover this expense.

Attachment

CITY OF PEACHTREE CITY

TELEPHONE, VOICE MAIL AND CABLING POLICE STATION

COMPANY	SYSTEM PROPOSED	PROPOSAL PRICE
Williams Communications Kennesaw, GA	Nortel M3900	\$73,385.73
Inter-Tel Technologies Atlanta, GA	Inter-Tel AXXESS	\$63,993.39
BellSouth Business Atlanta, GA	Norstar Modular ICS	\$63,719.70
CompuNet, Inc. Fayetteville, GA	3COM NBX 100	\$59,875.88
Milner Voice & Data Atlanta, GA	Inter-Tel AXXESS	\$57,382.50
Telecom Enterprises, Inc. LaGrange, GA	Samsung DCS Digital	\$51,382.50
ALT Communications, Inc. Acworth, GA	Toshiba Digital PBX	\$49,665.50
Business Telephone Services, Inc. Griffin, GA	COMDIAL Impact 224	\$49,241.00
Digitel Corporation Atlanta, GA	NEC Electra Elite	\$44,930.00
Atlanta Telephone Company Duluth, GA	Panasonic DBS	\$42,872.90
Georgia Network Cabling Atlanta, GA	ESTECH IVX 128	\$38,571.38
AMC Global Communications Norcross, GA	NEC Electra Elite	\$34,954.00
Telephone Sales & Installation Fayetteville, GA	Samsung DCS 196	\$32,272.00

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: City Manager

VIA: Director of Financial Services P.S.
Director of Developmental Services [Signature]

FROM: City Planner David
City Engineer [Signature]

DATE: January 25, 2001

SUBJECT: Police Station – Landscaping and irrigation

The new Police Station development included the installation of landscaping and irrigation. Land Innovations prepared the landscape plan and the project was advertised for bid.

Bids were subsequently solicited from several landscaping contractors, and five (5) bids were received on January 11, 2001. The lowest, qualified bid of \$43,825.82 was received from Greenleaf Landscapes of Austell. City staff has reviewed the bid from Greenleaf and is satisfied with their documentation and credentials.

The landscaping and irrigation budget initially established for this project was \$55,000.00, and the bid from Greenleaf was the only bid received within that budget. Therefore, it is our recommendation that the contract for landscaping and irrigation at the new Police Station development be awarded to Greenleaf Landscapes for \$43,825.82.

Attachments

BID TITLE: *Landscaping*
DATE: *Jan. 11, 2001*
BUDGET: _____

Police Station BIDS OPENED BY: _____
WITNESSED BY: *Drug Bureau*
TIME COMPLETED: *3:23 PM*

[illegible]

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: City Council

FROM: City Clerk 

VIA: City Manager 

DATE: January 25, 2001

SUBJECT: Alcohol License Application – (change) – Creekside Chevron (fka Mini Mart)

Mr. Richard Bearden has submitted the attached application to change information on his alcohol license. He has requested to change the name on his license from Mini Mart to Creekside Chevron. He has also requested that Mr. Stan Bearden be appointed as the License Representative. Stan Bearden will be the full-time manager at the location and will be present at the meeting on February 1, 2001, to answer any questions you may have.



CITY OF PEACHTREE CITY
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
(770) 487-7657

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

Business Name: BRADCO II, INC. DBA Creekside Chevrolet	Business Location: Peachtree City	C141511
Nature of Business: Fuel & Grocery Sales (Retail)	Mailing Address: 2763 Hwy 54 West P.T.C.	Business Phone Number: (678) 364-1199
Name of Licensee: BRADCO II, INC.	Home Address: 240 TIGER WAY P.T.C.	Home Phone Number: 770 487 8774
Name of License Representative: STAN BEARDEN	Home Address: 11 N. Lake Drive P.T.C., GA	Home Phone Number: 770 487-2054

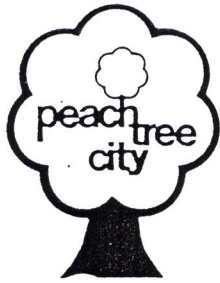
Please indicate type of licenses applying for:

Retail Consumption Dealer		Retail Package Dealer		Wholesale Dealer	
☒	Malt Beverage	☒	Malt Beverage	☐	Malt Beverage
☒	Wine	☒	Wine	☐	Wine
☐	Distilled Spirits	☐	Distilled Spirits	☐	Distilled Spirits

Please complete information below (use separate sheet if necessary):

NAME	ADDRESS	PHONE NUMBERS
Individual Owner's Name, Partners' Names, Corporation Name and the name of the name of a Contact Person regarding License Changes, Taxes, etc.	Please provide Home Addresses for the individuals listed:	Please provide Home and Business Phone Numbers for individuals listed:
BRADCO II INC.	240 TIGER WAY P.T.C.	770 487-8774
CONTACT: STAN BEARDEN	11 N. Lake DR. P.T.C.	770 487 2054
RICHARD BEARDEN	401 N. Peachtree Pkwy P.T.C.	770 487 8372
JUDITH BEARDEN	401 N. Peachtree Pkwy P.T.C.	770 487 8372

Is any person who owns an interest in the license an employee of the City of Peachtree City? NO



Peachtree City

Georgia

State of Georgia

City of Peachtree City:

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

Stanley Wayne Bearden
Name

11 North Lake Drive Peachtree City, Ga 30269
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
1-24-01
Date

Major Mike Larkin
Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: City Council
FROM: City Clerk
VIA: City Manager 
DATE: January 26, 2001
SUBJECT: Development Authority Presentation – Tennis Center Phase III

The Development Authority has requested to provide a presentation to Council at the meeting on February 1, 2001, concerning the final phase of development for the Tennis Center.



January 25, 2001

Mr. Tate Godfrey, Vice-Chairman
Peachtree City Development Authority
c/o Pathways Communities
200 Westpark Drive
Peachtree City, GA 30269

Mr. Jim Basinger, City Manager
151 Willowbend Road
Peachtree City, GA 30269

Dear Gentlemen:

As the President of the Planterra Ridge Community Association, it is my job to maintain, protect, and even enhance the property values of the homeowners in our neighborhood. The Board of Directors feels that the presence of the Peachtree City Tennis Center at our front entrance is a positive influence on the value of homes in Planterra Ridge. We also feel that it is imperative to maintain good communication and work together on issues affecting our adjoining properties.

In order to improve the existing relationship, my first priority after being elected to the board was to invite Mr. Virgil Christian to attend one of our board meetings. Since that time, Virgil has made it a priority to keep us informed of events that might impact our subdivision. He has recently made us aware that a presentation will be made to City Council on February 8, 2001, in order to secure the funding for the planned expansion of the Tennis Center. We have seen drawings of the plans and it appears to be a beautiful addition to an already first class facility.

With the plans for this expansion about to come before Council for approval, we would like the opportunity to meet with you and discuss several issues of great importance to Planterra Ridge. The following is a list of some of the topics we would like to address:

- Landscaping: Currently, the homeowners of Planterra spend in excess of \$60,000 per year to maintain our main entrance off Highway 54. Ironically, we do not even own that property, as it is a combination of City Greenbelt and right-of-way. We have paid for its maintenance since the inception of Planterra Ridge without any assistance from Peachtree City or the Tennis Center. Most other subdivisions in the city have their entrances maintained by the Public Works Department.

- Expansion Plans: We are concerned about the layout of the proposed parking lot expansion at the Tennis Center. It appears that it lies within the City Greenbelt that buffers our property. We are very concerned about the potential for encroachment on our property, as well as the impact on available space for location of a future cart path addition. We have also discussed the potential for development of the approximately 8 acres of 'recreation area' that we own along that greenbelt with Virgil. He has expressed a willingness to provide assistance with the site work during the Center's expansion. We view this as an opportunity to come up with a cohesive plan that we can all be proud of.

- Hwy 54 / Planterra Way Intersection: This issue is a very disconcerting issue for us. Despite an agreement between our Board of Directors, RAM Development, and Home Depot in December 1999, it seems that the matter has gotten neglected. In a phone conversation I had several months ago with Mr. Ed Ellis of Dames & Moore, he informed me that he had never been consulted on this issue after being instrumental in its conception. Mr. Jim Williams assured us that the City Staff was committed to this design concept and that after the initial denial by the DOT, they would pursue this with an appeal to the Atlanta office. He also informed us that the use of a 'political' approach would be a last resort. From the information we have received, it seems that no substantiating documentation was included with Mayor Lenox's letter to the DOT commissioner in this 'political' approach. This entire situation has led to somewhat of a lack of confidence in the Mayor's and Council's statements of commitment to protect the residents of Planterra from "cut-through" traffic. The issue has the potential for a very negative impact on the health, safety and welfare of our neighborhood and the patrons of the Center. We hope that the City and the Development Authority will assist us in achieving this goal in the spirit of cooperation that has been promised thus far.

We feel that now is the time to solidify the relationship between the Tennis Center and Planterra Ridge. We feel confident that an arrangement can be reached that will not be an unfair burden on either of us and will be beneficial to both. We would like to meet with you both as soon as it is convenient in advance of the Feb 8th City Council Meeting. We would like to be able to attend that meeting and give our unequivocal support to the expansion plan. Please contact me at your earliest convenience to discuss a meeting time and place. Thank you for your prompt attention in this matter.

Sincerely,



Jeff Troxel, President
Planterra Ridge Community Association
770-486-1492

cc:	Mayor Robert Lenox	Councilman Robert Brooks
	Councilwoman Annie McMenamin	Councilman Dan Tenant
	Councilwoman Carol Fritz	Mr. Virgil Christian, Director PTC Tennis Center
	Mr. Fred Bryant, VP, PRCA	Mr. John Williams, Treasurer, PRCA
	Ms. Eileen Shaw	

The CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council
FROM: City Clerk 
VIA: City Manager 
DATE: January 25, 2001
SUBJECT: Proposed Amendments to the City Charter

As Council instructed at the last meeting, the City Attorney has drafted the amendments to the City Charter. Two copies of the amended charter are enclosed. The first copy is annotated with extensive lines to identify the proposed changes. The second copy is a clean copy that also contains all the changes, but the lines have been deleted and is somewhat easier to read. Please note that the City Attorney has also reformatted the narrative of the current charter to breakup the long sentences/paragraphs.

ARTICLE I. IN GENERAL

Sec. 1.1 ~~{Incorporation}~~Reincorporation; corporate powers}.

~~That~~(a) Peachtree City, in Fayette County, ~~be and the same is hereby incorporated as a city under the name and style of "Peachtree City", and as such constitutes inhabitants thereof, are reincorporated by the enactment of this charter and are hereby constituted and declared a body politic and corporate of said state under the name and county style Peachtree City, Georgia, and by that name and style shall have perpetual succession with.~~

(b) Said city shall have full powers to govern itself by such ordinances, bylaws, rules and regulations for municipal purposes as may be deemed proper and not in conflict with this ~~C~~charter, the constitution or laws of this state or the United States.

(c) Said city shall have full power in and by said corporate name

(1) to contract and be contracted with;

(2) to sue and be sued;

(3) to plead and be impleaded;

(4) to purchase, hold, receive, enjoy, possess and retain for the use of and benefit of said Peachtree City or the inhabitants thereof in perpetuity or for any term, any estate, real or personal, or lands, tenements or hereditaments of any kind, within or without the limits of said city, for corporate purposes;

(5) to use, manage, improve, sell, convey, rent or lease any such estate or property;

(6) to have and use a common seal; and

(7) to perform all acts necessary or incident to its corporate existence or capacity.

(d) In addition, the city shall have all powers possible for a city to have under the present or future constitution and laws of this state as fully and completely as though they were specifically enumerated in this charter.

(e) The city shall have all the powers of self-government not otherwise prohibited by this charter or by general law.

(f) The powers of this city shall be construed liberally in favor of the city. The specific mention or failure to mention particular powers shall not be construed as limiting in any way the powers of this city.

Sec. 1.2. {Corporate limits}.

The corporate limits of said city shall be and are defined as follows: ~~All that territory and the inhabitants thereof embraced and contained in the sixth land district of Fayette County, Georgia, being land lots numbered 24 to 63, inclusive, and all that territory and the inhabitants thereof embraced and contained in the seventh land district of Fayette County, Georgia, being land lots numbered 64 to 68, inclusive, and land lots numbered 90 to 103, inclusive, and land lots numbered 122 to 135 inclusive, and land lots numbered 155 to 162, inclusive, and such tracts and parcels as shall be incorporated within the corporate limits of said city pursuant to law.~~

(1973 Ga. Laws, page 2821, § 1) **Sec. 2.1.** ~~[Deannexation].~~ Any other provision of section 2 of this Charter notwithstanding, the following described property is hereby deannexed and excluded from the corporate limits of the City of Peachtree City: All that tract or parcel of land lying and being in land lot 155 and possibly in land lot 154 of the seventh land district of Fayette County Georgia and being that 5.813 acres of land shown on a plat of survey dated 7/29/83, prepared by Lum C. Hall, registered land surveyor for Robert L. House and being more particularly described as follows: BEGINNING at an iron pin on the eastern side of State Highway 74, 1295.65 feet south of the southeast corner of Highway 74 and Crabapple Lane; running thence South 03 degrees 01 minutes 25 seconds West along the eastern side of State Highway 74, 420 feet to an iron pin; running thence South 85 degrees 35 minutes 04 seconds East 648.30 feet to an iron pin; running thence North 00 degrees 02 minutes 32 seconds East 375 feet to an iron pin; running thence North 81 degrees 24 minutes 35 seconds West 631.58 feet to the point of beginning.

(1993 Ga. Laws, page 4380, § 1) **Sec. 3.** ~~[boundaries of this city shall be those existing on the effective date of the adoption of this charter with such alterations as may be made from time to time in the manner provided by law. The boundaries of this city at all times shall be described in an ordinance adopted by city council and shall be shown on a map to be retained permanently by the Director of Developmental Services, or his successor.~~

Sec. 1.3. Corporate authority and territorial jurisdiction of governing body and officers}.

(a) The corporate authority of said city and the territorial jurisdiction of the governing body and the officers thereof shall extend, for police and sanitary purposes, over all lands which are controlled and all lands which may hereafter be owned or controlled by said city for waterworks, electric light, sewerage, drainage, or cemetery purposes outside of the territory as indicated in section 1 hereof: this Article.

(b) The governing body and officers of said city shall have full power and authority to make and enforce such ordinances, bylaws, rules and regulations as they may deem necessary to protect the land, premises, and other property referred to in this ~~section~~ Article and all rights and interest of said city therein as fully and completely as if the same were located within the limits of said city proper as indicated in section 1.2 hereof.

ARTICLE II. GOVERNING BODY; DEPARTMENTS; APPOINTIVE OFFICERS

Sec. 42.1. {Governing body; composition, quorum, meetings}.

(a) The government of said city shall be vested in a mayor and four (4) ~~councilmen, initially appointed and thereafter councilmembers~~ chosen as hereinafter provided, ~~and in~~ such other officers and employees as ~~are provided for by this act~~ required under the terms of the charter, and in such other officers and employees as the mayor and ~~councilmen~~ councilmembers consider necessary and proper to appoint and employ ~~as hereinafter provided.~~

(b) The chief administrative and operational officer of the city shall be the city manager.

(c) The mayor and councilmembers of said city shall collectively be known as "Council of Peachtree City" (hereinafter sometimes referred to as "city council" or "council" and when so referred to shall be construed to mean the Council of Peachtree City), in which all legislative powers of said city shall be vested. †

(d) Except as otherwise set forth below, the mayor and three (3) councilmembers, or four (4) councilmembers without the mayor, shall constitute a quorum of the city council. Less than a quorum may meet and compel the attendance of absentees as provided by ordinance. In the event the office of mayor and one or more offices of council shall become vacant or more than one office of council shall become vacant, then a quorum shall be the mayor and two (2) councilmembers, or three (3) councilmembers without the mayor. Less than a quorum may meet to appoint persons to fill vacancies on the council, set the date for a special election and qualification thereof, and, if necessary, appoint a provisional mayor pro tem.

(e) The city council shall meet at such specified time and place as may be provided by ordinance. Special meetings may be called at any time by the mayor upon giving not less than twenty-four (24) hours notice of said special meeting.

Sec. 5 2.2. ~~{Eligibility qualifications of mayor and councilmen}~~councilmembers.

No person shall be eligible to hold the office of mayor or ~~councilmen~~councilmember of said city unless he or she is twenty-one (21) years of age and is a qualified elector of said city who shall have continuously resided and maintained his or her domicile therein for at least six (6) months immediately preceding ~~their election.~~

Sec. 6. ~~—[his or her election. Except as authorized by law, the mayor and councilmembers shall not hold any other city office or city employment during the term for which each such person was elected unless the mayor or councilmember affected shall first resign.~~

Sec. 2.3. Duties and authority of mayor{.

The mayor shall be the chief executive officer of said city and it shall be his duty

(1) to preside at all meetings of the city council;

(2) to see that all meetings are conducted in a parliamentary manner;

(3) to preserve order and decorum in such meetings;

(4) to inflict such punishment upon any person guilty of contempt before said council as may be authorized by municipal ordinances;

(5) to see that all laws, ordinances, rules, regulations and resolutions of the city council of said city are faithfully executed and enforced;

(6) to appoint and be an *ex officio* member of all committees;

(7) to see that all funds are properly accounted for and that all revenues are properly and promptly collected;

(8) to inform the council from time to time of the general condition of said city and its affairs and recommend such measures as he may deem necessary or expedient for the welfare of said city;

(9) to inspect or cause to be inspected by one or more of the ~~councilmen~~ councilmembers of said city the records and books of accounts of the ~~officers of said city~~ and see that they are properly and correctly kept to require such reports to be made by such ~~officers~~ city staff and given to the council ~~as he may deem proper~~;

(10) to see that order is maintained in said city and that its property and effects are preserved. ~~The said mayor shall exercise general supervision and jurisdiction over the affairs of the said city; shall have authority~~

(11) to convene the council in extra session as frequently as he may deem proper;

(12) to bind said city by signing any contract, obligation or other matter entered into and authorized by ordinances or resolution of the council of said city, properly passed in accordance with the provisions of this act; and

(13) to do acts and things as may be proper and necessary in the proper conduct of the affairs of said city and as may be hereinafter authorized.

~~(1970 Ga. Laws, page 2286, § 1) Sec. 7. — [~~

Subject to the limitations contained in this Charter, the said mayor shall exercise general supervision and jurisdiction over the affairs of the said city; however, such general supervision shall be delegated to the city manager as hereinafter provided.

Sec. 2.4. Authority of mayor to vote; veto power; overriding veto.]

The mayor shall be entitled to vote on all questions before the city council.

~~Every ordinance and resolution passed and every election of an officer or employee by the council shall be subject to the veto of the mayor, except in those circumstances where the vote of the mayor was necessary for passage. In order to veto, the mayor shall, within four (4) days, write out his objections to such resolution, ordinance, or election; and the council shall, at the next regular or called meeting at which a quorum shall be present, order said objections entered in the minutes and take a vote on the question as to whether said ordinance, resolution, or other action shall be adopted over said veto. If three (3) councilmen vote in the affirmative, said resolution, ordinance or other action shall stand affirmed and shall become effective without the approval of the mayor; otherwise, it shall not. The "ayes" and "nays" shall in all cases be entered on the minutes.~~

~~(1985 Ga. Laws, page 4202, § 1) Sec. 8. — [Designation of mayor and councilmen originally]. There be and is hereby designated and named Joel H. Cowan, as mayor of said city and R. H. Huddleston, R. Hugh Huddleston, John E. Robinson and J. A. Pollard, as councilmen of said city who shall immediately take office upon the approval of this act as hereinafter provided upon taking oath of office herein prescribed, which said~~

~~officers shall hold the respective office to which appointed until their successors are elected and qualified at an election held in said city as provided in section 9 of this act or until a vacancy should occur as provided in section 10 of this act.~~

~~Sec. 9. — [~~ Sec. 2.5. Date of municipal general election; election of mayor and councilmen~~councilmembers, post designation; assuming office; term; oath]. The.~~

~~(a) Pursuant to the law commonly referred to as the Georgia Municipal Election Code, the municipal general election shall be conducted on the first Tuesday of December of each year except that after January 1, 1993, municipal general elections shall be held on the Tuesday next following the first Monday in November of each year.~~

~~(b) For the purposes of electing councilmen~~councilmembers~~, positions on the council shall be numbered as posts 1 through 4, respectively. Successors to those councilmen from posts 1 and 2 whose terms of office expire on the date of the first scheduled meeting of the council in 1993, shall be elected at the municipal general election in 1992, shall take~~

~~(c) In 1992, Peachtree City altered the length of the mayor and councilmembers' terms from two years to four years. After a period of transition, the elections for posts 1 and 2 are held every four years from 1995 forward. The elections for mayor and posts 3 and 4 are held every four years from 1993 forward. All persons elected shall assume office on the date of that first scheduled meeting of the council which is held in 1993, and shall serve for terms of office of three (3) years each. Successors to the mayor and to those councilmen from posts 3 and 4 whose terms of office expire on the date of the first scheduled meeting of the council in 1994 shall be elected at the municipal general election in 1993, shall take office on the date of that first scheduled meeting of the council which is held in 1994, and shall serve for terms of office of four (4) years each. Thereafter, successors to the mayor and each councilman whose term of office is to expire shall be elected at the municipal general election immediately preceding the expiration of such term, shall take office at the first scheduled meeting of the council held~~first meeting~~ in January following their election, and shall serve for terms of office of four (4) years each. Each person elected as mayor or councilman shall serve the terms specified in this paragraph and until the election and qualification of such person's respective successor, except in the case of special elections when such elected official shall assume office at the first meeting following the certification of the election.~~

~~(d) After January 1, 1993, any mayor or councilman~~councilmember ~~who has been elected for two (2) consecutive four-year terms under the provisions of this Charter shall not be eligible to be elected for the succeeding term.same position of mayor or councilmember for the succeeding term; however, nothing contained herein shall prevent a person who has served as mayor for two (2) consecutive four-year terms to be eligible and qualified to be elected for a position as councilmember for the succeeding term. Likewise, nothing contained herein shall prevent a person~~

who has served as councilmember for two (2) consecutive four-year terms to be eligible and qualified to be elected for a position as mayor for the succeeding term.

(e) The candidate for each respective office who shall receive the majority of votes cast for such office by the electors of said city shall be elected to such office. ~~This paragraph is enacted pursuant to the authority of O.C.G.A. § 21-3-64.~~

(f) Candidates elected to office shall on or before the day of assuming office qualify by taking and subscribing before the municipal judge, the mayor, or some other officer authorized by law to administer oaths, the following oath: "I ~~(A.B.)~~, do solemnly swear or affirm that I will well and truly perform the duties of (mayor) (mayor pro tem) ~~(or councilmen as the case may be) councilmember~~ of Peachtree City by adopting such measures as in my judgment shall be best calculated to promote the general welfare of the inhabitants of Peachtree City and ~~the common interest thereof~~ that I will support and defend the Charter and ordinances thereof as well as the constitution and laws of the State of Georgia and of the United States of America. So help me God." Such oath shall be filed with the city clerk, who shall ~~spread~~record the same upon the minutes of the meeting of the council of Peachtree City, next following such filing, unless such oath is filed during a regular meeting of the said council in which latter case such oath shall be ~~spread~~recorded upon the minutes of the meeting then in session.

~~(1973 Ga. Laws, page 2821, § 2; 1990 Ga. Laws, page 3891, § 1; 1992 Ga. Laws, page 5370,~~

~~§ 1)~~ **Sec. 10 2.6. [Filling vacancies on council].**

(a) In the event that the office of mayor, or the office of any one or more of the ~~councilmen~~councilmembers shall become vacant by death, resignation, removal or otherwise, ~~and said vacancy or vacancies are for unexpired terms of twelve (12) months or less, then~~ said vacancy or vacancies may be filled by appointment and selected by majority vote of the city remaining members of the mayor and council; in the case of vacancies in said council, and by the ~~councilmen~~councilmembers in the case of a vacancy in the office of mayor ~~and p.~~

(b) Persons so selected shall be duly qualified to fill such vacancies for the unexpired terms ~~provided it does not exceed twelve (12) months, except that should.~~

(c) The mayor, or in the case of a vacancy in the office of mayor, the mayor pro tem, shall determine the procedure for council to follow in the appointment process; provided, however, that such procedure shall comply with the laws of the state and of the United States and, further, provided that such procedures are given to the members of council at least ten (10) days before the meeting during which such appointment is to be made.

(d) Should such vacancy occur prior to January 2, 1962, such twelve (12) month limitation shall not be applicable. On or after January 2, 1962 should such period or vacancies exceed twelve (12) months then a special election shall be called to determine the person who shall fill the unexpired term. The date of such special election shall comply with the laws of the state and of

the United States. In the event of such vacancy or vacancies which exceed twelve (12) months, the city council may appoint an individual or individuals to fill such vacant office or offices until the date of the next available election. In no event shall any appointment be for a period exceeding one year.

Sec. ~~11~~ 2.7. {Declaration of vacancy in office of mayor or councilman}councilmember.

Should the mayor or any member of the council fail or refuse to perform the duties of his office for the term of three (3) consecutive months, or should any officer-elect refuse to qualify, the office may be, in the discretion of the remaining members of the council, declared vacant and the vacancy filled as above provided.

Sec. ~~12~~ 2.8. {Compensation of mayor and councilmen}councilmembers as fixed; expenses of office allowable}.

(a) The mayor shall receive an annual salary and each councilmancouncilmember shall receive such annual salary as shall be ~~reduced~~established by ordinance during the proceeding term for which such official shall have been appointed or elected. Said salaries shall be paid in twelve (12) equal monthly installments on or before the last day of each month.

(b) In addition to their salaries, each councilmancouncilmember may be reimbursed for actual out of pocket expenses incurred on behalf of the city.

(c) The city council may also provide for payment of all reasonable expenses which may be incurred by the mayor in the discharge of his duties, including such staff as may be appointed by the mayor.

Sec. ~~13~~ 2.9. {Organization of council; mayor pro tem; provisional mayor pro tem}.

(a) The city council shall at its organizational meeting and thereafter at its first regular meeting in January of each year, elect one of its members mayor pro tem for a term of one year, who shall discharge the duties and exercise the powers and authority of the mayor in the absence, disability or disqualification of the mayor and during a vacancy in the office of mayor provided his rights and duties as councilmancouncilmember shall remain unimpaired, except he shall not receive the salary or expense of a councilmancouncilmember while receiving the salary and expense of mayor ~~when~~ there is a vacancy in the office of mayor.

(b) Before entering on the discharge of his duties the mayor pro tem shall, in addition to the oath taken as councilmancouncilmember, take ~~and subscribe~~ the oath prescribed for mayor pro tem.

(c) In case neither the mayor nor mayor pro tem can attend to or discharge the duties of mayor, whatever the cause, the city council shall elect a provisional mayor pro tem to act until a mayor or mayor pro tem can act, from its membership, who shall take the same oath and be clothed with all of the rights, power and authority of mayor until a mayor or mayor pro tem can act.

Sec. 14. — [Sec. 2.10 Council Interference with Administration.

Except for the purpose of formal inquiries and investigations, the city council and its members shall deal with city officers and employees who are subject to the direction and supervision of the city manager solely through the city manager, and neither the city council nor its members shall give orders to any such officer or employee, either publicly or privately.

Sec. 2.11. Appointment of officers by council; removal; salaries as fixed].

The city [council] shall at its organizational meeting and thereafter at its regular meeting in January the discretion of each year city council appoint a clerk. They may also appoint a chief of police, fire chief, city engineer, building official, public works director, recreation director, and a librarian, and such other officers as may in their judgment be necessary to the best interest of the city, a city attorney, a city auditor, a city judge, a city manager and any other city positions as required by ordinance. Such appointed officers individuals, after their initial appointment, need not be reappointed on an annual basis but shall serve subject to the pleasure of the mayor and council and may be removed from office by the council at any time upon a showing of cause in accordance with the then-existing city personnel policies; provided, further, that the mayor may suspend any official such individual pending a meeting of the council to make a formal decision on termination. Any officers appointed pursuant to this section will

Sec. 2.12. City Clerk.

The city council shall appoint a city clerk who shall not be a councilmember. The city clerk shall be the custodian of the official city seal and city records; maintain city council records as required by state law or by ordinance; and perform such other duties as may be required by the city council. The city clerk shall report to the city manager and shall be subject to all of the termination procedures therein and contained in rights, privileges and obligations of the city's personnel policies. The salaries of the officers provided for in this section shall be such as may be prescribed by ordinances of said city council. The said; however, the city clerk can be terminated or removed from such position only by the city council.

Sec. 2.13 City Attorney.

The city council shall appoint a city attorney, which may be a law firm, and shall provide for the payment of such attorney for the services rendered to the city. The city attorney shall be responsible for the representation and defense of the city in all litigation in which the city is a party; shall be the prosecuting officer in the municipal court; shall attend the meetings of the council as directed; shall advise the city council, mayor, and other officers and employees of the city concerning legal aspects of the city's affairs; and shall perform such other duties as may be required by virtue of the person's position as city attorney.

Sec. 2.14 City Auditor.

The city council shall appoint a city auditor who shall be a certified public accountant or accounting firm to ensure that the city's financial records are kept appropriately and according

to the laws of this state and of the United States. The city auditor shall conduct an annual independent audit of all city accounts, funds and financial transactions. The audit shall be conducted according to generally accepted auditing principles.

Sec. 2.15 City Judge.

The city council shall appoint a city judge pursuant to the requirements of Section 8.2.

Sec. 2.16 City Manager

(a) The mayor and council shall fill any office which may become vacant to fill any unexpired term thereof.

(Ord. No. 424, 2-19-1987; 1988 Ga. Laws, page 5217) **Sec. 15.** ~~[Clerk].~~ The clerk of said city shall be the clerical appoint and contract with a city manager who shall serve subject to the pleasure of the mayor and council for a term as set forth in the contract and according to state law. The title of such officer shall be city manager of the city. His salary shall be determined by the mayor and council and included as a part of the contract. Such officer shall be the chief administrative and operational officer of the city council and shall be the keeper of the seal of said city and shall perform such duties as may be provided by this act and such additional executive duties as may be determined delegated by the mayor and council.

(b) (i) The city manager shall be selected on the basis of his character and his executive and administrative qualifications with special reference to his actual training and experience in the administration of city government. At the time of his appointment, such officer need not be a resident of the city, but during his tenure he shall reside within the city.

(ii) Neither the mayor, nor any councilmember shall receive such appointment during the term for which he shall have been elected, nor within two years after the expiration of his term.

(c) The council may remove the city manager by a majority vote according to the terms of the contract. At least 30 days before such removal shall become effective, the mayor shall set forth the reasons for his removal. The city manager may, within ten days, reply in writing and may request a public hearing, which shall be held not earlier than 20 days, nor later than 30 days, after the filing of such request. After such public hearing, if one is requested, and after full consideration, the council by majority vote may adopt a final resolution of removal. By the preliminary resolution, the council may suspend the city manager from duty with pay.

(d) (i) The council may designate a person to perform the functions and duties of the city manager during his absence, disability or suspension.

(ii) Vacancies in such office shall be filled by the council.

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~~[Police department].~~ The city council when deemed necessary as early as practicable; and until such vacancy is filled, the council shall have full powers to make a temporary appointment or to perform the functions and duties of city manager.

(e) The city manager may give bond in the penal sum fixed by the council, with surety approved by the council, payable to the city and its successors and assigns, for the benefit of the city and for use and benefit of the public, to secure and indemnify the city and each member of the public by reason of his default, misfeasance, malfeasance or nonfeasance in the performance of his duties. The premiums for such bond shall be paid by the city.

(f) The following powers and duties are conferred upon the city manager:

- (1) | Enforcement. To see that all laws and ordinances are enforced.
- (2) | Conduct of city business affairs. To see that the business affairs of the city are efficiently organized and handled.
- (3) | Administrative and operational authority. To exercise administrative and operational control over all regular departments and divisions of the city.
- (4) | Advisory authority. To attend all meetings of the council with the right to take part in all discussions but having no vote. The city manager shall act in an advisory capacity to the mayor and council in the formulation and operation of the city government.
- (5) | Recommendation of legislation. To recommend to the mayor and council for adoption such measures as he may deem necessary or expedient.
- (6) | Preparation, submission of budget. To prepare and submit to the mayor and council an annual budget.
- (7) | Preparation, submission of financial reports. To prepare and submit to the mayor and council, within 90 days after the end of each city's fiscal year, a complete annual report on the finances and administrative activities of the city for the preceding year, and make such other financial reports from time to time as may be required by the mayor or council or by the Charter of the city.
- (8) | Contracts, expenditures, claims. To negotiate and approve all lawful contracts, purchases or obligations on behalf of the city as to matters within his jurisdiction, and which are funded in the current city budget, except those obligations such as may be otherwise provided by law, or by ordinance or resolution of the council.
- (9) | Appointments; creation, abolition of offices and functions. To hire, as required, department heads and employees for departments authorized by the council. Nothing in this subsection shall prevent the council from creating, abolishing, consolidating, altering or modifying departments; however, the city manager is authorized to recommend, subject to the approval of the council, the change, consolidation or abolishment of any of the offices, departments or functions over which he exercises supervision and control and to recommend the creation of new departments and offices.
- (10) | Obtaining legal advice. To request the counsel, advice or opinion of the city attorney

| concerning any matter affecting the interest of the city.
(11) | Other duties. To perform such other duties as may be required by him by the
| council.

Sec. 2.17 Police department.

| The city council shall create a police department which department shall
| consist of a chief of police and such other police officers as the city council shall
| provide by ordinance. ~~It.~~ Subject to the requirements of the laws of the state and of
| the United States, it shall be the duty of the chief of police and the police officers to
| make arrests, within and without the limits of said city of all persons violating any
| ordinance of said city, and to make arrests of all persons who have violated the
| penal statutes of this state or of the United States, either with or without warrant or
| summons therefor. They shall have power to release all persons upon such bond
| as may be prescribed by such ordinances. Said police force shall be so uniformed
| and armed as to be readily recognized by the public as peace officers, the arms and
| uniform to be furnished by the city and to remain the property of the city.

| **Sec. 2.178.**

| { Other divisions and departments may be created; employees thereof};

| The city council shall be and it is hereby authorized, without any further
| specific authorization on the part of the General Assembly, to create by proper
| ordinances such other divisions and departments and to prescribe their functions
| and the duties of the affairs and employees of such departments as it may deem
| necessary and ~~to~~ for the best interest of the residents of Peachtree City.

| **Sec. 2.189.**

| { Officers elected by council to perform prescribed duties described
| duites and give bond}.

| -All officers elected by said council shall discharge such duties in addition
| to those prescribed in this act as are, or may be, prescribed by ordinances of said
| council and shall give such bonds for the faithful discharge of their respective duties
| as said council may require; provided, the surety on the bond shall be a duly
| authorized guaranty or surety company, qualified to transact business in this state.

ARTICLE III. REGISTRATION OF ELECTORS; ELECTIONS

| **Sec. 3.19.**

| { Qualifications of electors}.

| No person shall vote in any primary or election conducted by the city unless
| he shall be duly registered and possesses the qualifications prescribed by O.C.G.A.
| § 21-2-216:

| (1973 Ga. Laws, page 2821, § 3) ~~Secs. 20, 21. Reserved. Editor's~~

~~note--Ordinance No. 578, adopted May 21, 1992 (1993 Ga. Laws, page 5465), repealed former §§ 20 and 21, which pertained to registration of electors and the purging list, respectively, and derived from 1959 Ga. Laws, page 2409, and 1973 Ga. Laws, page 2821, § 4.~~

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~~f as now or hereinafter amended.~~

Sec. 3.2. Voting by person not qualified therefor

Any person voting at any election of said city who is not a qualified voter according to the provisions of this ~~C~~harter, shall be guilty of a misdemeanor, and upon conviction therefor shall be punished as prescribed in the penal code of this state.

Sec. 23:

~~{Opening and closing of polls; certifying election results}. The polls for the holding of all elections in and for Peachtree City shall be open at 7:00 o'clock a.m. and shall remain open until 7:00 o'clock p.m. Eastern Standard Time or such other time as shall hereafter be prescribed as the official time of the State of Georgia. The managers of each election shall certify the results thereof to the council who shall in the presence of and together with the several managers consolidate the returns of said election and declare the results thereof and who shall record same on the minutes of the council, and said record shall be the evidence of the results of said election.~~
3.3. Applicability of General Law.

All primaries and elections shall be held and conducted in accordance with the Georgia Municipal Election Code (Title 21, Chapter 3 of the Official of Georgia Annotated) as now or hereinafter amended.

**ARTICLE IV. TAXATION; LICENSES ~~Sec. 24.~~ [General
purpose and bond sinking fund ad valorem taxes
authorized]. For; BORROWING**

Sec. 4.1 Property Tax.

The city council may assess, levy and collect an ad valorem tax on all real and personal property within the corporate limits of the city that is subject to such taxation by the state and county. This tax is for the purpose of raising revenues for the support, operation and maintenance of said city and its affairs, including reserves for capital improvements, to defray the costs of operating the city government, of governmental services, for the repayment of principal and interest on general obligations, and for any other public purpose as determined by the city council in its discretion.

Sec. 4.2 Millage Rate; Due Dates; Payment Methods.

The city council, by ordinance, shall establish a millage rate for the city property tax with a due date as established by the Fayette County Tax Commissioner. The Fayette County Tax Commissioner shall be the official tax commissioner for the city; however, if the Fayette County Tax Commissioner fails or refuses to act as such, then the Director of Financial Services shall be the official tax commissioner for the city and shall have all the necessary duties and powers to carry out this position as permitted by law.

Sec. 4.3 General Obligation Bonds.

The city council shall have full power and authority to levy, assess and collect in each year for such general purposes, an ad valorem tax on all property, real, personal and mixed, including money, notes, stocks, bonds and other evidences of debt, money used in banking and every other species of property in said city, or owned or held therein, the power to issue bonds for the purpose of raising revenue to carry out any project, program or venture authorized under this charter or the laws of the state. Such bonding authority shall be exercised in accordance with the laws governing bond issuance by municipalities in effect at the time said issue is undertaken.

Sec. 4.4 Revenue Bonds.

Revenue bonds may be issued by the city council as state law now or hereafter provides. Such bonds are to be paid out of any revenue produced by the project, program or venture for which they were issued.

Sec. 4.5 Short-Term Loans.

The city, with the approval of city council, may obtain short-term loans and must repay such loans not later than December 31 of each year, unless otherwise provided by law.

Sec. 4.6 Lease-Purchase Contracts.

The city, with the approval of city council, may enter into multi-year lease, purchase or lease-purchase contracts for the acquisition of goods, materials, real and personal property, services, and supplies provided the contract terminates without further obligation on the part of the municipality at the close of the calendar year for which it may be renewed. Contracts must be executed in accordance with the requirements of section 36-60-13 of the Official Code of Georgia Annotated, or other such applicable laws as are or may hereafter be enacted.

Sec. 4.7 Occupational, Business, and Other Taxes.

The city council by ordinance shall have the power to levy such occupation, business, and other taxes as are not denied by law. The city council may classify businesses, occupations or professions for the purpose of such taxation in any way which may be lawfully taxed by said city, which tax shall not exceed twenty-five (25) mills on each dollar of taxable value, and in addition such annual ad valorem tax shall be levied on each dollar of taxable value of such property, subject to taxation for bond purposes, as may be necessary to produce amounts required and sufficient to provide a sinking fund lawful and may compel payment of such taxes as provided herein.

Sec. 4.8 Regulatory Fees; Permits.

The city council by ordinance shall have the power to require businesses or practitioners doing business within the city to obtain a permit for such activity from the city and pay a regulatory fee for such permit. Such fees shall reflect the total cost to the city of regulating the activity, and if unpaid, shall be collected as provided herein.

Sec. 4.9 Franchises.

(a) The city council shall have the power to grant franchises for the use of the city's streets for the purpose of paying the principal of an interest on the bonded indebtedness of said city as required by law. The ad valorem tax above authorized for general purposes and the bond sinking fund tax shall be levied by separate ordinances, and each shall specify the purpose for which the tax is levied, and all proceedings for collecting said taxes shall show the amount due on each of said tax levies.

Sec. 25.

~~[Authority to provide for tax returns, etc.]:~~ telephone companies, electric companies, electric membership companies, cable television and other telecommunications companies, gas companies, transportation companies and other similar organizations. The city council shall determine the duration, terms, whether the same shall be exclusive or nonexclusive, and the consideration for such franchises; provided, however, no franchise shall be granted for a period in excess of 35 years and no franchise shall be granted unless the city council receives just and adequate compensation therefor. The city council shall provide by ordinance for the returns and assessments of all taxable property in said city and provide suitable penalties for neglect or refusal to comply with the same.

~~Sec. 26:~~

~~[Return of property for taxation; ex officio tax commissioner and receiver]:~~

All properties subject to taxation by said city shall be returned for taxation at their true and fair market value by the owners thereof or their duly authorized agents, to the clerk, who shall act as ex officio tax commissioner and tax receiver. Such returns shall be made by the taxpayer on or before April first of each year. If such properties are not returned by April first, or if returned at less than their fair market value, the clerk shall assess such properties at their fair market value from the best information obtainable as to their value for the taxable year, but such assessment shall not become final until twenty (20) days after such property owner shall be notified of said assessment by registered mail by said clerk. If the property owner is dissatisfied with such assessment as made, said owner shall file his objections in writing with registration of all franchises.

(b) If no franchise agreement is in effect, the city council within such twenty (20) days from the date of the within notification and if no appeal is made within such twenty (20) day period the assessment of the tax commissioner shall be and become final.

~~(1973 Ga. Laws, page 2821, § 5)~~ **~~Sec. 27:~~**

~~[Valuation of property for taxation; delinquency; collection]:~~ All property subject to ad valorem taxation shall be assessed at forty (40) percent of its fair market value and taxed according to forty (40) percent of its fair market value and pursuant to O.C.G.A. § 48-5-353 by a levy of Peachtree City against such property. All ad valorem taxes shall be due and payable on December twentieth, in the year for which they are levied and assessed, and all taxes shall bear interest at seven (7) percent per annum from their due date, and said city shall have a lien upon all property of the taxpayer prior and superior to all other liens from the first day of January of the year for which such taxes are levied and

~~assessed, except as otherwise provided by law. If such taxes are not paid on said due date then execution shall be issued in the name of the city by the clerk not later than fifteen (15) days thereafter and recorded on the general execution docket tax fi. fas. for taxes not paid when due, and proceed at once to advertise, levy and collect same as provided by law for collection of ad valorem taxes. At any such sale, the city shall have the right to purchase any such property so sold. Such tax fi. fas., however, may be sold and transferred by the clerk, with the approval of the council, for the full amount of taxes and accrued interest and costs. Said clerk, as ex officio tax commissioner and tax receiver, shall perform such other duties as may be incident to the office or the duties thereof, and such others as may be required by ordinance.~~

~~(1973 Ga. Laws, page 2821, § 6)~~ **Sec. 28:**

~~[Bonding and insurance business tax and occupational and license tax authorized; tax on entertainments; street tax]~~ has the authority to impose a tax on gross receipts for the use of the city's streets for the purposes of railroads, telephone companies, electric companies, electric membership corporations, cable television and other telecommunications companies, gas companies, transportation companies and other similar organizations.

Sec. 4.10 Collection of Delinquent Taxes and Fees.

~~The city council shall have power and authority to levy, assess and collect a tax upon all bonding, insurance and other capital employed therein; to impose, levy and collect a specific or occupation tax and license against factors, bankers, agents, managers of give enterprises [sic], and all persons exercising an occupation, profession, trade, calling or business of any nature whatever within said city; provided, such tax or license is not in conflict with the laws of this state. The said council shall have power and authority to tax all theatrical performances, circuses, street parades, exhibitions, athletic events and all other kinds of shows, entertainments, and activities within the corporate limits of the city. It shall also have power and authority to levy and collect a street tax on every inhabitant of the city subject to road duty between the ages of eighteen (18) and fifty (50) years; provided, such street tax shall not exceed three dollars (\$3.00) per annum for each person; and provided, further, that such person may satisfy the same by working one day on the streets under the direction of the city authorities; and in case of a failure to do said work or pay said street tax, the police court may enforce the same by fine, by ordinance, may provide generally for the collection of delinquent taxes, fees, or other revenue due the city by whatever means as are not precluded by law. This shall include providing for the~~

dates when taxes or fees are due; late penalties or interest; issuance and execution or compulsory labor on the streets in the discretion of the recorder as may be provided by ordinance.

Sec. 29.

~~of fi.fa.'s; creation and priority of liens; making delinquent taxes and fees personal debts of the persons required to pay the taxes or fees imposed; revoking city permits for failure to pay any city taxes or fees; and providing for the assignment or transfer of tax executions.~~

Sec. 4.11. Authority to license, regulate and control business and other activities--General and miscellaneous]activities.

~~Unless otherwise prohibited by law, the city council of said city shall have full power and authority to license, regulate and control all businesses and activities of every kind and character carried on within the corporate limits of said city; including, but not limited to markets, taverns, hotels, boardinghouses, cafes, restaurants, saloons for the sale of creams, ices and such articles, barbershops and beauty shops, ice plants, laundries, waterworks, swimming pools, recreation establishments, pool rooms, opera houses, theaters, picture shows, drays, hacks, taxis, wagons, automobiles used for hauling of any kind, and vehicles used for brokers, agents, auctioneers, itinerant dealers, immigrant agents, all fire or life insurance companies doing business in said city, traders of all kinds, itinerant dealers in merchandise, itinerant dealers in jewelry and medicine except such as are exempt by the laws of this state. Also any person running a flying jenny, flying horse, merry-go-round, shooting gallery, bicycle or skating rink and all circuses, side shows and all other shows or performances exhibiting in said city, and all persons, firms, companies or corporations, selling goods, wares and merchandise by sample advertisement of retail, or by wholesale, and all other businesses, callings or vocations which under the constitution and laws of this state are not exempt from licenses.~~

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[Same--Ordinance, rules and regulations]. The council shall have full power and authority to provide, by ordinance, a tax or license ordinance for each of the businesses, occupations or professions, trades or vocations which, under the laws of this state, are subject to municipal license; classifications of different classes of businesses, occupations or professions; proration of the license fee or tax; to enact all other rules and regulations necessary and proper in the premises.

~~(1973 Ga. Laws, page 2821, § 7) Sec. 31.~~

[Revoking business unless prohibited from doing so by law.

Sec. 4.13. Revoking licenses and prohibiting operation}.

¶(a) Unless otherwise prohibited by law, the city council of said city may revoke the license of, and/or prohibit the operation of, any business or establishment for which a license may have been issued, in the event the same becomes a nuisance or is dangerous, hazardous or injurious to the health or morals of the inhabitants of said city and in case of such license shall be refunded. But no license shall be revoked.

(b) No revocation or prohibition shall occur without giving written notice to the person, firm or corporation holding/conducting such license/business, such/said notice stating the reasons why such license is being revoked/or prohibition is occurring, and affording such person, firm or corporation an opportunity to be heard on the question before the said council, the said notice setting forth the time and place of the hearing on the revocation of such license/prohibition. At said hearing the person holding said license/or conducting said business, or the firm or corporation holding/or conducting the same, may submit to said council whatever evidence he may desire touching upon the question of revocation of such license or prohibition of such business.

(c) The decision of said the city council of said city, revoking any such license or prohibiting such business shall be final.

ARTICLE V. PERSONNEL

Sec. 5.1 Position Classification and Pay Plans.

The city manager shall be responsible for the preparation of a position classification and pay plan which shall be submitted to the city council for approval. Such plan may apply to all employees of the city. When a pay plan has been adopted, the city council shall not increase or decrease the salary range applicable to any position except by amendment of such pay plan.

Sec. 5.2 Personnel Policies.

All employees serve at-will and may be removed from office at any time unless otherwise provided in this charter, by ordinance, or by adopted personnel policies.

Sec. 5.31A.

{ Social security, hospitalization and workmen's compensation benefits for employees authorized}.}

The city council of Peachtree City shall be authorized to provide insurance, retirement; and other pension benefits, ~~coverage under federal old-age and survivors insurance programs, hospitalization benefits and workmen's compensation~~ benefits for its employees, their dependents and survivors, and shall be authorized to expend ~~therefor~~ funds of said city.

~~(1973 Ga. Laws, page 2821, § 8)~~ The city council shall be authorized to provide for social security benefits for its employees as provided by the laws of the United States.

**ARTICLE VI. COUNCIL POWERS AS TO ANIMALS,
EMINENT DOMAIN AND STREETS**

Sec. ~~32~~ 6.

{1. Council powers as to animals and fowl}.}

The city council of said city shall have the power and authority
to ~~prevent horses, mules, cattle, hogs, sheep, dogs, goats and all other~~
~~animals or fowls~~ (1) to prevent all animals and fowl from running at large in said city;
and;

(2) to prevent and prohibit the keeping of ~~cattle~~ grazing, ~~hog~~ herd, and ~~goats~~ other traditional farm animals within the city limits, or to regulate the manner in which they must be kept if allowed to remain. ~~Also;~~

(3) to impound such animal, or animals as referred to above when found upon the streets of said city, and to charge such fees for same as they may prescribe, and in addition thereto charge for the keep of such animal or animals so impounded. ~~Also;~~

(4) to sale such animals as referred to above when the owner or owners of such animal or animals so impounded, shall fail or refuse to pay the impounding fee and cost of keeping said animal or animals, ~~said animal or animals may be sold at public outcry~~ and the proceeds applied to the payment of said feed and cost of keeping said animal or animals; or

(5) to dispose of such animals under such rules and regulations as may be prescribed by said council.

Sec. ~~336~~ 3.

{Condemnation of property for municipal purpose; eminent domain}.}

(a) The city council of said city shall have full powers and authority to

condemn property to carry out any and all lawful purposes in the furtherance of its corporate functions, both governmental and proprietary, and when the power and authority granted by this section is exercised by said council it may be done, whether the land to be condemned is in the hands of an owner, trustee, administrator, guardian or agent in the manner provided by ~~O.C.G.A. §§ 22-1-8 through 22-2-21~~, Title 22 of the Official Code of Georgia Annotated and the acts amendatory thereof which by this reference thereto is incorporated herein [as] if set forth verbatim.

(b) This right of condemnation by the city shall extend beyond its corporate limits where the property to be condemned is needed by the city and is deemed useful by the council to afford and make available to the city such property for use in development and thereafter the operation, maintenance, repair, extension and improvement to any city facility, either governmental or proprietary.

(c) Without limiting the generality of the foregoing ~~said~~ the city shall have full and complete power and authority to exercise the power of eminent domain to acquire rights to take water from navigable and nonnavigable streams and from lakes and other places within and without the corporate limits of said city and within and without the County of Fayette; and to exercise such power of eminent domain to acquire land or any interest therein, within and without the corporate limits of said city and within and without the County of Fayette, necessary for water, sewer and electric lines, gas pipe lines and airport property and facilities, together with the usual and necessary appurtenances therefor, or such land or any interest therein necessary in order to lay out, grade, open, pave, straighten, maintain, elevate, lower, improve and relocate, streets, lanes, sidewalks, alleys, and ways on, in, across, along, through, under or over private property, and property already devoted to public use, and particularly Fayette County School District property; and also under, over or across the rights-of-way of public utility companies, such as railroad, express, telephone, telegraph, electric, gas, street railway, ~~trackless trolley~~ and bus companies, and all others having the right to acquire private property by exercise of the power of eminent domain or any similar power.

Sec. ~~34~~ 6.4.

{ Street powers }.

(a) Said city shall have full and complete power and authority to open, lay out, grade, widen, construct, pave, re-pave, curb, and otherwise permanently improve any and all streets, sidewalks, and ways, and to maintain, relocate, repair, re-pave, extend, abandon or close them, and to construct, maintain, repair, replace and remove street curbing, sidewalks, alleys or ways.

(b) To provide funds for these purposes all sidewalks, curbing and service sewer construction costs, except costs of service sewers which cannot serve the abutting real estate nor the owners thereof, may be assessed against the abutting real estate and owners thereof, but only on the side of the street on which such improvements are made, if on one side only. One-third of the cost of street construction may be assessed against abutting real estate and owners thereof on one side of such street, and one-third ($\frac{1}{3}$) against abutting real estate and the owners thereof on the other side, the city paying the remaining third. In real estate subdivisions all street construction costs may be assessed against the abutting real estate and owners thereof.

(c) Cost of maintenance and repair of all city streets shall be paid out of the city treasury except in special cases provided for by city ordinance.

ARTICLE VII. PUBLIC IMPROVEMENTS; ASSESSMENT

Sec. 35-

~~[Sewer cost assessment]. Cost of sewers shall not be assessed against abutting real estate which cannot be served or benefited by such sewers which are constructed solely for the benefit of other real estate or the owners thereof other than such abutting real estate; in which latter case, the cost may be assessed against the real estate to be served for which such sewer is constructed.~~

Sec. 36-

~~[Water line cost assessment]. The cost of water lines may be assessed against the abutting real estate and owners thereof when such lines are constructed solely for their benefit.~~

Sec. 37-

[7.1 Improvement assessment ordinance].

(a) Provision shall be made by ordinance for all sewer, sidewalk, street or street curbing construction, maintenance or repairs if any part of the cost thereof is to be assessed against abutting or other real estate or the owners thereof.

(b) After the first reading of such ordinance, notice that it has been introduced shall be published one time by the clerk in the official newspaper in which sheriff's advertisements for Fayette County appear at least eight (8) days before final passage of said ordinance. Said notice shall state that such ordinance has been introduced in the council and shall include a general description of the improvement, its location, estimated cost, and shall state that the actual cost or such part thereof as the ordinance provides, will be assessed against the abutting

real estate and the owners thereof, or against such real estate and the owners thereof as shall be benefitted by such improvement, and that anyone objecting to such improvement, or objecting to the amount of his or her assessment may appear and make such objections at the next regular meeting of the council after the expiration of said eight (8) days. No other or further notice of any kind shall be required, but if some other notice is given or ordered to be given, failure to give such additional notice shall not invalidate such ordinance or the assessment of such costs or the lien herein created against such abutting or other real estate nor the ordinance assessing the costs of such improvement. The second reading of such ordinance shall not be waived until the expiration of said eight (8) days after said publication of notice required by this section. But after the expiration of said eight (8) day notice such ordinances may be taken up and adopted at any regular meeting of the council without further notice.

Sec. 387.

{2. Improvement assessment against public property}.

When the city council orders any street, sidewalk, or way paved or otherwise improved, upon which any public property abuts, the city council shall assess the cost of such improvements against said public property in the same manner and to the same extent as it does where private property is assessed. And when any street, sidewalk or alley is paved or otherwise improved upon which public property abuts and the public officer or agency controlling such public property fails or refuses to pay the assessed cost of such improvements the city council shall enforce payment of the same by levy and sale, mandamus or other appropriate legal proceedings; provided, such action for collection of the assessed cost of such improvements upon which public property abuts may be defended by the authorities in control of said public property by proving that the amount claimed to be due, or some part thereof, is not justly due or owing by said authorities; and, provided further, that when any action is begun and said authorities admit that part of the amount claimed is due, the amount so admitted to be due shall be paid as a condition precedent before any defense shall be heard by any court.

Sec. 7.39.

{ Scope of improvement assessment}.

(a) Cost assessed against abutting or other property and the owners thereof for sewers, sidewalks, streets, or street curbing shall, except as otherwise provided by this act, include all cost of such improvement, including necessary engineering, surveying, ditching, back filling, grading, blasting, dynamiting, pipe, and all other labor and materials, and shall include tearing up and reconstructing, re-paving,

repairing and replacing of sewers, streets, sidewalks and street curbing, and extending, relocating and regrading for any of these, to the private property line of the property assessed.

(b) Expense of maintenance and repairs of public streets shall not be assessed against abutting real estate, but cost of maintenance and repairs of sidewalks, curbing and service sewers may be so assessed.

Sec. ~~7.40~~.

{~~___~~ Lien for improvement cost}.

(a) To secure costs of streets, sidewalks, sewer and street curbing assessed against abutting or other real estate and the owners thereof, and costs of repair of any of these, said city shall have a lien against such abutting real estate and the owners thereof, or against the real estate and the owners thereof for the sole benefit of which such improvement is made, from the date of adoption of the ordinance providing for the work and assessing the cost, which lien shall be prior and superior to all other except state, county and city taxes, and said city shall have the right to sell and transfer all such liens and claims to third parties, who shall be protected by the same lien and rights as the city has and holds against such property and the owners thereof.

(b) Nothing in this section shall be construed to deprive the property owner of the right of paying for said improvement in cash at the completion of the work if he desires to do so.

Sec. ~~41~~ 7.

{~~5~~. Installment payment of improvement assessments}.

When any street, sidewalk, sewer or curbing or other improvement shall be constructed, reconstructed, repaired or replaced, pursuant to an ordinance providing for the same and providing for assessment of the cost thereof, or a part thereof, against the abutting or other real estate, the owners thereof shall be allowed to pay for the same, except in case of repairs, as follows: One-fifth ($\frac{1}{5}$) cash and the balance in four (4) equal annual installments within the next four (4) years thereafter, with interest on said deferred installments at the rate of seven (7) percent per annum from the date of adoption of the final assessment ordinance.

Sec. ~~42~~ 7.

{~~6~~. Assessment of sidewalk cost}.

Sidewalks shall be constructed on one side of a street and the cost thereof assessed against the abutting real estate and owners thereof on that side of such street if the owners of more than fifty (50) percent of the street frontage on that side

of said street so request. Sidewalks may be constructed on either or both sides of a street, and the cost thereof shall be assessed against the abutting or other real estate and the owners thereof, without the consent of any of such abutting or other real estate owners when the city council deems it proper or desirable for such sidewalks to be laid and they are not laid for the ~~sole~~primary benefit of persons other than such abutting or other real estate owner.

Sec. ~~43~~ 7.

{7. Due date of improvement assessments}.

Costs assessed against property and the owner thereof for street, sidewalk, curbing, sewers or other like or similar work shall all become due and payable in full if any installment is not paid within sixty (60) days from the day it is due.

Sec. ~~44~~ 7.

{8. Execution for improvement assessments}.

The city council shall have full power and authority to enforce collection of amounts so assessed by execution against the real estate so assessed and the owner thereof at the date of the ordinance providing for the work, which execution, if not paid, shall be issued by the clerk of the city and levied on such real estate by the chief of police, as city marshal, or his lawful deputy, and after advertisement as in cases of sales of Peachtree City taxes, such property shall be sold at public outcry to the highest bidder for cash, if such execution and costs have not been previously paid; provided such property owner shall have the right to file an affidavit denying that the whole or some part of the amount for which the execution issued is owing or due, and stating what amount, if any, he admits to be owing, which amount so admitted to be owing shall be paid to the levying officer before the affidavit shall be received, which affidavit when received shall be returned to the Superior Court of Fayette County and there tried and the issue determined, as in case of illegalities, subject to all the penalties provided by law in cases of illegality filed for delay only.

Sec. 45 7.

{9. Payment of street paving cost by railroads; street tax on public carriers}.

Any street railroad company or other railway company having a track or tracks running along or across a street or streets of said city, shall be required to pay the cost in full for paving or otherwise improving such street or streets between their tracks and two (2) feet on each side thereof. Any bus company or other public transportation company shall also be liable for such street taxes as the council may lawfully impose.

ARTICLE VIII. MUNICIPAL COURT

Sec. 46 8.

1. Creation.

(a) There is hereby established a court to be known as the "Municipal Court" of Peachtree City" which shall have jurisdiction and authority to try offenses against laws and ordinances of said city and to punish for a violation of the same. ~~Such~~

(b) This court shall have the power_

(1) to enforce its judgments by the imposition of such penalties as may be provided by law;

(2) to punish witnesses for nonattendance, and to punish also any person who may counsel or advise, aid, encourage, or persuade another whose testimony is desired or material in any proceeding before said court, to go or move beyond the reach of the process of the court;

(3) to try all offenses within the territorial limits of Peachtree City constituting traffic cases which, under the laws of Georgia, are placed within the jurisdiction of municipal ~~or police~~ courts to the extent of and in accordance with the provisions of such laws and all laws subsequently enacted amendatory thereof;

(4) to establish bail ~~and recognizances~~ to insure the presence of those charged with violations and to prescribe the conditions of forfeiture of the same; and

(5) to administer oaths and to perform all other acts necessary and proper to the conduct of said court.

(c) The presiding officer of such court shall be known as the judge._

(d) Said court shall be convened at such times as designated by ordinance or at such times as deemed necessary by the judge to keep current the dockets thereof._

(e) The court shall sit at a place designated by the council.

~~(1970 Ga. Laws, page 2286, § 2; Ord. No. 168, § 1, 3-14-1979; 1980 Ga. Laws,~~

~~Judge. (a)~~

Sec. 8.2. Judge.

(a) No person shall be qualified or eligible to serve as judge unless he shall have attained the age of twenty-one (21) years, and shall not have been convicted of a crime involving moral turpitude. ~~The mayor, or any councilman, may serve as judge, or any person who shall be~~

(b) No person shall be qualified or eligible to serve as judge unless he shall be a licensed member of the Georgia State Bar, in good standing, who is also licensed to practice law in the State of Georgia.

(c) Neither the mayor, any member of council, appointed officer, nor any employee of Peachtree City shall be qualified or eligible to serve as judge.

(d) The judge shall be appointed by the city council and shall serve at the discretion of the city council. The compensation of the judge shall be fixed by the city council.

(b ————— e)
The judge pro hac vice shall serve in the absence or disqualification of the judge; shall have the same qualifications as the judge; and shall be appointed by the city council.

(e ————— f)
Before entering on duties of his office, the judge or judge pro hac vice shall take an oath before ~~an officer duly authorized to administer oaths in this state~~ the mayor or mayor pro tem, that he will truly, honestly and faithfully discharge the duties of his office to the best of his ability without fear, favor or partiality. This oath shall be entered upon the minutes of the meeting of the mayor and council.

~~(1970 Ga. Laws, page 2286, § 2; Ord. No. 168, § 1, 3-14-1979; 1980 Ga. Laws, page 4732, §~~

~~4)-~~ Sec. 488.3. Jurisdiction.

(a) Unless a lesser penalty is provided by ordinance or a greater penalty is provided by general law, the judge shall have power to impose fines, costs and forfeitures for the violation of any law or ordinance of Peachtree City passed in accordance with this Charter, as follows:

(1) to impose a fine in an amount not to exceed one thousand dollars (\$1,000.00) for each offense;

(2) to imprison offenders for a period of not more than ~~twelve~~ six (126) months for each offense;

~~or at labor on~~ (3) the roads and streets or other public works of said city ~~commit offenders to community service for not more than~~ twelve ~~forty~~ (40) hours per week for a period of not more than six (126) months for each offense; and

(4) to combine any one or more of these punishments in the discretion of the judge.

(b) Said judge shall not have the authority to inflict a greater punishment for contempt than to impose a fine of ~~one~~two hundred dollars (\$~~1200.00~~200.00) or imprisonment not exceeding ~~twenty~~ten (2010) days, or any combination of the two. ~~He shall be to all intents and purposes a justice of the peace, so far as to enable him~~

(c) The judge shall be authorized to issue warrants for offenses committed within the corporate limits of Peachtree City, which warrants may be executed by any officer of said city, and to commit the offenders to jail or admit them to bail or recognizance in bailable cases for their appearance at the next term of court of competent jurisdiction.

(d) The judge is hereby authorized to issue subpoenas to compel the attendance of witnesses to said municipal court, and to issue such other processes as may be necessary for the proper administration of said court.

(e) The municipal court shall also have concurrent jurisdiction with that of the ~~justice of the peace~~magistrate over offenses against the criminal laws of the state committed within the corporate limits of the city.

(f) Except as may be herein otherwise specified, the judge is vested with all of the jurisdiction and powers as to the entire area within the corporate limits of Peachtree City.

(g) The municipal court is specifically invested with all jurisdiction and powers throughout the entire area within the corporate limits of the city granted by state laws generally to ~~mayors~~, municipal, ~~police~~ courts; and particularly such laws as authorized the abatement of nuisances.

(h) Said judge is hereby authorized to administer oaths.

~~(1970 Ga. Laws, page 2286, § 2; Ord. No. 168, §§ 1, 2, 3-14-1979; 1980 Ga. Laws, page 4732, § 2)~~ **Sec. 8.49. Right of judicial review of final judgments and sentences.**

Any defendant who is dissatisfied with the judgment or sentence of the municipal court shall have the right to seek review of said judgment or sentence by filing a petition for the writ of certiorari in the superior court of Fayette County as provided by the general law of this state. Upon the filing of a notice of intention to petition for certiorari with the clerk of the municipal court in writing and within ten (10) days after the date of the final judgment, it shall be the duty of the judge of said court to assess a reasonable bond pending the review of the judgment of conviction, with such surety or sureties to be approved by the clerk of said court, and such bond, when filed and approved as provided herein, shall act as a supersedeas of judgment until the final judgment of the superior court.

~~(1970 Ga. Laws, page 2286, § 2; Ord. No. 168, § 3, 3-14-1979; 1980 Ga. Laws, page 4732, §~~

~~3)~~ **Sec. 8.50. Court costs ~~[compelling witness attendance]~~.**

In all cases in the municipal court of Peachtree City, the costs incurred and allowable herein may be computed under the provisions of the laws of the State of Georgia fixing costs in the ~~justice of the peace~~ courts of said state or the city council may establish by ordinance a schedule of fees

to defray the costs of operation. The council may also provide a uniform scale of costs of the clerk and police officers of said city for all services in the arrest and prosecution of offenders in the municipal court and in the issuance and collection of tax and other executions; and for their collections and payment into the city treasury. ~~The judge is hereby authorized to issue subpoenas to compel the attendance of witnesses to said municipal court, and to issue such other processes as may be necessary for the proper administration of said court.~~

~~(1970 Ga. Laws, page 2286, § 2; Ord. No. 168, § 1, 3-14-1979; 1980 Ga. Laws, page 4732,~~

~~§ 1) **Sec. 51**~~

Sec. 8.6. Rules for court.

With the approval of the mayor and council, the judge shall have full power and authority to make reasonable rules and regulations necessary and proper to secure the efficient and successful administration of the business of said court; provided, however, that the mayor and council may adopt in part or in toto the rules and regulations relative to the procedures to the operation of the superior courts under the general laws of the State of Georgia.

~~(1970 Ga. Laws, page 2286, § 2; Ord. No. 168, § 1, 3-14-1979; 1980 Ga. Laws, page 4732, §~~

2) ARTICLE IX. LEGAL GENERAL PROVISIONS

Sec. 52. — Repeal of conflicting laws. All **Sec. 9.1. Existing Ordinances,**
Resolutions, Rules and Regulations.

All ordinances, resolutions, rules and regulations now in force in the city not inconsistent with this charter are hereby declared valid and of full effect and force until amended or repealed by the city council.

Sec. 9.2. Existing Personnel and Officers.

Except as specifically provided otherwise by this charter, all personnel and officers of the city and their rights, privileges and powers shall continue beyond the time this charter takes effect until otherwise decided by the city council.

Sec. 9.3. Pending Matters.

Except as specifically provided otherwise by this charter, all rights, claims, actions, orders, contracts and legal or administrative proceedings shall continue and any such ongoing work or cases shall be completed by such city personnel or officers as may be provided by the city council.

Sec. 9.4. Severability.

If any article, section, subsection, paragraph, or sentence of this charter shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair other parts of this charter unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional, it being the legislative intent in enacting this charter that each article, section, subsection, paragraph and sentence be enacted separately and independent of each other.

Sec. 9.5 . **Repealer.**

An Act incorporating the City of Peachtree City in the County of Fayette, approved _____, 1959 (Ga. L. 1959, p. 2409) , is hereby repealed in its entirety and all amendatory acts thereto are likewise repealed in their entirety. All other laws and parts of laws in conflict herewith with this charter are hereby repealed.

Sec. 9.6. **Effective Date.**

This charter shall become effective on its passage.