City Council of Peachtree City
Agenda
January 18, 2007
7:00 p.m.

I. Call to Order

II. Pledge of Allegiance

III. Announcements, Awards, Special Recognition
Remind Attendees to Turn Off Cell Phones
Recognize Terry Blackburn for 10 Years of Service
Recognize Matt Davis for Service on Airport Authority
Proclamation for Kiwanis Week
Presentation of Builders Awards

IV. Public Comment

V. Minutes
December 14, 2006, Special Called Meeting Minutes
January 4, 2007, Regular Meeting

VI. Consent Agenda
1. Consider Resolution Calling for Municipal Election
2. Alcohol License – Change in Licensee and License Representative – Greenway #646
3. Consider Local Government Lighting Project Agreement for SR 74/Paschall Road Multi-use Tunnel
4. Consider Bid for After-market Accessories

VII. Old Agenda Items
12-06-02 Consider Variance – 403A Dividend Drive

VIII. New Agenda Items
01-07-12 Citizen Request to Discuss Sign Ordinance
01-07-13 Consider Request for Funding from Promise Place
01-07-14 Hear Proposal from Fayette County Art Center
01-07-15 Consider Amendments to Home Occupation Ordinance
01-07-16 Consider Amendments to Rules of Court Ordinance
01-07-17 Consider Amendments to Peddlers & Solicitors Ordinance
01-07-18 Consider Approval of Probation Services
01-07-19 Consider Reclassification of Budget Analyst Position
01-07-20 Consider Reclassification of Human Resources Specialist Position
01-07-21 Consider Pool Passes for Retired City Employees
01-07-22 Consider Name Brand/Sole Source for Kustom Media Manager System

IX. Council/Staff Topics
Update on MacDuff Parkway Landscaping
Update on Golf Cart Registration

X. Executive Session

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

City Council of Peachtree City
Minutes of Special Called Meeting
December 14, 2006
6:00 p.m.

The City Council of Peachtree City held a Special Called Meeting on Thursday, December 14, 2006, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 6:00 p.m. Other Council Members present were: Steve Boone, Stuart Kourajian, Cyndi Plunkett, and Judi Rutherford.

The purpose of the meeting was to consider the acceptance of the dedication of the TDK right-of-way from the Peachtree City Airport Authority (PCAA) and to hold an executive session.

City Attorney Ted Meeker addressed Council regarding the consideration of the acceptance of a quitclaim deed dedication of the right-of-way necessary for the TDK Boulevard extension. Meeker noted there were additional documents on the dais, including copies of the quitclaim deed from the PCAA to the City and the limited warranty deed from PCH Investments, LLC, to PCAA, which actually conveyed the right-of-way to the PCAA on November 1. The last document was the survey plat that incorporated the road.

Logsdon asked Meeker to explain why Council was holding the special called meeting. Kourajian told Logsdon that he felt Council was being bullied into making a decision in the 11th hour. He continued that he also felt bullied with the GRTA decision on the Developments of Regional Impact (DRIs). Council needed to take a step back and decide what was best for the City.

Kourajian moved to deny the acceptance of the dedication of TDK right-of-way from the Airport Authority; that the enhanced runway safety area of Falcon Field remain as it was following the purchase from Sequoia Golf, that Council request an extension until January 18, 2007, from Pathway to accept the right-of-way, that Council not support the TDK extension in its present form, and that Council encourage the Fayette County Board of Commissioners to withdraw their support and funding. Those conditions were to stay in effect until such time as a more comprehensive traffic plan was established that would address traffic congestion in and around Peachtree City, alternate primary traffic routes to I-85 North were provided, financial assistance to the required City intersection improvements was provided, and the impact to Falcon Field was assessed. Plunkett seconded.

Meeker answered Logsdon's earlier question. He said that the limited warranty deed between PCH Investments and the PCAA had a reversion clause. With the typical reversion clause, the title to the property would revert back to the original owner, the person who conveyed the property, if certain events did not happen. There were two events under which the property could revert back to PCH Investments. The latter was the building of the road within three years, which staff had been aware of at least two weeks prior to the closing. The other event was that the City had to accept the dedication of the right-of-way by December 15, 2006.

Rutherford asked when the reversion clause had been added. Meeker said it had been added sometime between when the draft was forwarded to the City for review, when the City said there was no problem with the three-year requirement for road construction, and the closing date among the other parties. The City was not a party to any of the closings. Kourajian asked when that occurred. Meeker said it was approximately two weeks prior to the closing on November 1.

Plunkett asked Meeker when the City became aware of the December 15 deadline. Meeker said it was on Tuesday, December 12, around 10 a.m. Rutherford noted that the City became aware of the deadline during the PCAA Selection Committee interviews. City Manager Bernard McMullen said that was correct. Meeker said McMullen called him, then Meeker called Doug Warner, the PCAA attorney.

Plunkett asked if there had been any communication from Pathway Communities regarding the approaching deadline. Meeker said he not heard anything from Pathway. After speaking to Warner, they looked into it further. Meeker continued that he had spoken to Warner a few weeks ago and told him the acceptance should be on the January 18, 2007, Council agenda. Kourajian verified that was after the closing. Meeker said yes. He continued that Warner told him he had immediately contacted Pathway to request an extension of the deadline following their conversation on Tuesday. Rutherford said she understood Pathway had been willing to grant an extension providing the City paid the legal fees. Meeker said he understood the initial response was Pathway did not think there would be a problem extending the deadline. Subsequently, they requested the PCAA cover the legal costs associated with drafting the extension.

Meeker continued that he spoke with Warner and his associate Matt Ramsey on Tuesday afternoon, who said it would be better for Meeker to speak with the PCH Investments' attorney. Meeker said he had spoken with PCH Investments a couple of times over the last few days, and they were not willing to extend the deadline.

Rutherford said she understood that they wanted the City to pay the legal fees for the extension, not that they were not willing to grant an extension. Logsdon said he was not willing to pay the fees. He also spoke to Doug Mitchell of Pathway/PCH. The gist of that conversation was that Pathway preferred the property revert back to them rather than grant an extension. Logsdon said he preferred to have the right-of-way under City control, so the City could dictate what happened, rather than have it in the developer's control.

Plunkett asked if the clock started ticking on the three-year road development if Council accepted the right-of-way at this meeting. Meeker said that clock started at the closing on November 1. Plunkett asked if the closing started the ball rolling for funding from the Department of Transportation and the County Commission. Meeker said the closing was a step in the process, but was not the end step. Plunkett said if the right-of-way was in Pathway's hand, nothing would happen because they did not have the resources to build the road. Meeker said the City could not build the road until the right-of-way was obtained.

Logsdon said that the developer could build the bridge and the road, but he felt the City was better off if it was in its hands. He had spoken with Fayette County Commission Chairman Greg

Dunn and Commissioner-elect Jack Smith that day, and he was told the Commissioners did not intend to build the road if the City did not want it.

Kourajian asked if the bridge would land on City, County, or Pathway property. The developer would need approval to build the bridge from the City or County if the developer did not own the property the bridge would land on. Meeker said that, based on the plat on the dais, the road would have to go through some Fayette County property. McMullen said, to the best of his knowledge, Fayette County owned property around the dam and where the bridge would land. The plat on the dais did not show the property all the way to the dam. Rutherford said she recalled that the County owned the land to the creek.

Boone asked about the FAA grant used to purchase the land. He asked if the City would have to pay for the land twice if the right-of-way reverted back to Pathway. Meeker said that, according to Warner, it was not a situation where the City would have to pay twice for the property. There was some property trading involved. Pathway was given money for the roadbed that was at issue, but they also agreed to donate the roadbed of the former TDK plan to the PCAA. He had not seen all of the closing documents, but the bottom line was that the PCAA used certain FAA money to acquire the two holes of the golf course and some of the surrounding property. Sequoia Golf used that money to purchase some of the land needed to re-locate the golf holes.

Rutherford noted that there were at least two opportunities before the City had to make a final decision on the road. Meeker said there would be at least two more occasions where issues would be brought back to Council. Rutherford clarified that the City would have control over the property if Council accepted the right-of-way at the meeting. Meeker said the City would have to ask Pathway for the property again if the right-of-way reverted back to their ownership. Boone said that would be where the City could be held hostage again. He would rather see the property in the City's control, with or without TDK Boulevard.

Kourajian said Council would be making an emotional decision if the right-of-way was accepted at this meeting. He said the City could go to the PCAA to get the money for the legal costs. Boone asked why Council would want to spend City money. Rutherford said it would be PCAA money. Logsdon said the PCAA felt it was not obligated to pay the fees since Council was responsible for the acceptance. Kourajian said if Council had been told about the deadline, the City would not be in this position.

Logsdon said he wanted the City to have control of the right-of-way. Boone agreed. If the right-of-way was in the City' control, it would be a win-win for everyone, and the City could mandate in the future whether there was a decision to extend TDK or not. Plunkett said Council was allowing someone else to dictate to them now. She read all the documents, but had only had 12 hours to digest the information.

Rutherford clarified that Pathway was not willing to extend the deadline. Meeker said that, by his interpretation, the acceptance had to be by midnight. Until now, the answer had been no on extending the deadline, and he saw no reason for Pathway to change its mind before midnight.

Kourajian asked how Meeker knew Pathway was not willing to discuss an extension. He asked Meeker when he last spoke to them. Meeker said he spoke to the Pathway attorney at 4 p.m. that day. Kourajian stood by his motion. Logsdon said Council might be pushed into making a decision, but felt there had been time to make a rational decision. Any time the City had control, it was better. Kourajian did not disagree with the fact that control was best, but said there must be a reason Pathway did not want to extend the deadline. He questioned why. Rutherford asked why Pathway had slid the reversion clause in the agreement between the time the City had looked at the draft and the time the agreement was signed. Plunkett said there might be a perfectly legitimate answer, but Council could not get that answer due to the arbitrary time constraints.

Rutherford asked how Council could be sure Pathway would be willing to give the right-of-way back. Meeker said he was told the right-of-way would be donated to the City when the City was ready to take it. Rutherford questioned how the City could be sure that would happen. Boone said the City could be held hostage again if Pathway and Tom Reece got together and put in a road. He had a problem with not having control of the property. Plunkett said she was not ready to accept the right-of-way.

Rutherford asked if Council chose to accept the right-of-way, but chose not to build the road, then could the City just plant flowers in the right-of-way. Meeker said yes, but the right-of-way with the flowers would revert back to Pathway if the road was not completed in three years. Rutherford reiterated that Council still had to approve at least two more steps, including engineering funds. Plunkett said if Council did nothing in the next year, there was no way the road would be completed within three years.

Logsdon said Pathway's concern for the road was their landlocked property. Rutherford clarified there was a triangle-shaped parcel owned by Pathway that needed access. She asked where it was located in relation to the right-of-way. Meeker showed where the parcel and the right-of-way in question were located on the plat.

Logsdon opened the floor for public comment. Meeker reminded Council there was a motion on the table. In order to take public comment, he said Council Member Kourajian should withdraw his motion, and Council Member Plunkett should withdraw her second. They could listen to the public comment, then renew the motion. Kourajian asked if another Council Member would make a motion in his stead if he removed his motion. Council agreed to let Kourajian renew his motion. Kourajian withdrew his motion. Plunkett withdrew her second.

Residents who addressed Council included Steve Brown, Richard Spain, Gale Sanders, Doug Sturbaum, Laura Johnson, Darcy Pitts, Dixie Jennings, Phil Jones, Jim Savage, and Juan Matute. Their comments included the following:

- The original premise for building the road was traffic relief.
- Traffic numbers and models were always deflated when developers' engineers did the studies.

- The Coweta County Developments of Regional Impact (DRI) would significantly affect traffic.
- There was a significant amount of undeveloped land in eastern Coweta County, even when taking the three DRIs into consideration.
- The TDK extension was a key route in Coweta County's transportation plan.
- Falcon Field's runway zone was protected without accepting the right-of-way.
- The TDK extension was a key route in the development of that area of Coweta County.
- There were questions as to when the reversion clause was added and why Council had not been informed.
- The developer's control of the 11^{th} hour decision put the control in their court.
- The TDK extension only benefited Coweta County.
- There were concerns that there had been no public hearings or input for such an emotional issue.
- There were questions as to how the City got into this situation.
- Big box development should be stopped to alleviate traffic.
- Pathway normally threw in contract changes at the last minute.
- Accepting the right-of-way was not a negative; control of it was positive.
- Change was inevitable, but it should be managed.

Rutherford said the City had appealed GRTA's Notice of Decision. Logsdon said he had spoken with GRTA that day, and the dialogue had been good. They were going to review the Notice of Decision.

Logsdon noted that the City held a workshop a few months ago on the TDK extension and had invited all the elected officials in Fayette and Coweta Counties. No one attended from Coweta County. Fifteen people spoke – seven in favor of the extension and eight against. The Chamber of Commerce spoke in favor of TDK. Rutherford added there had been public input on multiple occasions. Rutherford said that, even if Council accepted the right-of-way, the process was not over. Kourajian recalled that County Commissioner Dunn said the County had enough money to build a two-lane bridge, but not a four-lane bridge as GRTA put in the Notice of Decision. Rutherford said she would not support a four-lane bridge. Logsdon said no one would. TDK was designed as a relief corridor, not anything further. Rutherford noted that the TDK extension would provide another cross-county route, which was needed. The TDK extension was not a bad thing. She said they had to look at all the information.

Logsdon said that Fayette County and Coweta County would double in population over the next several years. Georgia 54 would not be able to handle that traffic. There had to be other east-west corridors into Coweta County, maybe at Crabapple or Dogwood. Georgia 54 would get slammed with the growth. Logsdon said he told the state that the GA 54/GA 74 was stressed and could not handle another four-lane road dumping traffic onto it. There needed to be more four-lane roads leading to I-85 in Coweta County. He said the City had to be a regional player; it could not be isolated.

Boone said that in DRI the plan was to four-lane old 85 on the south side. There should be pressure on the Fayette County Commissioners to work with Coweta County and the legislators to examine and look at four-laning corridors in Coweta County to alleviate the problems on GA 54. All the future development was going to jam GA 54 up again.

Plunkett said that Coweta County could do whatever it wanted, and the City and Fayette County did not have a say in that. Those people would want to come this way. TDK could be one of the solutions, but it was not just residents, but also commercial development. Commercial development would not go in without access to Fayette County. Her concern was building TDK without trying to direct the growth in the surrounding area so it was more reasonable and manageable. Boone noted that the City's original population was projected to be 80,000 with a clover-leaf at GA 54/GA 74. Instead, the City had 36,000 after 50 years. Reece and the other developers had aggressive plans that would happen over time, possibly past 2016.

Rutherford said the only thing that would bring the City to the table in Coweta County was to build the TDK extension. If the City was not at the table, it would not have a voice. Boone added that GRTA's plan was for a four-lane road and four-lane bridge. The City had to have a seat at the table. Rutherford said it was appropriate to look at the choices the City had at this meeting; it would not be the last opportunity to make or break the road. It was the first of many challenges.

Kourajian explained how the situation for the special called meeting had come about. Council had been aware that the agreement between the PCAA and Pathway required the road to be built within three years, but there had been nothing in the draft Council and staff had seen about the deadline to accept the right-of-way. Everyone had tried to work it out and had spent until 5 p.m. on December 13, the deadline for the special called meeting notice, trying to do so. Rutherford added that, so far, all of the contracts had been signed outside the realm of the City, which was why Council looked ridiculous and was unhappy.

Kourajian reinstated his earlier motion to deny the acceptance of dedication of TDK right-of-way from the Airport Authority; that the enhanced runway safety area of Falcon Field remain as it was following the purchase from Sequoia Golf, that Council request an extension until January 18, 2007, from Pathway to accept the right-of-way, that Council not support the TDK extension in its present form, and that Council encourage the Fayette County Board of Commissioners to withdraw their support and funding. Those conditions were to stay in effect until such time as a more comprehensive traffic plan was established that would address traffic congestion in and around Peachtree City, alternate primary traffic routes to I-85 North were provided, financial assistance to the required City intersection improvements was provided, and the impact to Falcon Field was assessed. Plunkett seconded.

Rutherford questioned the following wording in the motion – "Council not support the TDK extension in its present form." She said the present form was two lanes and asked Kourajian if he supported four lanes. Kourajian said that he had supported TDK for three years, as a traffic relief. Rutherford asked if he approved the current two-lane plan. Boone noted that the City was not getting an extension on the right-of-way acceptance. Kourajian continued that he did not support any plan until the conditions in the motion were met. Boone referred to the portion of the motion requesting the extension of the deadline. Boone noted that, as of 4:00 p.m., the City would not get an extension. Kourajian said if Pathway wanted to hold a gun to the City's head later in order to get the right-of-way, it was their prerogative. He was not prepared to make a decision on an 11th hour conundrum that said he had to decide now. If the Mayor and City Manager had not been in that meeting, it would have reverted back anyway. Logsdon said the clause was caught in time to make an informed decision in a controlled environment. Kourajian said he did not believe in coincidence or that it just happened to come up. Rutherford said she was more concerned that the PCAA had not told Council about the addition of the reversion clause. She asked Kourajian what he expected to learn by January 18. Kourajian said he did not know, but he did not feel he had to make a quick decision.

The motion was defeated 2 (Kourajian, Plunkett) to 3 (Logsdon, Boone, Rutherford).

Plunkett moved to adjourn the meeting. Kourajian seconded. The motion failed 2 (Kourajian, Plunkett) to 3 (Logsdon, Boone, Rutherford).

Rutherford said it was not an easy decision. It should be made with more information. She moved to accept the right-of-way for TDK. Boone seconded. Kourajian asked Rutherford to include a friendly amendment to add the additions from his motion. Rutherford amended her motion to include that accepting the right-of-way did not mean Council supported building the road. Boone seconded the amendment. The motion carried 3 (Logsdon, Boone, Rutherford) to 2 (Kourajian, Plunkett).

Plunkett said Rutherford's point was well taken. Now that the right-of-way was accepted, there should be public input and more information in order to make the best decision possible. The other Council Members agreed.

Kourajian moved to convene in executive session for threatened or pending litigation and a personnel matter. Rutherford seconded.

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

With no other business to discuss, Kourajian moved to adjourn the meeting. Boone seconded the motion. The motion carried unanimously. The meeting adjourned at 8:01 p.m.

Jane Miller, City Clerk

Harold K. Logsdon, Mayor

Pamela Dufresne, Recording Secretary

City Council of Peachtree City
Minutes of Meeting
January 4, 2007
7:00 p.m.

The City Council of Peachtree City met Thursday, January 4, 2007, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Other Council Members present: Steve Boone, Stuart Kourajian, Cyndi Plunkett, and Judi Rutherford.

Announcements, Awards, Special Recognitions

Mayor Logsdon presented a proclamation for Robert E. Lee's bicentennial birthday to Glen Allen and James Roberts of the Sons of Confederate Veterans. Mayor Logsdon read a proclamation of congratulations and appreciation for the Fayette County 911 Center on being named the "2006 911 Center of the Year" by the Georgia National Emergency Number Association.

Public Comment

Lynda Wojcik commented on clear-cutting and the lack of buffers at the Target shopping center in Kedron. She also expressed concern regarding the cart path to the shopping center, which dumps carts onto the street at an entrance to the shopping center.

Minutes

Rutherford moved to approve the December 5, 2006, workshop minutes as written; the December 7, 2006, regular meeting minutes as amended on page 6, and the December 14, 2006, special called meeting minutes with the amendment on page 7. Kourajian seconded. The motion carried unanimously.

Monthly Reports

Logsdon noted that the Council Retreat was scheduled on March 2-3. Plunkett asked if a different amount for the jail fund was considered for 2007. Administrative Services Director/City Clerk Jane Miller noted that the City was required by state law to pay 10% of the fines, so the amount was not negotiable. Rutherford noted that the Association of Fayette County Governments was scheduled to meet on January 9 at 7 p.m. Kourajian asked why the Police Department report used calendar year-to-date figures rather than fiscal year-to-date. City Manager Bernard McMullen said the Department was required to use calendar year-to-date figures for FBI reporting.

Election and Oath of Office for Mayor Pro-tem
Oath of Office for Municipal Court Judge
Oath of Office for Municipal Court Judge Pro Hac

Kourajian nominated Rutherford for mayor pro-tem for 2007. Plunkett seconded. The motion carried unanimously.

Mayor Logsdon administered the oaths of office to Mayor Pro-tem Rutherford, Municipal Court Judge Stephen Ott, and Municipal Court Judge Pro Hac Eric Maxwell.

Consent Agenda

1. **Annual Indemnification Resolution**
2. **Authorization of Legal Organ**
3. **Consider Appointments to Recreation Commission – David Ring, Shayne Robinson (first alternate), Tami Morris (second alternate)**

4. **Consider Appointments to PCAA – William Flynn, John Corder (alternate)**
5. **Consider Appointments to WASA – Wade Williams, Gary Emmel (alternate)**
6. **Consider Appointments to PCTA – Stanley Phillips**
7. **Consider Appointment of City Planner as Zoning Administrator**
8. **Consider Appointment of City Planner as City Landscape Architect**
9. **Consider Stormwater Maintenance Agreement for Starr's Mill Professional Center**

Rutherford thanked the appointees for their service. Rutherford moved to approve the Consent Agenda. Boone seconded. The motion carried unanimously.

New Agenda Items

01-07-01 Public Hearing – Consider Request from John Wieland Homes to Lift Multi-family Moratorium on 89.146-acre Undeveloped Tract within the West Village

City Planner David Rast gave an overview of the proposal for the West Village townhomes. The 89.146-acre tract, which was located in the City, was part of part of John Wieland's proposed annexation and rezoning for the West Village. The property was included with the remainder of the Wieland tract located in the County and the Levitt & Sons property located to the north for the West Village Development of Regional Impact (DRI). The tract was undeveloped and heavily wooded. It was currently zoned GI General Industrial. Rast showed a PowerPoint (included in the official meeting file) of the tract. He said that the moratorium had to be lifted before staff could analyze and review the proposed townhome development as part of the annexation.

Plunkett said this was a problem for her. She asked why this portion of Wieland's development, which was located in the City, was considered part of the annexation. The property was not part of the annexation and was a separate issue. The City should not have to deal with the parcel as part of the annexation. Rast said all three parcels (the tract in the City, the Wieland property in the County, and the Levitt & Sons property) had to be treated as one development for the DRI because they would ultimately be one development. According to the Georgia Regional Transportation Authority's (GRTA's) rules for DRIs, individual parcels could not be singled out to get around the threshold. Plunkett pointed out that the only way this tract would be part of the development was if the zoning changed. She asked what would happen if the property stayed industrial. Rast said that because of the density proposed on the tract, there would be an impact on the traffic studies and other documents submitted for the DRI. Rutherford clarified that they could not look at the entire project, including the annexation, until there was permission to look at plans for this tract. The way the ordinance was written required that the moratorium be lifted before staff could look at the plan.

City Attorney Ted Meeker pointed out that the parcel was not being rezoned at this time. In order for staff to even consider a plan with any sort of multi-family housing component in it, Council had to lift the moratorium. Kourajian asked if Council did not lift the moratorium whether the townhome part of the annexation plan would be dead, or there could be no discussion on the multi-family part of the plan. Meeker said there could be no discussion on the multi-family part of the plan. It could be discussed in the context of the remaining parcel to be annexed. Logsdon clarified that if the moratorium was not lifted, then Council could still look at the rest of the annexation plan.

Dan Fields of John Wieland Homes & Neighborhoods said they had originally requested the lifting of both the multi-family and annexation moratoriums for the purpose of discussing townhomes in September 2004. He noted that the townhomes in Centennial had been well-received. In the charettes held prior to developing the plans, one of the goals identified in the Land Use Plan was to provide multiple housing types. He said they wanted to build townhomes, not apartments, priced from the mid-$200,000 range. He said they were not asking for a rezoning at this time, but to discuss with staff what that housing mix should be. Approval of the request allowed his company to discuss the project with the staff on the density and the type of townhomes. They needed the Planning Commission's and staff's input to get the mix right. Density would still become the issue. Townhomes were a much desired and needed product and attracted empty-nesters, young professionals, and those seeking a simpler, maintenance-free lifestyle.

No one spoke in favor of lifting the moratorium.

Phil Boswell noted that the Lexington Circle townhomes had sold miserably. Higher density meant more automobiles and more traffic. The City needed something that would augment the lifestyle. Just talking about it meant it would come to a vote.

Lynda Wojcik said she was against the traffic the development would bring. The City did not need more multi-family housing with the water shortage and high traffic. The point of the moratorium was to slow growth down. She saw nothing positive about the development and did not want to waste staff's time and the City's money. Wojcik said the City should wait to see the response from the citizens regarding annexation on the recent Comprehensive Plan surveys.

Mayor Logsdon called the public hearing to a close.

Boone said he was concerned about the proposed density of 335 units and the impact on Line Creek. He liked the idea that the overall density ratio was equivalent to the other villages, but they wanted to jam too much into a small space. He understood that lifting the moratorium did not obligate the Council's approval of the concept.

Rutherford said Council was obligated to send clear direction when it could. In a general sense, the purpose of the moratorium was to communicate that multi-family, whether townhomes or apartments, was not what the City wanted. Rutherford moved to deny the proposal from John Wieland Homes & Neighborhoods to lift the moratorium on multi-family housing for a proposed development in the West Village. Kourajian seconded.

Plunkett asked Meeker to explain the ramifications of denying the request. Meeker said that denying the request meant the DRI might have to go back through the DRI process since the DRI was approved with the multi-family component.

Kourajian asked about the charettes. Fields said the charettes with the citizens were held in 2004. They had discussed the concept of having a central village area. The Planning Commission had also participated.

Rutherford said that communities aspired to a mixed use, which did not have to mean townhomes, but a variety of commercial and residential. During the charettes, people wanted a variety of commercial and residential. They also discussed multiple levels of housing prices. Having all kinds of opportunities available made a community vital. The City already had all kinds of opportunities. There multiple levels of housing. The townhomes had sold well in Centennial, but they were not selling in Lexington. Council's job was to be clear with the direction.

Logsdon said the projects should not have to go back through the DRI process if there was less than a 20% change in the density. Rast said the approval was based on the number of units, and it was possible the applicant would not be allowed to move forward with the multi-family component. He would have to notify the Atlanta Regional Commission (ARC) and GRTA that the townhome component had been removed. He did not know if the process would have to start over. Logsdon said starting the process over was not a good option. Rutherford asked what would be wrong with starting the DRI process over. Logsdon said he would rather avoid having to go through the DRI process again because of the time. His point was that taking the multi-family component out was not 20% of the entire village. Levitt & Son proposed 699 units. Wieland proposed 549 single-family units and 335 multi-family units. The total was 1,583, and 20% of that number was 316. The developers would undoubtedly build additional homes on the parcel to make up the difference. Rutherford said the developer could adjust the numbers so the multi-family component was not 20% of the proposed project.

Boone said, while he did not support the density, he had no problem letting the Planning Commission and staff have input on the proposal. Rutherford said that, if getting the best plan meant going back through the DRI process, she had no problem with that. They should vote in the best interest of the City. Kourajian asked about the status of the $20,000 Wieland had committed to help pay for the annexation process. Fields said they had not received a bill yet. Rast said he was keeping track of the hours.

Logsdon asked Rast if staff had been working with the developer on proposal. Rast said staff had asked the ARC and GRTA to meet because it had been the City's first DRI. The agencies said they would review the Wieland proposal and the Levitt & Sons proposals together and would not single out any one portion. Once the plans were submitted to the City, staff had been obligated to review them for submission to ARC and GRTA. A few workshops had been held. Staff really had not done anything because they were waiting to get the information from GRTA. Rutherford clarified that any staff work had been related to the DRI process. Rast confirmed it. Rutherford said that was appropriate, and she had no problem with that.

Rast said the Wieland property in the County was 379.6 acres, 89 acres in the City, and Levitt & Sons had approximately 400 acres in the County. Fields said there were approximately 470 acres in the entire Wieland development, with an average of under two units per acre for the entire project. The average for the 89 acres was right at 1.73 units per acre. The average for Centennial was just over 2 units per acre. Kourajian said he had always supported bringing that area into the City, but not at these numbers. The numbers continued to increase, rather than decrease.

Rutherford asked Meeker if there were a time limit on when Wieland could ask to lift the moratorium again. Meeker said the appeal rights were the same as for rezoning requests, so the developer would have to wait six months.

The motion carried 4-1 (Boone).

01-07-02 Consider Request from Randy Horn on Fence

Randy Horn, 164 Cloister Drive, asked Council to consider a revision to the fence ordinance, Section 18-340(g) specifically. He noted that he had spoken to several different City employees and had received a different answer each time on what was and was not allowed regarding fences.

He said that particular paragraph seemed to be very unclear. Every time he went to the next step he got a different answer.

Horn continued that it started when an inspection officer stopped by his home and told him the fence might violate the ordinance because of the way the supports were mounted. He said he went to the Building Department and showed the Plans Examiner some photos of vinyl fences with the look he was trying to duplicate with his wooden fence. After looking at the photos and listening to his plan, Horn said the Plans Examiner told him the fence was fine. Building Official Tom Carty visited his residence later to look at the fence and told him it would not work based on how it was constructed.

Horn continued that he next visited Developmental Services Director Colin Halterman, which led to a visit to see his fence by Halterman, Carty, and McMullen. Horn said that McMullen told him one of Carty's options would not work. He said that McMullen e-mailed him later with two more options, but neither option included shadowboxing the fence, which was a common practice in the City.

Horn said he also brought some photos of his fence, as well as copies of the vinyl fences and proposed wording for the change in the ordinance that would allow wooden fences to resemble the commercial vinyl products.

Plunkett asked Horn to explain what he was trying to do. She asked Horn whether his contention was that a vinyl fence would not meet the criteria since the posts were on the outside. Horn noted that, on vinyl fences, the cross members that ran horizontally actually attached in the center. He bought metal brackets to do the same for his wooden fence. Horn said he was then told it had nothing to do with the structure, but with how the pickets were mounted. He noted that paragraph (g) did not address the pickets whatsoever.

Plunkett asked Building Official Tom Carty if Horn had discussed his plans with the City prior to building the fence. She asked how the process worked. Carty said typically an applicant would bring in a copy of the site plan to show where the fence would be located on the property and a sketch of the fence. Kourajian asked if it would be detailed description of the fence or just a line. Carty said it would be just a line showing where the fence would be and a description of the fence.

Horn showed photos of his fence and noted the clean straight line across the top. He planned to put copper caps on each post. He explained that he had cut off the pointed end of each fence slat. He was told he could put another support board on the inside of the fence, but the majority of the supports would still be on the outside.

City Manager Bernard McMullen said the ordinance required the structural supports to be on the inside of the fence, with the pickets on the outside. He said Horn's fence had the supports on the outside with the pickets on the inside. On a vinyl fence, the pickets went through the slots in the top and bottom rails. He added that staff recommended Horn could put supports on both sides of the fence, like a shadow box, so the wood fence would have a similar appearance to a vinyl fence.
Kourajian said the fence looked fine, but it still looked like a fence with the nicer side facing the house. He told Horn he did not understand why he wanted to change the ordinance. Horn said staff

was now telling him to put the cut side of the picket on the outside, which was the less attractive side of the fence. The cut pickets were on the inside.

Rutherford said the ordinance did not have to change to allow Horn to emulate a vinyl fence, noting that to truly emulate a vinyl fence the central supports should be bored so the slats were in the middle. Horn said that, from the outside, his fence looked like a vinyl fence.

Logsdon asked Horn what change he was suggesting. Horn read the ordinance with his proposed changes:

(g) If a fence is designed so that its structural supports are primarily on one side, <u>as determined by the location of the pickets,</u> that side must always be toward the interior of the property. <u>However, wood fences may be designed to resemble from the exterior the many vinyl fences that are now commercially available.</u>

Horn also proposed a second alternative:

(g) The structural supports must always be on the interior of the fence in relation to the pickets except when designed to resemble from the exterior the many commercially available vinyl fences.

Horn continued that he had spoken with three or four employees and had gotten that many answers on what to do. If people in the Code Department could not agree on what the ordinance said, then there was a problem. He said he might not be right either. He questioned how homeowners knew what to do if they got different answers from the Building Department. McMullen noted that staff had been providing multiple options, not multiple interpretations.

Meeker said there was no question as to the interpretation of the ordinance. Meeker read from the ordinance:

(g) If a fence is designed so that its structural supports are primarily on one side, that side must always be toward the interior of the property.

Kourajian said he saw no reason to add verbiage regarding wood fences simulating vinyl fences.

Kourajian moved to deny the request to make a revision to the fence ordinance at this time. Rutherford seconded. The motion carried unanimously.

01-07-03 Consider Approval of Tennis Center Restaurant Renovations

Peachtree City Tourism Association Executive Director Lauren Yawn addressed Council regarding the new lessee's requests for cosmetic changes at the restaurant at the Tennis Center. Yawn said the restaurant was currently vacant, but would be leased by Courtside Café & Bakery, an extended menu version of Fox's Pizza.

Corey Nestlehutt told Council he wanted to change the tile, paint, and to redo the bar area. He also wanted to put a lounge area in with some flat panel televisions, as well as a large bakery case. The restaurant would offer a full breakfast, lunch, a smoothie bar, and three to five choices for dinner after 5 p.m.

Kourajian said he supported improving things, but noted that the changes might be something another business would not want. He asked Nestlehutt if he would take anything, such as the tiles and the bakery case, in the event the restaurant closed. Nestlehutt said he would take the flat screen televisions, but would leave the brackets, tiles, bar, and shelving.

Kourajian said he would rather work with Nestlehutt to ensure the changes were acceptable. McMullen said Nestlehutt had submitted photos of what he wanted to do, and it was satisfactory in terms of what they were proposing. He and City Engineer Dave Borkowski had looked everything over. McMullen continued that one concern was that commercial grades of the materials such as flooring were used, and samples of the materials would be submitted for review.

Plunkett asked if there was an ordinance that covered this situation. McMullen said the lease between the City and the PCTA required Council approval for any capital improvement to the facility. Plunkett asked how the authority to approve the materials were delegated and to whom. McMullen said that the material submittals would be approved by the City Engineer.

Kourajian was concerned that changes could be made that could not be used by another lessee, if the situation arose. Rutherford said it would be up to the new business to change it. She noted that they were changing what the last business had done. Kourajian said he wanted to ensure someone was looking at what was put in.

Rutherford said the deck area had always been a problem. She said they needed to sort out what area was restaurant property. She noted that it had been roped off at one time. Tennis Center Manager Dave Gary recognized that had been an issue with the prior vendor, and they had the ability to rope the area off.

Plunkett asked what the timeline was. Nestlehutt said he wanted to be open by March 1.

Rutherford moved to approve the proposed renovations to Peachtree City Tennis Center restaurant with the caveat that the City Engineer was responsible to ensure appropriate materials were used. Boone seconded.

Plunkett asked Gary if a business plan had been submitted. She noted that there had been several failures, and she wanted this business to be successful. Gary said they had submitted a business plan and information on the menus and pricing to the PCTA.

The motion carried unanimously.

01-07-04 Consider Approval of Cable Franchise Agreement

Meeker said the agreement before Council was the result of lengthy negotiations between the City and Comcast. He noted that Andy Macke and Kenny Faust of Comcast were available to answer questions.

Rutherford moved to approve the attached franchise agreement, but for three years. Kourajian seconded.

Rutherford said she had a problem rewarding less than stellar service with a 10-year contract, but other than that the contract was fine.

Macke said the agreement process had been ongoing for several years. Under federal law, the City and Comcast would be immediately back in the renewal phase. The franchise renewal process was a three-year process, so a three-year contract would probably not be acceptable to Comcast. The agreement provided for significant updating of the franchise process. The company had a significant investment in the plant, customer service, and in the City, and was prepared to do more.

Rutherford asked what that included. Macke said that over the past 36 months, the system had been upgraded to bring in new products. There was a continuous investment in the infrastructure in the community. The third call center had opened in metro Atlanta in the last 12 months, and there were over 700 local customer service representatives. More would be added in the next year, along with more technicians. The company was looking to expand into the City with a satellite technical facility. Macke said the goal was better customer service and to invest in the communities in which they operated.

Logsdon asked why there was a 36-month negotiation time frame. Meeker said that, according to federal law, the cable company sent the notice to begin contract negotiations when 36 months were left on the franchise agreement. Literally, the process would begin immediately.

Rutherford said she would amend her motion to five years, but not beyond that. She added that she was hesitant to be tied up in a 10-year contract when there were so many changes going on.

Plunkett pointed out that the franchise agreement was not an exclusive contract, so other companies could come in. Rutherford said there was little likelihood that someone was willing to put in $25 million in infrastructure when another company had held the contract for many years. She said they were not doing the citizens a service by tying the franchise up for 10 years. Federal regulations were also changing. She added that one of the reasons the negotiations took so long was due to the discussion by the prior Council on cameras and filming during the first 18 months. Macke said that was a factor.

Macke said the agreement had nothing to do with technology or keeping out another provider. The agreement allowed the company to use the City's streets to provide cable services and assured the company it could continue to operate over a reasonable period of time as it made investments. The agreement also included some increased oversight and incremental steps the City could take in reaching the customer service goals, including the imposition of penalties. Cutting the term of the agreement changed the equation. Meeker noted that the previous agreement had been for 12 years.

Logsdon asked if there was an advantage to having a five-year agreement. Logsdon said that, according to Macke, there was no advantage other than having to negotiate more often. Rutherford said the City could negotiate a better deal in two years. Meeker said the parties could always amend the contract later on, which took a mutual agreement to do. There were triggers in the agreement regarding changes in federal law. Meeker said there were no measures to unilaterally change the terms of the contract by either party, unless another cable company came into the City. Another company could not operate under an agreement more favorable than the City's agreement with Comcast.

Plunkett asked how many complaints came in a month. Public Information Officer/Deputy City Clerk Betsy Tyler said she did not have a monthly average; however, she had received 64 complaints in 2006, 53 in 2005, and 67 in 2004. She had not gone back further since another company owned the franchise. She said that Intermedia complaints had dropped over time from a couple of hundred to 36 per year prior to the purchase by AT&T. She received 400 complaints in two months when AT&T took over the franchise. Comcast had made significant improvements, but City Hall still received complaints.

Plunkett asked if there was a general gist to the complaints. Tyler said it varied – billing disputes, outages, and cable burial issues. Comcast had performed a sweep of the City this summer, and 120 lines had been buried. Tyler said her frustration was that the customer service representatives seemed to be helpless when any problem was slightly outside the norm. She added that Comcast had been very prompt in relocating lines when the GA 74 construction knocked out service to some homes.

Kourajian asked what the City was locking into. Tyler said the federal laws gave the City very little control over charges, with the exception of the Tier 1 structure and some equipment. All that was locked in was the franchise fee they paid the City, which was four percent. Federal law allowed five percent, but the City had not previously wanted to have that additional percent added to bills. It was a pass through cost. Macke said the franchise fee was something cable companies were required to pay, but satellite companies were not.

Meeker said there were some performance requirements in the agreement, including some carryovers. Tyler said the standard levels of service were the same, but were stricter than most of metro Atlanta's standard franchises. The new performance assessments gave the City more leverage than in the past.

Kourajian asked how the City was impacted if there was not a franchise agreement. Meeker said, without an agreement, Comcast had no right to use the City's streets for the cable lines.

Macke said that, under federal law, there was a presumption of renewal. A formal process and informal process was laid out for renewal. There was also an appeal process. Most went through the informal process, although the formal process could be invoked if there was a problem with the negotiations. The agreement was the product of 18 months of negotiation, with give and take. The term was something Comcast would take into account. There might be some concessions that needed to be made by the City if the agreement was for a shorter period of time. Kourajian asked for an example of the concessions. Macke said liquidated damages were an element not in 95% of franchise agreements. Tyler added that the City's agreement also had a clause regarding how quickly cable had to be in a new subdivision, which was within 90 days of the first certificate of occupancy (CO). In most cities, it was based on total occupancy of the neighborhood.

Rutherford withdrew her motion. Kourajian withdrew his second.

Kourajian said the only benefit he saw to shortening the length of the agreement was if the government allowed the City to get a bigger percentage. He would rather risk having the fee go up than risk losing some of it.

Meeker said he had one request. The discussion regarding telephone service franchise fees had been ongoing under the previous franchise, and he asked that the approval be conditioned on the parties reaching an agreement on the amount of telephone franchise fee owed. Plunkett asked why the cable agreement was on the agenda if they were still negotiating the telephone franchise fees. Macke noted that the current cable agreement had expired. The telephone franchise fee was a different issue. His company did not currently pay a telephone franchise fee, and there was not an agreement for the telephone franchise. There was a desire on both sides to get the cable agreement in place since the current agreement had expired. There was a verbal agreement on how to resolve the issue of the telephone franchise. Meeker said he wanted the motion conditioned so as to not extinguish everything under the previous agreement. He expected to have the telephone issue resolved by the end of the next week.

Rutherford moved to table the agenda item until the next meeting. Kourajian seconded.

Kourajian asked Meeker what he was asking. Meeker said there was nothing in the new agreement about the telephone fee. Meeker said he asked that the agreement be approved conditioned on agreement of an amount for the telephone franchise fee owed under the previous agreement. Plunkett said Meeker was asking Council not to extinguish that part of the previous contract so that all the fees dealing with cable would be approved. Meeker said there was an existing issue with the previous agreement and provision of telephone service. Plunkett said those were two separate issues. Meeker noted that the agreement referenced telephone service. Meeker said if they did not agree on the telephone service, they would deal with the issues separately. Rutherford said they were not making a fully informed decision and should come back in two weeks. Plunkett agreed that it should be tabled. She asked Meeker if there would not be a cable agreement if the telephone issue was not resolved. Meeker said that would not happen. In the event they did not agree, they would be dealing with different issues. Macke asked that the matter be tabled for one month since he would be out of town at that time. Rutherford amended the motion to table the matter until the February 1 meeting. Kourajian accepted the amendment.

The motion carried unanimously.

01-07-05 Consider Resolution to Amend WASA Terms of Office to Four (4) Years
Logsdon noted there was an additional document on the dais – a letter from WASA Chairman Mike Harman. Meeker addressed Council regarding the resolution. He said it had been voted on 18 months ago by a prior Council, and there had been a recent discussion to bring the matter back to the Fayette legislative delegation. The rationale for shortening the terms was that each Council Member during their four-year terms in office would have input on each member of the authority.

Kourajian asked why the legislation had not gone forward before. Meeker said that to his knowledge the bills had not been introduced. He and McMullen had delivered the resolution to Senator Ronnie Chance during the last session.

Kourajian moved to adopt the resolution to the legislature requesting it amend the act that created the Peachtree City Water and Sewerage Authority to allow for a change in the terms of office from five to four years and to encourage the legislators to do something this time. Rutherford seconded.

Mike Harman, WASA chairman, told Council he was concerned about the motivation behind the request to shorten the terms. He had served on WASA for seven years, and only one council member had ever attended a meeting. He asked whether WASA's business methods needed to be modified, or if the board was not doing business on behalf of the citizens as expected. The five-year terms benefited WASA and the citizens. One member was replaced each year. WASA's business was of a technical nature. The workings required a fundamental knowledge of how everything worked. Shortening terms meant replacing 40% of the board one time in four years with inexperienced people.

Rutherford said she had spoken to qualified people who had been interested in serving on the authority, but did not apply because they could not commit to a five-year term. Shortening the terms would provide more opportunity for the best qualified to serve. Harman said it speculative to think that there were more qualified people who would serve if the terms were shorter. In his seven years on the board, no one had left before their term was complete.

Kourajian said his motivation was that he, or any Council Member, had the chance to see and make a decision on every person on an authority.

Plunkett said that, while Council Members did not attend meetings of every commission and authority, they did receive the minutes and did read them. While there might not be an intimate knowledge of what was going on, the Council Members did know what was going on. Her support of the resolution had nothing to do with the job the members were doing. She felt more qualified people would be willing to volunteer their time if the commitment were shorter. Rutherford agreed that the motivation was not because the members were not doing a good job.

Logsdon said he had no history on the subject, and he had sat on all the selection boards in the last year. Council Members were able to look at 80% of the authorities during their terms. He did not have a problem with five-year terms. He believed in "if it's not broke, then don't fix it."

Boone agreed. He said Council had the opportunity to look at almost a complete rotation of the authorities. He was ambivalent and had no issue with the length of the terms. Everyone was doing a tremendous job. He read the minutes regularly. His vote could go either way.

Jim Savage, who served on Council when the Airport Authority (PCAA) was created and had later served as the Falcon Field airport manager, told Council that the issues for WASA and the PCAA (Agenda Item #01-07-06) were the same. At that time, the Council decided on five-year terms because it meant 20% of the board might be replaced each year. The system worked. It was important for the authorities to be autonomous bodies and to be removed from the political agenda as much as possible. That would not happen if the members could be replaced during a Council's four-year term. When he was on Council, the members served two-year terms. The system was not broken; there was no need to change any of the authorities. Replacing four members in four years was an 80% change.

The motion carried 3 (Plunkett, Kourajian, Rutherford)-2 (Logsdon, Boone).

01-07-06 Consider Resolution to Amend Airport Authority Terms of Office to Four (4) Years

Rutherford moved to approve the resolution. Kourajian seconded.

Plunkett noted that Council was just making a recommendation to the Legislature to change the terms of office. The Legislature would make the decision.
Boone noted that 10 very qualified people had applied for the position on the PCAA. There were people willing to volunteer.

Kourajian asked if the resolution approved by the prior Council had just gone away because nothing had been done. McMullen noted that, if the resolution was presented to the legislative delegation, it would be better to have the resolution signed by the current Council.

Plunkett asked if a Council Member had to sign a resolution if that person was vehemently opposed to an issue. Meeker said, technically, a Council Member would have to sign the resolution. Rutherford said no one could make a Council Member sign a resolution, but if Council truly worked as a body, then all should sign resolutions.

The motion carried 3 (Plunkett, Kourajian, Rutherford)-2 (Logsdon, Boone).

01-07-07 Consider Recommendations on Legislative Actions

Meeker said there were a number of issues Council wanted to bring to the forefront during the legislative session, and staff had prepared a position paper that would ultimately be signed by the Mayor.

Rutherford moved to approve the recommendations for legislative action as presented and to authorize the Mayor to sign the letter. Boone seconded.

Kourajian said that, if he was reading such a list, he would assume it was in order of priority. He asked McMullen if that was the case. McMullen said it was not in order of priority. Rutherford asked if it was in alphabetical order. She felt inverse condemnation should be the most important. Kourajian said he wanted them to remember the first ones on the list.

Logsdon asked if the City met with the legislators last year or just sent the letter. McMullen said he and Meeker met with Senator Chance. Logsdon said he would be at the Capitol this year during the legislative session. McMullen added that there was discussion last year that prioritizing the list could work against the City. Logsdon added that he, Rutherford, Meeker, and McMullen were meeting with the delegation the next week.

The motion carried unanimously.

01-07-08 Nominate and Select Representative to Fayette County Board of Health

Rutherford nominated Plunkett as the representative from the City to the Board of Health. Boone seconded.

Rutherford noted that she had been appointed shortly after she took office, but had never been reappointed, nor given an opportunity to step down. Miller said that the information from the Board of Health indicated that Rutherford's term ran until December 31, 2010. Kourajian said the matter should be put on the agenda every year, just like the Mayor Pro-tem position.

The motion carried unanimously.

01-07-09 Consider Formation of West Village Development Impact Fee Advisory Committee

Rast said that some of the developers seeking annexation and rezonings in that area had been asking about impact fees. In the past, advisory committees had been formed to determine the impact fees. The City was required by the state to appoint an advisory committee any time the fees changed. State law required the advisory committee have at least five members. The five organizations to be represented on the committee included the Development Authority of Peachtree City (DAPC), the Planning Commission, the Comprehensive Plan Advisory Board, a representative from residential development, and a representative from residential real estate. Staff and the City Attorney would work with the committee. Rast said staff was asking Council for authorization to contact the groups to see if they were interested in serving on the advisory committee.

Rutherford asked why the DAPC was represented. Rast said that some of the DAPC members met some of the real estate and development qualifications. Rutherford asked who actually would represent the builders. Plunkett asked why there was not a member representing the West Georgia Homebuilders Association. Boone also wanted a representative from that group. Rast said he had received a call from Scott Bradshaw of the homebuilders association, and he was also on the list. Plunkett said Bradshaw could also serve on the committee as a residential developer.

Rutherford asked Rast how the real estate agent would be selected. Rast said there were several agents who had worked on ordinance committees in the past that might be good candidates. Rutherford said she was concerned that an agent might not represent the County's Board of Realtors. She felt that their peer group should choose the person that served on the advisory board.

Kourajian asked Rast why the committee was needed. Rast said that, according to the City's ordinance, the City was divided into specific service districts with a study of the number of residential units either located or to be located in each district. Within the service districts, there were specific items for which impact fees could be assessed, such as fire and recreation. The McIntosh service area included Centennial, Cedarcroft, and Ashton Park, and the impact fees were determined based on the ultimate buildout of those developments. Kourajian clarified that every time a new service area was formed, then an advisory board was formed to set the impact fees. Rast said state law required it. Kourajian asked why the West Village was not in the McIntosh service area. Rast said that one of the things the advisory board would look at was which fire station would serve the particular area and what the impacts were. Kourajian said that could not be determined until they knew how big the proposed developments would be. Rast said that was correct; it all played in together.

Meeker said the current fees were based on the expected development. If more units were added to the mix, the theory was the impact fees could come down. There could also be other needs that required the assessment of impact fees. If the committee were set up and ready to go if or when the property was annexed, then there would not be a lag time between determining fees and collecting them. If there were no annexation, then there would be no change to the impact fees.

Kourajian asked when the committee would be appointed. Rast said he hoped to bring the list back to Council within the next few meetings. Kourajian asked how long the committee would be maintained. Rast said the committee would be in discussion as the annexation was under consideration. The impact fees would be dependent on the ultimate density approved by Council.

Kourajian asked who had served on the previous committees and whether it was always the same groups. Rast said that, for a number of years, there was a standing committee. One was deceased, and one no longer lived in the City. Kourajian said he was not concerned about the individuals, but with the groups that were represented on the committee. Rast said state law required what groups were represented. There had to be a minimum of five members; two of the members had to represent either builders, developers, or real estate. Kourajian asked if those requirements had changed since the last committee was formed. Rast said the last committee he worked with had very similar representation. Rutherford noted the Comprehensive Plan Advisory Board member was obviously different because it had been 15 years since there was such a board. The group should be represented since the City was working on the Comprehensive Plan update.

Plunkett moved to form a West Village impact fee advisory committee that consisted of list presented and a member of the homebuilders association and a citizen at large to make it a seven-member committee for a two-year term or until the board was no longer needed. Boone seconded. The motion carried unanimously.

01-07-10 Consider Approval of Supplemental Agreement #1 Extending the Completion Date for the SR 54 W Multi-use Bridge and Gateway Feature

Rast noted that this was a grant funded project that had been in the works for a number of years. They had been waiting for the GA 54 West road widening to be completed. The archaeological study and historic evaluation had been completed, and they had been going through the document submittal process required by the grant. The initial grant expired December 31, 2006. The supplemental agreement extended the grant until December 31, 2007. Staff hoped to have the construction documents completed by that time, as well a cost estimate, and would bring the project to Council to determine whether or not to continue.

Rutherford said that Council was waiting for design and cost estimates a year ago. She asked why it was taking so long. Rast said they could not begin the design phase until the categorical exclusion was approved by the DOT, which could not be done until the archaeological study and historic evaluation were done. Rast said they had both of those studies, but had been waiting for the last three months to hear from DOT regarding a new requirement. Because Fayette County was in the metro Atlanta non-attainment area for air quality, there had to be a determination of whether the project was detrimental to air quality. To date, the City had not received that determination from DOT. They were proceeding with the categorical exclusion, which was the next step. Once that was approved, the design phase would begin.

Rutherford asked how long the design phase would take. Rast said there was a consultant on board. He could not give a time estimate since a lot of it was out of the City's control. Rutherford noted that the grant money would not change, but the cost for the bridge could go from $600,000 to over $2 million. The City could have to come up with significantly more than $138,000. Rast said the grant was for $480,000, but the City could apply for additional funding through the LCI construction program once the design was completed.

Plunkett asked if there was anything that could be done to speed up the process. McMullen said the only thing that could be done was to call the DOT.

Rutherford moved to authorize the Mayor sign the supplemental agreement and to have the Mayor call whoever needed to be called to get things moving. Kourajian seconded. The motion carried unanimously.

01-07-11 Consider Bids for Stevens Entry Traffic Signal Construction

Borkowski said staff recommended the bid be awarded to R.J. Haynie and Associates, Inc., for an amount not to exceed $133,780. Seven contractors were solicited for a bid, and two bids were submitted. Kourajian asked Borkowski if he was familiar with the company's work. Borkowski said he was pleased with the work they had done on the signal at Georgian Park/GA 74, and the company had also done the signal work for the GA 54 West widening.

Kourajian moved to award the bid to R.J. Haynie and Associates, Inc., for an amount not to exceed $133,789. Rutherford seconded. The motion carried unanimously.

Council/Staff Topics

Fire Chief Stony Lohr updated Council on the fire that morning in the TDK warehouse at 611 Highway 74 South. All the City's resources responded. Units from Fairburn and Fayette County had assisted and been released. The City was still on the scene. Lohr explained that an overhead light had exploded and cascaded large debris over boxes of DVDs, cds, and video tapes that were in 18-20-foot stacks. The sprinklers had slowed the fire, but the piles had to be torn apart to extinguish the fire. Two bobcats, a tractor, and four forklifts were being used to tear apart the piles to extinguish the fires. It's been an extensive process. The structure was essentially intact except for the holes needed to ventilate the smoke. There was a substantial amount of damage to the product. Rutherford asked if the materials were hazardous due to the plastic that was burning. Lohr said the smoke was toxic inside the building, but the smoke was diffused as it went outside.

Rutherford said she had looked at the new facility behind the burn building. WASA provided a lot of the materials for facility that was designed to train firefighters in small spaces. She asked McMullen to send a thank-you note to WASA.

Meeker announced that the appeal of the GRTA decision on the McIntosh DRI in Coweta County would be on January 11 at 9:30 a.m.

Plunkett asked that an update on the MacDuff Parkway landscaping be on the next agenda.

Rutherford moved to convene in executive session for a real estate matter and a personnel issue. Boone seconded. The motion carried unanimously.

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

Rutherford moved to authorize the Mayor to sign a temporary construction easement. Logsdon seconded. The motion carried unanimously.

There being no further business to discuss, Kourajian moved to adjourn. Logsdon seconded the motion. The motion carried unanimously. The meeting adjourned at 10:19 p.m.

Jane Miller, City Clerk

Harold K. Logsdon, Mayor

Pamela Dufresne, Recording Secretary

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

VIA: **City Manager**
Administrative Services Director / City Clerk

FROM: **Public Information Officer/Deputy City Clerk**

DATE: **January 12, 2007**

SUBJECT: **Resolution to Call for Election and Establish Qualifying Fees**
January 18, 2007, City Council Agenda

Recommendation:

Adopt the attached resolution calling for a municipal election on November 6, 2007, for the purpose of electing council members for Posts 1 and 2.

Discussion:

The State Election Code governing municipal elections requires that Council set and publish qualifying fees not later than February 1st of any year in which an election is to be held. The law requires a fee of three percent of the total gross salary paid for the elected position and also requires that the fees be published in the City's legal organ. The resolution to call for this election and establish qualifying fees is attached for your adoption.

Budget Impact:

An increase in revenue based on the number of those qualifying to run for office.

Attachment

RESOLUTION ESTABLISHING DATE FOR CITY ELECTION FOR PURPOSE OF ELECTING COUNCIL MEMBERS FOR POST 1 AND POST 2; ESTABLISH FEES AND DATE FOR QUALIFYING OF CANDIDATES; ESTABLISH DATES FOR VOTER REGISTRATION AND FOR OTHER PURPOSES

WHEREAS: A municipal general election shall be conducted on November 6, 2007, for the purpose of electing council members for Post 1 and Post 2; and,

WHEREAS: Candidates who are elected in said election shall serve for a term of four years; and,

WHEREAS: Persons eligible to become candidates for said election shall be at least 21 years of age and be a qualified elector of the City who shall have continuously resided and maintained his or her domicile in Peachtree City for at least six months immediately preceding the election; and,

WHEREAS: Candidates for said election shall qualify with the City Clerk in City Hall. Qualifying shall open at 8:30 a.m. on the 27th day of August, 2007, and shall close at 4:30 p.m. on the 31st day of August, 2007; and,

WHEREAS: Voter Registration for said election shall close at 5 p.m. on the 9th day of October 2007; and,

WHEREAS: The date for a run-off election, if required, shall be December 4, 2007; and

WHEREAS: The City Council does hereby declare that the qualifying fee for Council Post 1 and Council Post 2 shall be $180.00.

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of Peachtree City that the general election is hereby authorized pursuant to the rules and regulations set out in this Resolution and pursuant to the Georgia Municipal Election Code as amended.

FURTHER, the Superintendent of Elections and Absentee Ballot Clerk shall be the Fayette County Board of Elections who is hereby authorized to provide an appropriate number of poll workers to conduct said election. Polling places within Peachtree City shall be open from 7:00 a.m. to 7:00 p.m. on the day of the general election and on the day of the run-off election, if required.

Adopted this 18th day of January 2007.

____
Harold K. Logsdon, Mayor

____
Judi-ann Rutherford, Councilmember

____
Stuart Kourajian, Councilmember

____
Cynthia H. Plunkett, Councilmember

____
Steve Boone, Councilmember

____________________________Attest
Jane S. Miller, City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager
Assistant City Manager

FROM: Deputy City Clerk

DATE: January 11, 2007

SUBJECT: Alcohol License – Change in Licensee and License Representative – Greenway #646
January 18, 2007, Regular Meeting

Recommendation:
Staff recommends Council consider the attached application for a change in Licensee and License Representative for Greenway #646.

Discussion:
Greenway #646, 2597 Highway 54 West Drive, has submitted an application for a change in Licensee and License Representative. Ms. In Sul (Stephanie) You has requested she be appointed as the Licensee and License Representative. She will attend the meeting on Thursday, January 11th, to answer any questions you may have.

Budgetary Impact:
There is no impact to the budget due to the change in the alcohol license.

BT:pd

Attachments

CITY HALL
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
PHONE: 770-487-7657
FAX: 770-631-2505
WWW.PEACHTREE-CITY.ORG

PEACHTREE CITY
PLAN TO STAY™

Application For Alcoholic Beverage License

Business Name: Greenway #646 Peachtree BP, LLC	**Business Location:** 2597 Hwy. 54W Peachtree City	
Nature of Business: Convenience Store	**Mailing Address:** 2597 Hwy W, Peachtree City, GA 30269	**Business Phone Number:** 770-487-6455
Name of Licensee: You, In Sul	**Home Address:** 1126 Hyacinth Ln Peachtree City, GA 30269	**Home Phone Number:** 770-362-6332
Name of License Representative: You, In Sul	**Home Address:** same as above	**Home Phone Number:**

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 Individual Owner's Name, Partners' Names, Corporation Name and the name of the name of a Contact Person regarding License Changes, Taxes, etc.	ADDRESS Please provide Home Addresses for the individuals listed:	PHONE NUMBERS Please provide Home and Business Phone Numbers for individuals listed:
Peachtree BP, LLC		
You, In Sul	see above	

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

If YES, Please Provide Name of Employee: ______________________

PEACHTREE CITY
PLAN TO STAY™

City Hall
151 Willowbend Road
Peachtree City, GA 30269
Phone: 770-487-7657
Fax: 770-631-2505
www.peachtree-city.org

State of Georgia

City of Peachtree City:

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

In Sul You
Name

1126 Hyacinth Lane Peachtree City, GA 30269
Address

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

James V. Murray
Signature

Jan. 11, 2007
Date

Major RM DuPree
Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and City Council Members**

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

FROM: **City Engineer**

DATE: **January 11, 2007**

SUBJECT: **Georgia Department of Transportation**
Local Government Lighting Project Agreement for State Route 74/ Paschall Road Multi-use Tunnel
January 18, 2007 City Council Agenda

Recommendation:

That Council authorizes the Mayor to sign the Georgia Department of Transportation (GDOT) Local Government Lighting Project Agreement (LGLPA) for the multi-use tunnel at State Route 74 (SR 74) and Paschall Road. (Agreement attached)

Discussion:

The GDOT is funding the installation of the Pedestrian Lighting System for the tunnel under SR 74 at Paschall Road. After the lighting system is installed and accepted by the GDOT, the City will be responsible for the operation and maintenance of the lighting system, including the replacement of lamps, ballasts, luminaries, conduit and wiring. Currently, the City has other lighting agreements with the GDOT for the tunnels on SR 54 and SR 74. The term of the agreement is fifty (50) years from the date of execution of the agreement. The City Attorney has reviewed the agreement.

Budget Impact:

There will be an operational cost to the Public Works Department Operating Budget in the future for providing power and maintenance of the lighting system.

HAROLD E. LINNENKOHL
COMMISSIONER
(404) 656-5206

DAVID E. STUDSTILL, JR., P.E.
CHIEF ENGINEER
(404) 656-5277

Department of Transportation

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

BUDDY GRATTON, P.E.
DEPUTY COMMISSIONER
(404) 656-5212

EARL L. MAHFUZ
TREASURER
(404) 656-5224

January 3, 2007

Harold Logsdon, Mayor
City of Peachtree City
151 Willowbend Rd
Peachtree City, Georgia 30269

RE: Lighting Assistance for Pedestrian Tunnel Under SR 74/Joel Cowan Pkwy in the City of Peachtree City - GDOT Project No. STP-209-1(1) P.I. No. 322350

Dear Honorable Logsdon:

A lighting system is required for the proposed pedestrian tunnel under SR 74/ Joel Cowan Parkway in the City of Peachtree City. The Department will be responsible for the design, materials and installation of the lighting system. It will be the responsibility of the City of Peachtree City to provide the energy, operation and maintenance for the lighting system after completion and acceptance by the Department.

Attached for your review are five original copies of a proposed Local Government Lighting Project Agreement (LGLPA) between the Department of Transportation and the City of Peachtree City, for City and State participation. Prior to execution of this Agreement, a resolution by the City Counsel authorizing the execution of the Agreement and designating the appropriate person or persons to execute it should be procured.

If you concur with the terms of this Agreement, please procure the required resolution, including all necessary signatures and seals, and attach an official copy to each of the Agreements. Then please obtain the necessary signatures and also the appropriate seals on all five copies of the Agreement and return all copies to this Office for further handling. <u>**DO NOT**</u> fill in the date on the first page of the Agreement. This will be filled in upon execution by the Department, and we will return one copy for your files.

Thank you for your cooperation. If you need any additional information or assistance, please contact Alan Walker at 404-656-0996 or Angel Burnett at 404-656-5396.

Sincerely,

Brent A. Story, P.E.
State Road & Airport Design Engineer

BAS:ATW: MAB:ss

Attachments
cc: Thomas Howell, District Engineer; Attn.: David Millen
Kerry Gore – District Utilities Engineer
Clay Bastian – Road Design

AGREEMENT

BETWEEN

DEPARTMENT OF TRANSPORTATION

STATE OF GEORGIA

AND

THE CITY OF PEACHTREE CITY, GEORGIA

This Agreement is made and entered into this __________ day of ____________________, 20___, by and between the DEPARTMENT OF TRANSPORTATION, an agency of the State of Georgia, hereinafter called the **DEPARTMENT**, and THE CITY OF PEACHTREE CITY, GEORGIA, acting by and through its City Counsel, hereinafter called the **CITY**.

WHEREAS, the CITY has represented to the DEPARTMENT a desire to obtain Pedestrian Lighting serving the Pedestrian Tunnel under SR 74/Joel Cowan Parkway in THE CITY OF PEACHTREE CITY, Georgia; and

WHEREAS, the CITY has represented to the DEPARTMENT a desire to participate in: 1) Providing the Energy, and 2) The Operation and Maintenance of said lighting systems at the aforesaid location, and the DEPARTMENT has relied upon such representation; and

WHEREAS, the DEPARTMENT has indicated a willingness to fund the materials and for the said lighting systems at the aforesaid locations, with funds of the DEPARTMENT, funds apportioned to the DEPARTMENT by the Federal Highway Administration under Title 23, United States Code, Section 104, or a combination of funds from any of the above sources.

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

1. The DEPARTMENT or its assigns shall cause the installation of all materials and equipment necessary for the Pedestrian Lighting System serving the Pedestrian Tunnel under SR 74/Joel Cowan Parkway as shown on Attachment "A" attached hereto, and made a part hereof.

2. Upon completion of said lighting system, and acceptance by the DEPARTMENT, the CITY shall assume full responsibility for the operation and maintenance of the entire lighting system, including but not limited to replacement of lamps, ballasts, luminaires, lighting structures, associated equipment, conduit, wiring and service equipment. The CITY further agrees to pay for all energy required for the operation of said lighting system.

3. The DEPARTMENT shall retain ownership of all materials and various components of the entire lighting system. The CITY, in its operation and maintenance of the lighting system, shall not in any way alter the type or location of any of the various components which make up the entire lighting system without prior written approval from the DEPARTMENT.

4. This Agreement is considered as continuing for a period of fifty (50) years from the date of execution of this Agreement. The DEPARTMENT reserves the right to terminate this Agreement, at any time for just cause, upon thirty (30) days written notice to the CITY.

5. It is understood by the CITY that the DEPARTMENT has relied upon the CITY'S representation of providing for the energy, maintenance, and operation of the lights represented by this Agreement, therefore, if the CITY elects to de-energize or fails to properly maintain the lighting system during the term of this Agreement, the CITY shall reimburse the DEPARTMENT the materials cost for the lighting system. If the CITY elects to de-energize or fails to properly maintain any individual unit within the lighting system, the CITY shall reimburse the DEPARTMENT for the material cost for the individual unit which will include all costs for the pole, luminaires, foundations, and associated wiring. The DEPARTMENT will provide the CITY with a statement of material costs upon completion of the installation.

The covenants herein contained shall, except as otherwise provided accrue to the benefit of and be binding upon the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement the day and year first above written.

RECOMMENDED:

____
Brent A. Story, P.E.
State Road & Airport Design Engineer

____
Todd I. Long, P.E.
Director, Pre-Construction

____
David E. Studstill, P.E.
Chief Engineer

DEPARTMENT OF TRANSPORTATION

BY_____________________________
Harold E. Linnenkohl
Commissioner

(SEAL)

ATTEST:

____
Earl L. Mahfuz
Treasurer

REVIEWED AS TO LEGAL FORM:

____
Office of Legal Services

Peachtree City, GEORGIA

BY_____________________________
Mayor

(SEAL)

____
WITNESS

____
Notary Public

This Agreement approved by the City Counsel at a meeting held at

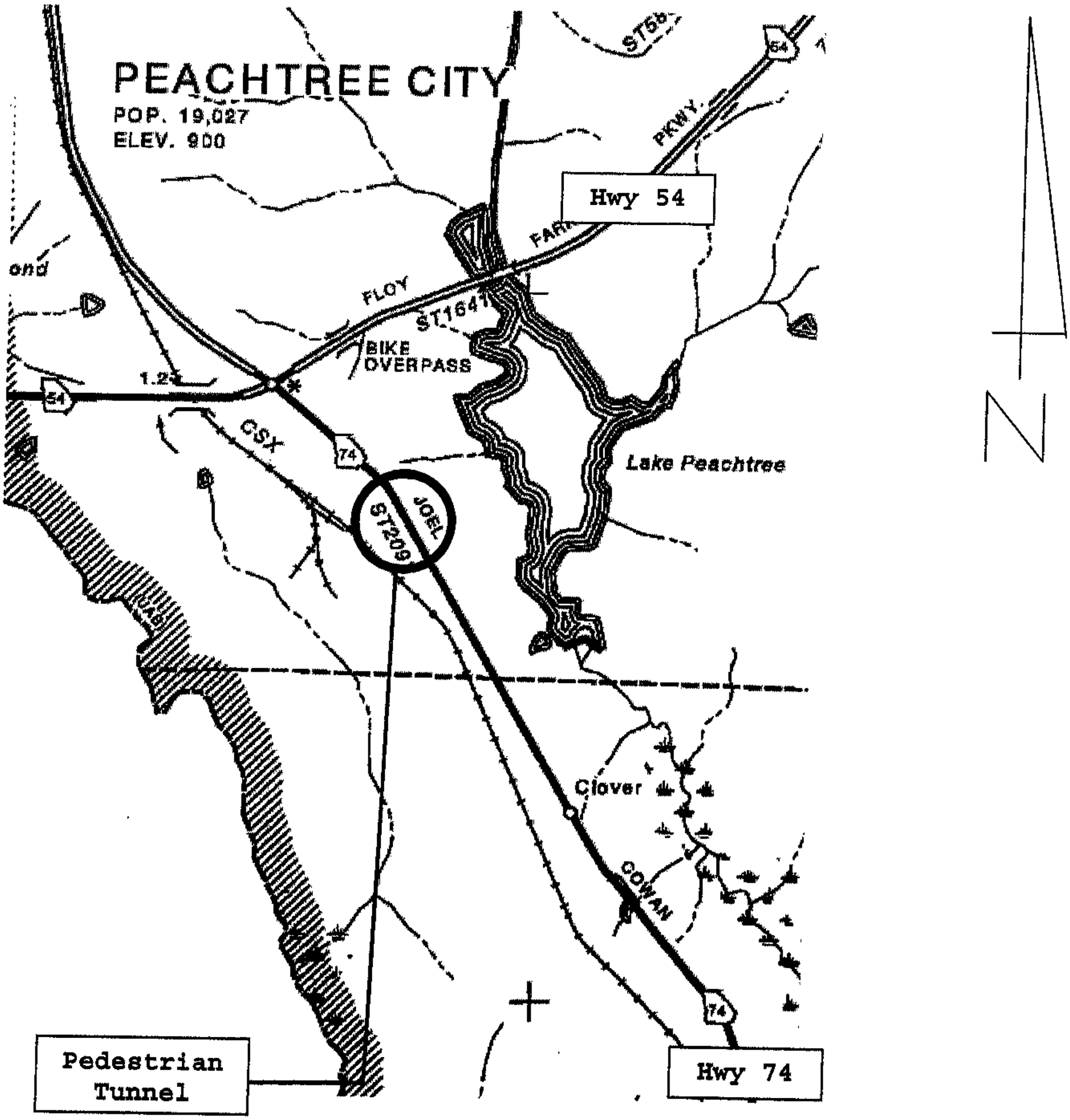
____

the _____ day of __________,

20_____.

____
City Clerk

Attachment "A"



CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO:	**Mayor and City Council**
VIA:	**Bernard McMullen, City Manager** **Colin Halterman, Assistant City Manager** **Paul Salvatore, Director of Finance** P.S. **Janet Camburn, Assistant Finance Director** **Angela Egan, Purchasing Agent** **Matthew Robinson, Systems Administrator**
FROM:	**James V. Murray, Chief of Police**
DATE:	**January 10, 2007**
SUBJECT:	**Recommendation of Awarding of Bid for After-market Accessories**
	Council Meeting: January 18, 2007

Recommendation:
Staff recommends the city award the bid for the installation of the name-brand after-market accessories to Diversified Electronics.

Discussion:
Diversified Electronics provided the lowest bid, while meeting the requirements set forth by the city in the recent bid opening. The following companies responded to the bid announcement:

Company	Cost (Per Car)	Cost (Extended)
○ Diversified Electronics	$5,769.09	$63,459.99
○ Law Enforcement Supply	$5,857.20	$64,429.20
○ TransComm	$6,099.00	$67,089.00
○ West Chatham Warning Devices	$6,500.00	$71,500.00
○ GT Distributors	No Bid	No Bid

Diversified Electronics provided the requested documents showing certifications for the installation of Kustom and Motorola products and agreed to the pre-established timeframes. It is a local business that is based in Forest Park, which makes the transfer of the police vehicles easier and more efficient. The city has had a good working relationship with Diversified Electronics and currently uses this company for the repair and maintenance of radios and speed measuring RADARs used by the city. Diversified Electronics also maintains the radio towers located in the city.

Budget Impact:

The cost of all items for the 2007 police vehicle purchase is listed below. There is enough money to cover the expense of the vehicles as well as the after-market accessories and installation.

Item	Total Cost
2007 Crown Victoria	$228.690.00
Kustom DVD NXT	$60,918.00
RADAR Unit	$11,891.00
Motorola Radio (800mhz)	$34,004.00
Motorola Radio (State Band)	$8,082.00
Installation & Other Accessories	$63,459.99
Total Cost (Combined)	**$407,044.99**

The installation of this equipment was proposed in the initial request for the 2007 patrol vehicles. The impact on the budget is absorbed in the 2007 PIP budget for new vehicles at an amount of $38,900.00 for each vehicle or the extended price of $427,900.00 (eleven vehicles). There should not be any other impact on the budget.

JVM/jsm

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council Members**

VIA: **City Manager**
Developmental Services Director

FROM: **City Planner/ Zoning Administrator** David

DATE: **January 11, 2007**

SUBJECT: **Variance request: 403A Dividend Drive**
January 18, 2007 City Council agenda

Recommendation
Based on the fact the proposed tower exceeds the surface limits area identified within the AI Airport zoning district, Staff recommends that the variance request not be approved.

Background information
At the December 7, 2006 City Council meeting, discussion on this variance request was continued to provide the Applicant and Staff time to determine the exact location of the surface limits associated with the Falcon Field Airport (Attachment "A"). The city's AI Airport zoning ordinance identifies specific approach surface zones (APA), conical surface zones (APC), horizontal surface zones (APH) and transitional surface zones (APT), all of which are "overlaid" on the property surrounding the airport to protect navigable airspace (Attachment "B").

To help better understand how these surface zones are applied, the City's IT Department has prepared a number of drawings for your review:

- Attachment "C" shows the surface zones as they apply to the Falcon Field Airport.
- Attachment "D" overlays these surface zones on an aerial of the portion of the city surrounding the airport, as well as the location of the existing towers in the vicinity and the proposed telecommunication tower at 403A Dividend Drive.
- Attachment "E" portrays the transitional zone as it relates to the runway at the airport.
- Attachment "F" shows the existing towers in the vicinity of the airport in relation to the horizontal surface zone.

As indicated on Attachments "D" and "F", the proposed tower at 403A Dividend Drive clearly encroaches into the required surface zones as identified within the AI Airport zoning district. These drawings also indicate the existing telecommunication towers at Tiernan & Patrylo and

Fulton Court may also encroach into these surface areas and may have been approved by the Planning Commission in error.

Staff has notified the owner of this potential error and will be working with them to determine whether or not the existing towers encroach into the required surface zones as identified within the AI Airport zoning ordinance.

Budget impact:
There are no budget impacts associated with this request.

Barry Gannon, representing the property owner and American Tower, indicated that the cell tower in question was constructed in 1995 and purchased by American Tower in 2000. Sprint, which was formerly located on the Comcast tower that had been removed, wanted to co-locate on this tower. However, the facility did not meet the setback requirements currently on the books. Gannon noted that American Tower would also have to expand the fencing at the base to allow for the additional ground equipment needed by Sprint. He indicated the expansion would occur on the side farthest from the street and should be about 15 feet by 20 feet.

City Planner David Rast noted that the original tower was approved prior to the City amending its tower ordinance in 1998. At that time, there was a widespread push in the telecommunications industry to put towers in the area, and staff had been inundated with requests. Staff approached the tower companies, requested their assistance in updating the ordinance, and asked that they work toward co-locating on towers in the City.

The applicant for the variance initially wanted to replace the tower and increase the height, but this was not possible because the site could not meet the current setback requirements. Rast said there was room on the Tower to allow Sprint to co-located, but not enough room in the current fenced area at the base of the tower for their additional equipment. Their only other option was to look for a nearby site to build another tower. Rast said staff recommended approval of the variance.

No one spoke in favor or against the variance. Logsdon closed the public hearing.

Boone asked if there would be a loss of vegetation associated with the expansion of the fenced area. Rast said there would be some vegetation lost, but there were no mature trees in the area and the vegetation was mostly scrub. Plunkett asked if the owners of the funeral home on the adjacent site had commented. Rast said that staff had received no comments from them.

Rutherford said that, when she read the ordinance, it discussed the desire to encourage co-location on towers. She felt this project was a good example of that goal. Plunkett asked what would happen if the variance were denied. Gannon said Sprint would have to build another tower or it would affect service to customers in the area.

Rutherford moved to approve a variance for the amended drawing with the conditions that the added fencing enclosure must match the existing enclosure and that any vegetation removed would be replaced. Motion carried unanimously.

12-06-02 Public Hearing – Consider Variance – 403A Dividend Drive
Applicant Tim Powers addressed Council indicating that he wanted to place a cell tower on his commercial property, a lumber yard, and the project would result in a reduction of asphalt. Powers said that, according to the Airport Authority, the tower height requested was not allowed. Powers noted that his proposal complied with all the City's zoning laws.

Powers asked where the Airport Authority's jurisdiction extended because he had gotten some conflicting distances. He said cell tower locations impacted 10 times the number of people who actually used the airport. He said higher towers were needed in the City because the community sat in a naturally low elevation.

City Planner David Rast said the tower was planned for the rear corner of the lumber yard and was a permitted use for the zoning; however, it also fell in the AI Airport Overlay District, which had been adopted to protect the air space around Falcon Field. Rast said that the site did not appear to lie within the horizontal surface of the overlay zone, but did fall within the conical surface. Rast said he worked with the Airport Authority when the request came in, and the staff finding was that the height of the tower exceeded the limits of the overlay zone. He said staff could not allow the project to move forward. The FAA agreed that the project extended 48 feet into the protected zone.

Rutherford clarified that no survey had been completed. Rast said this was correct.

John Crosby, Peachtree City-Falcon Field Airport aviation director, said that the primary surface zone was calculated by measuring 200 feet out from the primary runway and then measuring a distance of 10,000 feet from the airport. Crosby said that, when the applicant submitted the plan, the Airport staff determined that it was close to the horizontal plane, but that it was definitely within the conical surface. Crosby said both the State and the Federal Aviation Administration (FAA) concluded that the proposed tower penetrated the conical surface by 48 feet. The Airport Authority hired an engineer, who also concluded the proposed tower exceeded the limits of the ordinance. Crosby said that any penetration had the potential for harming the airport's operation.

Jeffrey Evans of T-Mobile addressed Council and said his firm was the original applicant for the tower in March of this year. He said they targeted this property due to the industrial zoning, and they felt confident it met the intent of the ordinance on where towers should be located. Evans reiterated that they met all the provisions of the existing zoning ordinance.

Evans said the conceptual site plan was approved by the Planning Commission pending FAA approval of the tower. He said on May 30 he received a copy of the FAA's "No Hazard" determination based on the existing conditions and operations at the airport. The Airport Authority objected because it affected their proposed instrument landing approach.

Evans concluded by saying that they had a 160-foot structure that promoted co-location per the ordinance and was determined a "No Hazard" by the FAA.

Plunkett asked how much reduced service area customers would receive if the height were reduced. Evans said significantly less because, with over 25% of the height gone, they would not build the tower.

Albert Yogel addressed Council, saying he was a pilot. He said with the flight pattern over Line Creek, the tower should not have a negative impact and might benefit by serving as a landmark.

Juan Matute said he was a retired aviation employee. He said he did not think it was within Council's power to grant a variance on air safety. He also said that all residents needed good quality cell phone coverage, and he felt the City should be proactive in identifying sites for cell towers. Matute asked what the City's liability would be if the tower were approved and then an aircraft hit the tower. He said the City should have something more definite from the FAA.

Crosby again addressed Council, saying there was a debate on the FAA letters of "No Hazard." He also stated that the flight pattern could be changed at any time.

Hearing no further comment, Mayor Logsdon closed the public hearing.

Kourajian asked how the 808-foot elevation of the airport was determined. McMullen said it was based on the point at the end of the runway that served as the primary approach, and then the horizontal surface was measured at 10,000 feet out from that point. Crosby clarified that the 10,000 feet was determined by measuring out 200 feet from the entire surface of the runway, and then the 10,000 feet extended beyond that measurement. Crosby provided a drawing that provided some information on the various surface zones (drawing is included in the official meeting file).

Plunkett asked if would help to move the tower to the northern portion of the property, which was further away from the airport. Evans said the Planning Department had indicated the entire site would not work. Boone reiterated that a survey was needed to determine the precise location of the tower within the surface zones. Rast said it would be helpful to have a drawing from the Airport Authority delineating the surface parameters and providing the different height limitations within each surface zone.

Rutherford moved to table the item to the January 18 agenda, with the Airport Authority to provide a delineation of the surface zones, following which the applicant should provide a survey of the property to pinpoint the location of the tower relative to the zones. If the tower fell outside the zones, the applicant would be reimbursed the variance fee. Plunkett seconded the motion. Motion carried unanimously.

Crosby indicated the Airport Authority would have the delineation within 30 days, and McMullen confirmed that it would be provided to the applicant upon receipt.

12-06-03 Presentation by John Pero Regarding Fence Issue

John Pero of 113 Sweetwater Oaks addressed Council, saying he was a long-time resident who wanted to leave things better than he found them. He said that his home was on a busy path, and his home had been vandalized several times. He and his wife installed a custom-built, metal security fence with security lighting to help address the problem.

Pero said in late 2005, he came to the Building Department to obtain the permit, after which the fence was inadvertently installed on City-owned property. Pero said he was looking for solutions, and had talked to several departments, including the Building Department and Public Works, as well as several elected officials. One recurring comment was the possibility of a land swap with the City.

Pero said the issue came to light after the City widened the adjacent cart path, which in turn routed water onto his lot and shorted out the security lighting. Public Works came to inspect the problem and realized the fence was in the greenbelt. The fence failed final inspection.

Pero said his understanding of a land swap indicated the City had to receive an equal or greater amount of property in the exchange. He said he hired a local surveyor and had two options, an even exchange of either 486 square feet or 535.5 square feet. Pero said he could not put the fence on his property line because then he could not turn a car around in his driveway or open the doors on a parked car.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

VIA: **City Manager**
Assistant City Manager/Developmental Services Director
Administrative Services Director / City Clerk *(BT)*

FROM: **Public Information Officer/Deputy City Clerk**
City Planner

DATE: **January 10, 2007**

SUBJECT: **Citizen/Business Owner Group Request to Address Council Regarding the Sign Ordinance**
January 18, 2007, City Council Meeting

A group of business owners, via Mr. Allan Duncan, owner of the Discount Golf Shop at Braelinn Village Shopping Center, has requested to address the Mayor and Council at the January 18 meeting regarding the City's Sign Ordinance, which was revised in 2006 (email request attached). Staff's understanding is that the group of owners includes representatives from various shopping centers in Peachtree City.

Mr. Duncan initially contacted City Hall following a visit from Code Enforcement last fall to review the new signage requirements (standard Commercial Sign Information Brochure attached). The Public Information Officer advised Mr. Allen on how to be placed on an agenda and recommended that his group work with the City Planner and staff prior to the meeting to develop some suggestions for Council action. According to the City Planner, he was not contacted by Mr. Duncan.

The City Planner also indicates that several months ago, in conjunction with a separate issue, he discussed updating Braelinn Center's Master Sign Plan with the property management company for Braelinn Center. He indicates they have not followed up with the update.

The City Planner will be in attendance at the January 18 meeting to answer questions.

Betsy Tyler

From: ADuncan@discountgolf.fdn.com
Sent: Friday, November 03, 2006 12:37 PM
To: Betsy Tyler
Subject: New Sign Ordinance

Honorable Mayor Logsdon,

A group of local business owners have concerns regarding the restrictions of the new sign ordinance passed in February 2006. We are officially requesting to be added to the agenda for the January 18, 2007 council meeting to discuss these issues with the council.

If I can answer any questions from you or any other council member, please feel free to contact me or stop by our store.

Sincerely,

Allan Duncan, Owner
Discount Golf Shop
770-486-7474

PEACHTREE CITY BUSINESS OWNER/MANAGER:

The following criteria for signage have been established in the Peachtree City Code of Ordinances, Chapter 66. This brochure is to serve as information only and is not all-inclusive. To read the entire sign ordinance go to www.peachtree-city.org (Ordinances). To print a copy of the sign permit application go to www.peachtree-city.org, Velo-city and choose sign permit form.

WINDOW SIGNS

Window signage applied directly to the window shall be limited to decal-type or direct adhesion graphics. No panels, boxes or other items mounted directly against the face of the window shall be allowed. There shall be no background for window signage, which obstructs view through the glass. Opaque signage shall be limited to the letter and/ or graphics only.

The total square footage of all window signs shall not exceed twenty five (25%) percent of the individual tenant's total window area exposed to public view, subject to the following conditions:

(1) No more than six (6) windows shall be used to display window signs; and

(2) If the business premises has three (3) windows or less, no more than two (2) windows shall be used to display window signs.

(3) No more than fifty percent (50%) of an area of a window shall be used to display window signs, and no window sign shall extend from one window to another. As used in this section, the term "window" shall include only the glass portion of a window, and shall not include any frames or other non-glass portion of such window. Glass doors are to be considered windows for the purposes of administering this article.

(4) Temporary writing or graphics applied to the glass or window, such as by marker, paint or shoe polish, shall be prohibited.

BANNERS ARE ALLOWED IN COMMERCIAL & INDUSTRIAL DISTRICTS

1. **PERMIT IS REQUIRED PRIOR TO PLACEMENT.**
2. Banner permits good for 14 consecutive days.
3. Maximum size is 35 square feet.
4. Must hang against building with a 7-foot pedestrian clearance.
5. Only one banner is permitted during any 120-day period.

SIGNS AND DEVICES PROHIBITED IN ALL ZONING DISTRICTS

1. Roof signs.
2. Sidewalk, sandwich and curb signs.
3. Portable or trailer display signs.
4. Air and/or gas filled devices.
5. Balloons or streamers.
6. Rotating, flashing, blinking or animated signs.
7. Off-premises signs.
8. Signs that constitute a hazard to public health and safety.
9. Any temporary sign within 200' of a state highway.
10. **SIGNS ILLUMINATED BY AN INTERNAL LIGHT SOURCE WITHIN 48" OF A WINDOW.**

Questions regarding the Peachtree City Sign Ordinance should be directed to the Planning Department office at 770-487-5731.

Outside displays.

(a) Commodities that are for sale or for lease as well as any other products and materials that are associated with a particular business shall not be displayed or stored outside in any commercial area unless:

(1) They are in an approved, permanent, fully enclosed space; and they are reasonably screened from public view;

(2) They are stored or displayed in accordance with the specific understandings and conditions of a site plan that has been approved by the planning commission as a part of the site plan review process;

(3) They are confined to an area no more than six feet from an exterior wall of the primary building on a zoning lot and they comply with the following requirements:

a. They do not encroach into a zoning setback area, a required buffer, or a landscaped area;

b. They do not interfere with pedestrian or vehicular traffic on the site;

c. They do not occupy more than 12 lineal feet of space along an exterior wall;

d. They are not stored or displayed outside for more than 24 consecutive hours; and

e. There is no sign that is legible offsite that is associated with the materials that are stored or displayed; or

(4) A temporary use permit is secured for such display or storage.

(b) A temporary use permit may be issued by the zoning administrator in accordance with the following criteria:

(1) No more than four temporary use permits may be issued for any zoning lot in any calendar year.

(2) No single temporary use permit shall be issued for more than seven consecutive days.

(3) Prior to the issuance of a temporary use permit, an applicant must submit an application to the city planner for city staff review and approval in order to assure that the proposed temporary use will not pose a health or safety hazard or be detrimental to the public welfare.

(4) No sign that is legible offsite shall be displayed in conjunction with the temporary use permit.

(c) Trucks making a delivery to a business in a commercial area shall not park in that area for more than two hours after the delivery is made. Trucks that are not making a delivery shall not park in a commercial area unless the owner of the truck is the owner of a business in the commercial area or unless the truck driver is actually doing business in the commercial area.

(d) No vehicle which displays advertising for a business in a commercial area (with the exception of a door panel sign not more than four square feet in area and no more than 48 inches above the ground) shall be parked so that the advertising is legible from a public street.

(e) Trucks over 20 feet in length, trailers, and tractors designed to be used with detachable trailers shall not be stored in a commercial area for more than two hours unless they are stored at a designated loading dock or at some other area designated for such storage on a site plan that has been approved by the planning commission as a part of the site plan review process.

(f) Products shall not be sold from any truck or trailer parked or stored in a commercial area unless they are in an area that has been designated for such use on a site plan that has been approved by the planning commission as a part of the site plan review process.

(g) No occupant of any vehicle that is parked in a commercial area for any reason shall be allowed to sleep overnight within that vehicle.

PEACHTREE CITY
PLAN TO STAY™

Peachtree City Commercial Sign Information

March 2006

Peachtree City Planning Department

770-487-5731

Peachtree City
Code Enforcement

770-487-8901

www.peachtree-city.org

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

VIA: **City Manager**

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

DATE: **January 5, 2007**

SUBJECT: **Request for Funding from Promise Place**
January 18, 2007 Council Agenda

Recommendation:

Consider approval of request from Promise Place (formerly Fayette County Council on Domestic Violence) for $7,500 in City funding.

Discussion:

Promise Place has submitted the attached request for $7,500 in funding assistance from the City of Peachtree City (attachment 1). As required in CAR 8-3, Promise Place has included with their request a copy of their latest completed Form 990 (attachment 2). The City has, for the past several years, provided $7,500 in annual funding to this non-profit organization and this amount has been included in the City's FY07 budget. Ms. Sonja Strickland, Executive Director, will be at the Council meeting to answer any questions you may have. Should Council approve this request, both the City and Promise Place must sign an agreement indicating what services are provided (attachment 3).

Budget Impact:

The budget impact to the City would be $7,500

Attachments

PEACHTREE CITY

Funding Request
For Non-Profit Organizations

Organization Information:

Organization Name: Promise Place (Fayette Co. Council on DV)

Address: P.O. Box 854 Fayetteville, GA 30214

Phone #: (770) 460-1604 Fax #: (770)460-6591

Contact Person: Sonya Strickland

Title: Executive Director

Financial Information:

Total Annual Budget: $175,000.00

Total Clients Served Annually: 3,779, Direct Services - 748, Prevention 3,031

Peachtree City Residents Served Annually: 1,764, Direct Services - 281, Prevention 1,483

Funding Request Information:

Funding Amount Requested: $7,500.00

Funding Use(s): To Enhance Our Legal Advocacy Program to Clients and to open our Emergency Domestic Violence Shelter in Fayette County.

Additional Information on Organization/Services: We operate a transitional Housing Program for Women and their children. We provide 24 hour crisis Services for Domestic Violence victims, women's support groups, Legal Advocacy Services, and a food pantry. We have a teen dating Violence Prevention Program that we present to Fayette County 9th grade students and a speaker's bureau that provides Community awareness/prevention Services. We are also in the process of opening an emergency domestic violence shelter in Fayette County. (See attached)

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

Date Submitted: 5/23/06 ***Council Approval Date:*** ______ ***Amount Approved:*** ______

Promise Place

P.O. Box 854 • Fayetteville, GA 30214 • Telephone (770) 460-1604 • Fax (770) 460-6591

December 27, 2006

Ms. Jane S. Miller
Director of Administrative Services
151 Willowbend Rd.
Peachtree City, GA 30269

Dear Ms. Miller:

The Fayette County Council on Domestic Violence, Inc d/b/a Promise Place wishes to take this opportunity to thank Peachtree City for its continued support of our organization. Last year Promise Place provided direct services to 748 individual clients (representing 813 children). Of those clients, 633 were Fayette County residents and 281 lived in Peachtree City. 19 clients were Fayette County residents but did not identify their city of residence. 108 women attended our support group and we assisted 96 clients in obtaining emergency protective orders. Our Teen Dating Violence Prevention Program reached 1,573 high school students in Fayette County and our domestic violence awareness talks were presented to 1,458 community members.

The breakdown of our services by city is as follows:

Direct Services	No. of Clients	% of F.C.	% of Total
Brooks	22	2%	2%
Fairburn	19	4%	3%
Fayetteville/Unincorp.F.C.	258	38%	32%
Peachtree City	281	43%	35%
Tyrone	34	5%	4%
Unknown F.C.	19	8%	7%
Out of County	115		17%

Prevention/Awareness Services	Participants	No. of PTC
Teen Dating Violence Prevention Program	1,573	786
Community Awareness Presentations	1,458	697

Additionally, we collaborate with the Peachtree City Police Department as well as the other law enforcement agencies in Fayette County to ensure that domestic violence victims are given our information at the time of a violent incident and that police officers are able to contact us for assistance. We believe that this is an important service because when we are able to assist DV victims in escaping violent homes, we help reduce the number of 911 calls to officers, alleviating their volume of calls and reducing the danger to them in responding to DV calls.

Promise Place

P.O. Box 854 • Fayetteville, GA 30214 • Telephone (770) 460-1604 • Fax (770) 460-6591

Place also recognizes that victims of domestic violence and their children need an emergency shelter to go to in a moment of crisis. Currently, victims have to go to other counties for immediate shelter. Promise Place has transitional housing for victims and their children to go to rebuild their lives but in cases of emergency victims have to go to other counties for shelter. Promise Place is working on opening an emergency shelter for victims and their children to go to in Fayette County in addition to the transitional housing. Promise Place is very excited to inform you that we will be moving into our building that will house our emergency domestic violence shelter on January 1, 2007. Promise Place has an opening date of May 1, 2007. This emergency shelter will be a safe refuge for victims of domestic violence and their children to go in their moment of crisis. Additionally, Promise Place will provide counseling services and many other programs to both the victim and her children, as they heal from the trauma that they have experienced.

Because of your continuing support, Promise Place is making a difference in the lives of abused women and their children in Fayette County. To help continue this much needed service, we are requesting $7,500.00 from the FY 2007 Annual Budget's designated funds for nonprofit organizations. Our cost in this past fiscal year to provide direct services and prevention services was $46.91 per person. Your donation would help defray the $82,753.00 cost of providing direct and prevention services to Peachtree City residents.

We hope that the Peachtree City Council will continue to support us in our work and will grant our request for the amount of $7,500.00.

Sincerely,

Sonja Strickland

Sonja Strickland
Executive Director

Form **990** — Department of the Treasury, Internal Revenue Service

Attachment 2

Return of Organization Exempt From Income Tax

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

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

OMB No. 1545-0047

2005

Open to Public Inspection

A For the 2005 calendar year, or tax year beginning 7/01 **, 2005, and ending** 6/30 **, 2006**

B Check if applicable: ☐ Address change ☐ Name change ☐ Initial return ☐ Final return ☐ Amended return ☐ Application pending

Please use IRS label or print or type. See specific instructions.

FAYETTE COUNTY COUNCIL ON DOMESTIC VIOLENCE, INC.
P.O. BOX 854
FAYETTEVILLE, GA 30214-0854

D Employer Identification Number 58-1826445

E Telephone number 770-460-1604

F Accounting method: ☒ Cash ☐ Accrual ☐ Other (specify) ►

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

H and I are not applicable to section 527 organizations.

H (a) Is this a group return for affiliates? ☐ Yes ☒ No

H (b) If 'Yes,' enter number of affiliates ►

H (c) Are all affiliates included? ☐ Yes ☐ No (If 'No,' attach a list. See instructions.)

H (d) Is this a separate return filed by an organization covered by a group ruling? ☐ Yes ☒ No

I Group Exemption Number ►

M Check ► ☐ if the organization is not required to attach Schedule B (Form 990, 990-EZ, or 990-PF).

G Web site: ► PROMISEPLACE@BELLSOUTH.NET

J Organization type (check only one) ► ☒ 501(c) 3 ◄ (insert no.) ☐ 4947(a)(1) or ☐ 527

K Check here ► ☐ if the organization's gross receipts are normally not more than $25,000. The organization need not file a return with the IRS; but if the organization chooses to file a return, be sure to file a complete return. **Some states require a complete return.**

L Gross receipts: Add lines 6b, 8b, 9b, and 10b to line 12 ► 208,557.

Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances (See Instructions)

REVENUE	1	Contributions, gifts, grants, and similar amounts received:				
	a	Direct public support	1a	82,060.		
	b	Indirect public support	1b	36,000.		
	c	Government contributions (grants)	1c	58,316.		
	d	Total (add lines 1a through 1c) (cash $ 176,376. noncash $)			1d	176,376.
	2	Program service revenue including government fees and contracts (from Part VII, line 93)			2	15,053.
	3	Membership dues and assessments			3	
	4	Interest on savings and temporary cash investments			4	50.
	5	Dividends and interest from securities			5	
	6a	Gross rents	6a			
	b	Less: rental expenses	6b			
	c	Net rental income or (loss) (subtract line 6b from line 6a)			6c	
	7	Other investment income (describe ►)			7	
	8a	Gross amount from sales of assets other than inventory — (A) Securities: ; (B) Other:	8a			
	b	Less: cost or other basis and sales expenses	8b			
	c	Gain or (loss) (attach schedule)	8c			
	d	Net gain or (loss) (combine line 8c, columns (A) and (B))			8d	
	9	Special events and activities (attach schedule). If any amount is from **gaming**, check here ► ☐				
	a	Gross revenue (not including $ of contributions reported on line 1a)	9a	17,078.		
	b	Less: direct expenses other than fundraising expenses	9b	2,897.		
	c	Net income or (loss) from special events (subtract line 9b from line 9a) STATEMENT 1			9c	14,181.
	10a	Gross sales of inventory, less returns and allowances	10a			
	b	Less: cost of goods sold	10b			
	c	Gross profit or (loss) from sales of inventory (attach schedule) (subtract line 10b from line 10a)			10c	
	11	Other revenue (from Part VII, line 103)			11	
	12	**Total revenue** (add lines 1d, 2, 3, 4, 5, 6c, 7, 8d, 9c, 10c, and 11)			12	205,660.
EXPENSES	13	Program services (from line 44, column (B))			13	82,753.
	14	Management and general (from line 44, column (C))			14	68,150.
	15	Fundraising (from line 44, column (D))			15	18,300.
	16	Payments to affiliates (attach schedule)			16	
	17	**Total expenses** (add lines 16 and 44, column (A))			17	169,203.
NET ASSETS	18	Excess or (deficit) for the year (subtract line 17 from line 12)			18	36,457.
	19	Net assets or fund balances at beginning of year (from line 73, column (A))			19	125,863.
	20	Other changes in net assets or fund balances (attach explanation)			20	
	21	Net assets or fund balances at end of year (combine lines 18, 19, and 20)			21	162,320.

Part II **Statement of Functional Expenses** All organizations must complete column (A). Columns (B), (C), and (D) are required for section 501(c)(3) and (4) organizations and section 4947(a)(1) nonexempt charitable trusts but optional for others.

Do not include amounts reported on line 6b, 8b, 9b, 10b, or 16 of Part I.		(A) Total	(B) Program services	(C) Management and general	(D) Fundraising
22 Grants and allocations (att sch) (cash $ ____ non-cash $ ____) If this amount includes foreign grants, check here ► ☐	22				
23 Specific assistance to individuals (att sch)	23				
24 Benefits paid to or for members (att sch)	24				
25 Compensation of officers, directors, etc	25	40,000.	20,000.	10,000.	10,000.
26 Other salaries and wages	26	57,981.	34,231.	23,750.	
27 Pension plan contributions	27				
28 Other employee benefits	28				
29 Payroll taxes	29	8,408.	4,149.	2,582.	1,677.
30 Professional fundraising fees	30	6,500.			6,500.
31 Accounting fees	31	2,868.		2,868.	
32 Legal fees	32				
33 Supplies	33	2,801.	110.	2,691.	
34 Telephone	34	9,129.	4,643.	4,486.	
35 Postage and shipping	35	754.		754.	
36 Occupancy	36	19,904.	9,638.	10,266.	
37 Equipment rental and maintenance	37	1,355.	660.	695.	
38 Printing and publications	38				
39 Travel	39	2,257.	2,098.	159.	
40 Conferences, conventions, and meetings	40	374.		374.	
41 Interest	41				
42 Depreciation, depletion, etc (attach schedule)	42	6,178.	5,452.	726.	
43 Other expenses not covered above (itemize):					
a SEE STATEMENT 2	43a	10,694.	1,772.	8,799.	123.
b	43b				
c	43c				
d	43d				
e	43e				
f	43f				
g	43g				
44 **Total functional expenses.** Add lines 22 through 43. (Organizations completing columns (B) - (D), carry these totals to lines 13 - 15)	44	169,203.	82,753.	68,150.	18,300.

Joint Costs. Check ► ☐ if you are following SOP 98-2.

Are any joint costs from a combined educational campaign and fundraising solicitation reported in **(B)** Program services? ► ☐ **Yes** ☒ **No**

If 'Yes,' enter **(i)** the aggregate amount of these joint costs $ ____; **(ii)** the amount allocated to Program services $ ____; **(iii)** the amount allocated to Management and general $ ____; and **(iv)** the amount allocated to Fundraising $

TEEA0102L 11/01/05

Part III Statement of Program Service Accomplishments

Form 990 is available for public inspection and, for some people, serves as the primary or sole source of information about a particular organization. How the public perceives an organization in such cases may be determined by the information presented on its return. Therefore, please make sure the return is complete and accurate and fully describes, in Part III, the organization's programs and accomplishments.

What is the organization's primary exempt purpose? ► All organizations must describe their exempt purpose achievements in a clear and concise manner. State the number of clients served, publications issued, etc. Discuss achievements that are not measurable. (Section 501(c)(3) and (4) organizations and 4947(a)(1) nonexempt charitable trusts must also enter the amount of grants and allocations to others.)	Program Service Expenses (Required for 501(c)(3) and (4) organizations and 4947(a)(1) trusts; but optional for others.)
a ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE AND THEIR CHILDREN IN 4 COUNTY AREA OF GEORGIA. EDUCATION, REFERRALS AND SUPPORT SERVICES TO AID VICTIMS IN EXPLORING OPTIONS. (Grants and allocations $) If this amount includes foreign grants, check here ► ☐	82,753.
b (Grants and allocations $) If this amount includes foreign grants, check here ► ☐	
c (Grants and allocations $) If this amount includes foreign grants, check here ► ☐	
d (Grants and allocations $) If this amount includes foreign grants, check here ► ☐	
e Other program services (Grants and allocations $) If this amount includes foreign grants, check here ► ☐	
f **Total of Program Service Expenses** (should equal line 44, column (B), Program services) ►	82,753.

Part IV Balance Sheets (See Instructions)

Note: *Where required, attached schedules and amounts within the description column should be for end-of-year amounts only.*

	Line	Description	Sub-line	Sub-amount	(A) Beginning of year	Line	(B) End of year
ASSETS	45	Cash — non-interest-bearing			17,157.	45	56,877.
	46	Savings and temporary cash investments			329.	46	
	47a	Accounts receivable	47a				
	b	Less: allowance for doubtful accounts	47b			47c	
	48a	Pledges receivable	48a				
	b	Less: allowance for doubtful accounts	48b			48c	
	49	Grants receivable				49	
	50	Receivables from officers, directors, trustees, and key employees (attach schedule)				50	
	51a	Other notes & loans receivable (attach sch)	51a	938.			
	b	Less: allowance for doubtful accounts	51b			51c	938.
	52	Inventories for sale or use				52	
	53	Prepaid expenses and deferred charges				53	
	54	Investments — securities (attach schedule) ► ☐ Cost ☐ FMV				54	
	55a	Investments — land, buildings, & equipment: basis	55a				
	b	Less: accumulated depreciation (attach schedule)	55b			55c	
	56	Investments — other (attach schedule)				56	
	57a	Land, buildings, and equipment: basis	57a	190,015.			
	b	Less: accumulated depreciation (attach schedule) STATEMENT 3	57b	85,510.	108,377.	57c	104,505.
	58	Other assets (describe ►)				58	
	59	**Total assets** (must equal line 74). Add lines 45 through 58			125,863.	59	162,320.
LIABILITIES	60	Accounts payable and accrued expenses				60	
	61	Grants payable				61	
	62	Deferred revenue				62	
	63	Loans from officers, directors, trustees, and key employees (attach schedule)				63	
	64a	Tax-exempt bond liabilities (attach schedule)				64a	
	b	Mortgages and other notes payable (attach schedule)				64b	
	65	Other liabilities (describe ►)				65	
	66	**Total liabilities.** Add lines 60 through 65			0.	66	0.
NET ASSETS OR FUND BALANCES		**Organizations that follow SFAS 117, check here** ► [X] and complete lines 67 through 69 and lines 73 and 74.					
	67	Unrestricted			125,863.	67	130,012.
	68	Temporarily restricted				68	32,308.
	69	Permanently restricted				69	
		Organizations that do not follow SFAS 117, check here ► ☐ and complete lines 70 through 74.					
	70	Capital stock, trust principal, or current funds				70	
	71	Paid-in or capital surplus, or land, building, and equipment fund				71	
	72	Retained earnings, endowment, accumulated income, or other funds				72	
	73	**Total net assets or fund balances** (add lines 67 through 69 **or** lines 70 through 72; column (A) **must** equal line 19; column (B) **must** equal line 21)			125,863.	73	162,320.
	74	**Total liabilities and net assets/fund balances.** Add lines 66 and 73			125,863.	74	162,320.

Part IV-A Reconciliation of Revenue per Audited Financial Statements with Revenue per Return (See instructions.)

a	Total revenue, gains, and other support per audited financial statements			a	N/A
b	Amounts included on line a but not on Part I, line 12:				
	1 Net unrealized gains on investments	b1			
	2 Donated services and use of facilities	b2			
	3 Recoveries of prior year grants	b3			
	4 Other (specify):	b4			
	Add lines **b1** through **b4**			b	
c	Subtract line **b** from line **a**			c	
d	Amounts included on Part I, line 12, but not on line **a**:				
	1 Investment expenses not included on Part I, line 6b	d1			
	2 Other (specify):	d2			
	Add lines **d1** and **d2**			d	
e	**Total revenue** (Part I, line 12). Add lines **c** and **d** ►			e	

Part IV-B Reconciliation of Expenses per Audited Financial Statements with Expenses per Return

a	Total expenses and losses per audited financial statements			a	N/A
b	Amounts included on line a but not on Part I, line 17:				
	1 Donated services and use of facilities	b1			
	2 Prior year adjustments reported on Part I, line 20	b2			
	3 Losses reported on Part I, line 20	b3			
	4 Other (specify):	b4			
	Add lines **b1** through **b4**			b	
c	Subtract line **b** from line **a**			c	
d	Amounts included on Part I, line 17, but not on line **a**:				
	1 Investment expenses not included on Part I, line 6b	d1			
	2 Other (specify):	d2			
	Add lines **d1** and **d2**			d	
e	**Total expenses** (Part I, line 17). Add lines **c** and **d** ►			e	

Part V-A Current Officers, Directors, Trustees, and Key Employees (List each person who was an officer, director, trustee, or key employee at any time during the year even if they were not compensated.) *(See the instructions.)*

(A) Name and address	(B) Title and average hours per week devoted to position	(C) Compensation (if not paid, enter -0-)	(D) Contributions to employee benefit plans and deferred compensation plans	(E) Expense account and other allowances
SEE STATEMENT 4		40,000.	0.	0.

Part V-A Current Officers, Directors, Trustees, and Key Employees *(continued)*

		Yes	No
75a Enter the total number of officers, directors, and trustees permitted to vote on organization business as board meetings . . ► 13			
b Are any officers, directors, trustees, or key employees listed in Form 990, Part V-A, or highest compensated employees listed in Schedule A, Part I, or highest compensated professional and other independent contractors listed in Schedule A, Part II-A or II-B, related to each other through family or business relationships? If 'Yes,' attach a statement that identifies the individuals and explains the relationship(s)	75b		X
c Do any officers, directors, trustees, or key employees listed in form 990, Part V-A, or highest compensated employees listed in Schedule A, Part I, or highest compensated professional and other independent contractors listed in Schedule A, Part II-A or II-B, receive compensation from any other organizations, whether tax exempt or taxable, that are related to this organization through common supervision or common control?	75c		X
Note. Related organizations include section 509(a)(3) supporting organizations.			
If 'Yes,' attach a statement that identifies the individuals, explains the relationship between this organization and the other organization(s), and describes the compensation arrangements, including amounts paid to each individual by each related organization			
d Does the organization have a written conflict of interest policy?	75d	X	

Part V-B Former Officers, Directors, Trustees, and Key Employees That Received Compensation or Other Benefits

(If any former officer, director, trustee, or key employee received compensation or other benefits (described below) during the year, list that person below and enter the amount of compensation or other benefits in the appropriate column. See the instructions.)

(A) Name and address	(B) Loans and Advances	(C) Compensation	(D) Contributions to employee benefit plans and deferred compensation plans	(E) Expense account and other allowances

Part VI Other Information *(See the instructions.)*

		Yes	No
76 Did the organization engage in any activity not previously reported to the IRS? If 'Yes,' attach a detailed description of each activity	76		X
77 Were any changes made in the organizing or governing documents but not reported to the IRS? If 'Yes,' attach a conformed copy of the changes.	77		X
78a Did the organization have unrelated business gross income of $1,000 or more during the year covered by this return?	78a		X
b If 'Yes,' has it filed a tax return on **Form 990-T** for this year?	78b	N/A	
79 Was there a liquidation, dissolution, termination, or substantial contraction during the year? If 'Yes,' attach a statement	79		X
80a Is the organization related (other than by association with a statewide or nationwide organization) through common membership, governing bodies, trustees, officers, etc, to any other exempt or nonexempt organization?	80a		X
b If 'Yes,' enter the name of the organization ► N/A and check whether it is ☐ exempt **or** ☐ nonexempt.			
81a Enter direct and indirect political expenditures. (See line 81 instructions.) 81a 0.			
b Did the organization file **Form 1120-POL** for this year?	81b		X

Part VI Other Information *(continued)*

			Yes	No
82 a Did the organization receive donated services or the use of materials, equipment, or facilities at no charge or at substantially less than fair rental value?		**82a**		X
b If 'Yes,' you may indicate the value of these items here. Do not include this amount as revenue in Part I or as an expense in Part II. (See instructions in Part III.)	**82b** N/A			
83 a Did the organization comply with the public inspection requirements for returns and exemption applications?		**83a**	X	
b Did the organization comply with the disclosure requirements relating to quid pro quo contributions?		**83b**	X	
84 a Did the organization solicit any contributions or gifts that were not tax deductible?		**84a**		X
b If 'Yes,' did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?		**84b**	N/A	
85 *501(c)(4), (5), or (6) organizations.* **a** Were substantially all dues nondeductible by members?		**85a**	N/A	
b Did the organization make only in-house lobbying expenditures of $2,000 or less?		**85b**	N/A	
If 'Yes' was answered to either 85a or 85b, **do not** complete 85c through 85h below unless the organization received a waiver for proxy tax owed for the prior year.				
c Dues, assessments, and similar amounts from members	**85c** N/A			
d Section 162(e) lobbying and political expenditures	**85d** N/A			
e Aggregate nondeductible amount of section 6033(e)(1)(A) dues notices	**85e** N/A			
f Taxable amount of lobbying and political expenditures (line 85d less 85e)	**85f** N/A			
g Does the organization elect to pay the section 6033(e) tax on the amount on line 85f?		**85g**	N/A	
h If section 6033(e)(1)(A) dues notices were sent, does the organization agree to add the amount on line 85f to its reasonable estimate of dues allocable to nondeductible lobbying and political expenditures for the following tax year?		**85h**	N/A	
86 *501(c)(7) organizations.* Enter: **a** Initiation fees and capital contributions included on line 12	**86a** N/A			
b Gross receipts, included on line 12, for public use of club facilities	**86b** N/A			
87 *501(c)(12) organizations.* Enter: **a** Gross income from members or shareholders	**87a** N/A			
b Gross income from other sources. (Do not net amounts due or paid to other sources against amounts due or received from them.)	**87b** N/A			
88 At any time during the year, did the organization own a 50% or greater interest in a taxable corporation or partnership, or an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? If 'Yes,' complete Part IX		**88**		X
89 a *501(c)(3) organizations.* Enter: Amount of tax imposed on the organization during the year under: section 4911 ► 0. ; section 4912 ► 0. ; section 4955 ► 0.				
b *501(c)(3) and 501(c)(4) organizations.* Did the organization engage in any section 4958 excess benefit transaction during the year or did it become aware of an excess benefit transaction from a prior year? If 'Yes,' attach a statement explaining each transaction		**89b**		X

c Enter: Amount of tax imposed on the organization managers or disqualified persons during the year under sections 4912, 4955, and 4958 ► 0.

d Enter: Amount of tax on line 89c, above, reimbursed by the organization ► 0.

90 a List the states with which a copy of this return is filed ► GA

b Number of employees employed in the pay period that includes March 12, 2005 (See instructions.) **90b** 4

91 a The books are in care of ► SONJA STRICKLAND Telephone number ► 770-460-1604

Located at ► P.O. BOX 854, FAYETTEVILLE GA ZIP + 4 ► 30214-0854

		Yes	No
b At any time during the calendar year, did the organization have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)?	**91b**		X
If 'Yes,' enter the name of the foreign country ►			
See the instructions for exceptions and filing requirements for Form TD F 90-22.1, Report of Foreign Bank and Financial Statements			
c At any time during the calendar year, did the organization maintain an office outside of the United States?	**91c**		X
If 'Yes,' enter the name of the foreign country ►			

92 *Section 4947(a)(1) nonexempt charitable trusts filing Form 990 in lieu of* ***Form 1041*** — Check here N/A ► ☐

and enter the amount of tax-exempt interest received or accrued during the tax year ► **92** N/A

TEEA0107L 02/03/06

Part VII Analysis of Income-Producing Activities *(See the instructions.)*

Note: Enter gross amounts unless otherwise indicated.	Unrelated business income		Excluded by section 512, 513, or 514		(E) Related or exempt function income
	(A) Business code	(B) Amount	(C) Exclusion code	(D) Amount	
93 Program service revenue:					
a TRANSITION HOUSE FEES			3		13,460.
b VICTIM LIASION FEES			3		1,593.
c					
d					
e					
f Medicare/Medicaid payments					
g Fees & contracts from government agencies					
94 Membership dues and assessments					
95 Interest on savings & temporary cash invmnts.		50.			
96 Dividends & interest from securities					
97 Net rental income or (loss) from real estate:					
a debt-financed property					
b not debt-financed property					
98 Net rental income or (loss) from pers prop					
99 Other investment income					
100 Gain or (loss) from sales of assets other than inventory					
101 Net income or (loss) from special events			1	14,181.	
102 Gross profit or (loss) from sales of inventory					
103 Other revenue: a					
b					
c					
d					
e					
104 Subtotal (add columns (B), (D), and (E))		50.		14,181.	15,053.

105 Total (add line 104, columns (B), (D), and (E)) ► 29,284.

Note: Line 105 plus line 1d, Part I, should equal the amount on line 12, Part I.

Part VIII Relationship of Activities to the Accomplishment of Exempt Purposes *(See the instructions.)*

Line No. ▼	Explain how each activity for which income is reported in column (E) of Part VII contributed importantly to the accomplishment of the organization's exempt purposes (other than by providing funds for such purposes).
93C	FEES COLLECTED TO HELP COVER THE COST OF TRANSITION HOUSING FOR DOMESTIC VIOLENCE VICTIMS AND THEIR CHILDREN
93D	COUNTY PAYMENTS FOR LEGAL ASSISTANCE FOR DOMESTIC VIOLENCE VICTIMS

Part IX Information Regarding Taxable Subsidiaries and Disregarded Entities *(See the instructions.)*

(A) Name, address, and EIN of corporation, partnership, or disregarded entity	(B) Percentage of ownership interest	(C) Nature of activities	(D) Total income	(E) End-of-year assets
N/A	%			
	%			
	%			
	%			

Part X Information Regarding Transfers Associated with Personal Benefit Contracts *(See the instructions.)*

a Did the organization, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract? ☐ Yes ☒ No

b Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract? ☐ Yes ☒ No

Note: *If 'Yes' to (b), file Form 8870 and Form 4720 (see instructions).*

Please Sign Here

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

► Signature of officer Date

► SONJA STRICKLAND, EXECUTIVE DIRECTOR
Type or print name and title.

Paid Preparer's Use Only

Preparer's signature ► NON-PAID PREPARER Date 8/04/06 Check if self-employed ► ☐ Preparer's SSN or PTIN (See General Instruction W)

Firm's name (or yours if self-employed), address, and ZIP + 4 ► EIN ► Phone no. ►

STATE OF GEORGIA
COUNTY OF FAYETTE

AGREEMENT

This Agreement entered into this _____ day of __________________, 2007, by and between FAYETTE COUNTY COUNCIL ON DOMESTIC VIOLENCE, INC., D/B/A PROMISE PLACE (hereinafter "PROMISE PLACE"), and the CITY OF PEACHTREE CITY, GEORGIA (hereinafter "City").

WHEREAS, PROMISE PLACE provides services to residents of Fayette County, Georgia, including residents of Peachtree City, Georgia who are victims of domestic violence; and

WHEREAS, in providing such services, PROMISE PLACE assists the Police Department of the City; and

WHEREAS, PROMISE PLACE has requested funding assistance from the City so as to continue to provide such services to residents of Fayette County and the City; and

WHEREAS, PROMISE PLACE is a qualified non-profit corporation pursuant to Section 501(c)(3) of the Internal Revenue Code; and

THEREFORE, and in consideration of the mutual terms and conditions contained herein the parties hereto agree as follows:

1.

In exchange for the services provided by PROMISE PLACE to the City and residents of the City, the City hereby agrees to pay the sum of $7500.00 for the period October 1, 2006 through and including September 30, 2007.

Executed the day and date first above mentioned.

FAYETTE COUNTY COUNCIL ON
DOMESTIC VIOLENCE, INC.
D/B/A PROMISE PLACE

CITY OF PEACHTREE CITY,
GEORGIA

By: ______________________ President

By: ______________________ Harold K. Logsdon, Mayor

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

VIA: **City Manager** **Administrative Services Director/City Clerk**

FROM: **Public Information Officer/Deputy City Clerk**

DATE: **January 12, 2007**

SUBJECT: **Request to address Council by Kathaleen Brewer Regarding Proposal for Fayette Art Center & Gallery, Inc.**
January 18, 2007, City Council Meeting

Recommendation:

Staff recommends that Council consider the proposal for funding. If funding is approved through the current policy for contributions to non-profit organizations, the maximum amount allowed would be $5,000 in a 5-year period, would be included in the FY 2008 budget, and would require the organization to sign a service agreement with the City.

Discussion:

Staff received a request from Ms. Kathaleen Brewer, President of the Fayette County Art Center, to make a presentation to Council on January 18. Ms. Brewer has included information on her organization and is requesting funding in the amount of $10,000. The request letter, informational packet, funding request form, verification of non-profit status, and 2005 tax information are attached.

Also attached is the current policy, CAR 8-3, on Council funding for non-profit organizations. Based on the policy, Ms. Brewer's organization would fall under the "General Needs" category, which is limited to $5,000 in a 5-year period.

Budget Impact:

This item would have a $5,000 impact on the $25,000 line item designated for non-profit funding requests in any given year. The FY 2007 budget contains $20,000 for the requests from Kedron Elementary School, Fayette Senior Services, and the Council on Domestic Violence already considered by Council.

Jan. 8, 2007

Dear Peachtree City Council,

I wish to be added to the Jan. 18th Agenda in order to present proposal for a Fayette County Art Center.

Sincerely,

Kathaleen Brewer

President

770-461-4494

Fayette County Overview Map

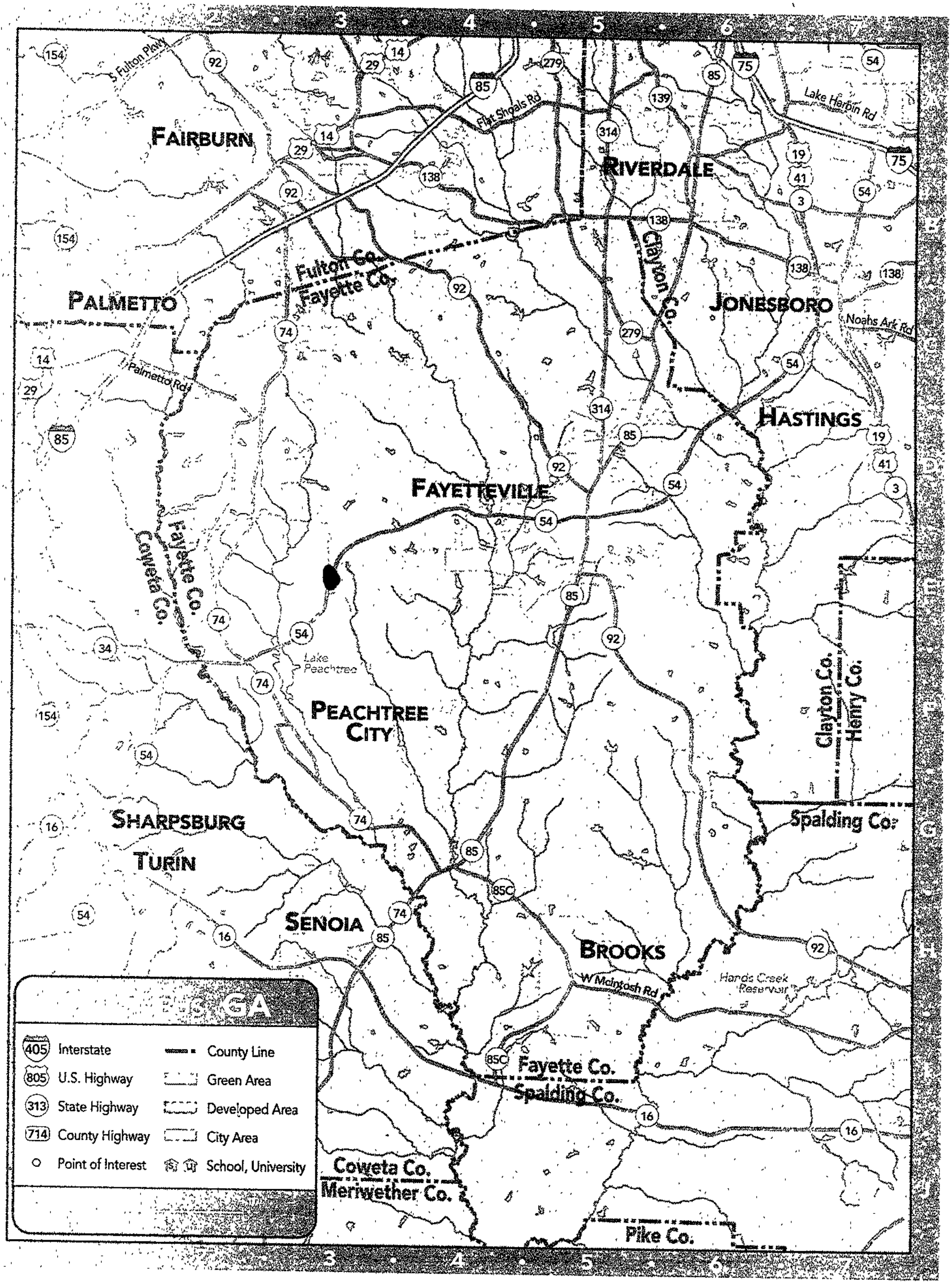
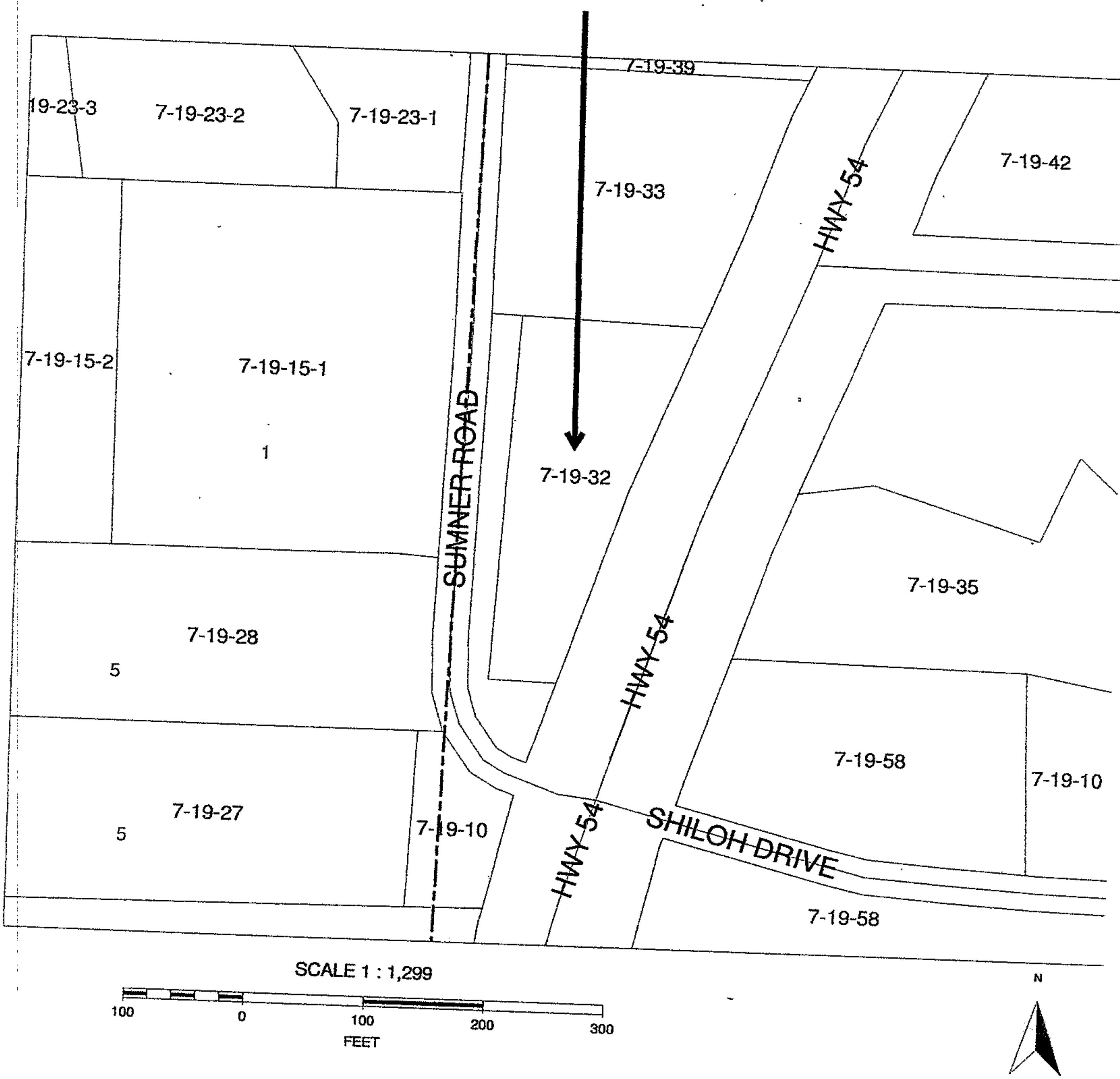


Exhibit "A"

All that land contained in Parcel 032, Land Lot 69, of the 7th District of Fayette County, Georgia, also known as 2011 Highway 54 West, Fayetteville, GA 30214.



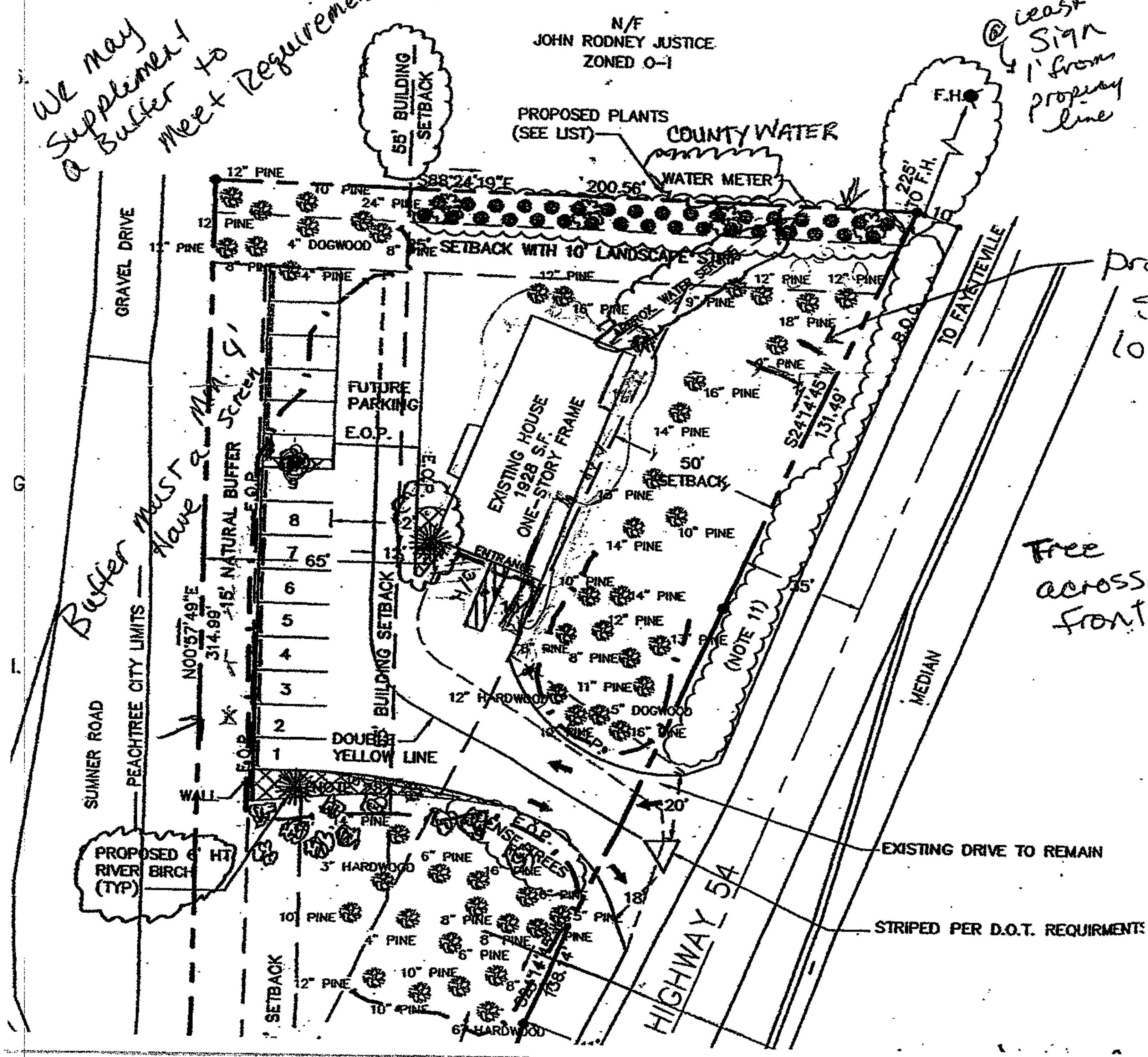
Wednesday, December 15, 2004 10:06 AM

Requi... of ... Junipers

David Revised Landscape Plan

PLANT LIST

QUANITITY	PLANT NAME	SIZE	SPACING	COMMMENT
34	NANDINA DOMESTICA	2' HT.	4' O.C.	FULL SHRUBS
4	LEYLAND CYPRESS	6' HT.	40' O.C.	FULL TREE
2	RIVER BIRCH	6' "	SINGLE TREE	" "




Youth Pottery Class


Youth art class


Learning from work in gallery


Author's presentation


Adult Pottery


Artist's lecture


Portrait Oil Class


Writer's workshop with author


Watercolor class


Drawing Class


Ikebana Flower arranging


Ikebana Flower arranging


Child class with new model


Study of work in gallery


First painting


Music on the porch


Sat. morning music


Little one's art class


Little Tyke's class


Future interior decorator


Author's reading


Family Classes


Result's of Youth Class


Future Engineer

About Art

By Shar Peters

THE THINGS WE MOVE WITH US

The Fayette Art Center

We're a mobile society and almost everyone who has taken up a new residence will tell you that moving across the country or across town is no easy task. There are always the questions, "What do I take with me? What do I leave behind?"

When Kathaleen Brewer made the move from California to Fayetteville in 2005, she packed her creativity, ambition, and artistic abilities and moved them with her. And, Fayette county residents can be thankful that she didn't leave these treasures behind for they have been the foundation for the Fayette Art Center and Gallery.

Brewer, a self-taught artist and photographer, held the position of Art Commissioner while residing in Ojai, CA, an artsy community. Brewer was in charge of overseeing various art programs and special events, plus she was affiliated with several galleries. Her life and work were filled with the arts.

"When I came to Fayetteville, I couldn't believe that the richest county in the state did not have one gallery or an art center. So," she says with determination, "I'm changing that."

"I'm bringing a whole new concept to Fayetteville," she proudly states. In 2005 Brewer began by leasing a 1915 bungalow located in the heart of Fayetteville. This inviting building, located about three blocks from the Court House, has come them out to you in proud presentation. Your eyes can't possibly take in all that this unique gallery has to offer as you wander from room to room. You'll see watercolors, oils, mixed mediums, and sculptures made from Georgia clay. You'll view whimsical and pastoral art. Brilliant mixes of color will grab you and excite your senses, and then you'll feel subdued as you view an antique-framed pastel with its landscape of delicate colors.

When I was visiting during the children's Arts Camp session, I could feel the creativity and imagination flowing out of the students. Their young eyes reflected the colors of the great and little-known artists' palettes, and the youngsters' enthusiasm, laughter, and banter were contagious. I wanted to join in. I wanted to look through the camera lens and capture a subject with the click of the shutter. I wanted to grasp a paintbrush and create soft watercolor strokes that subtly blend into a flower. You can't observe the classes without wanting...

...h... taken several art classes at the Center. "They have a good offering of classes," she says. "I enjoyed the one-on-one focus, and the artists they have teaching there are amazing."

"We have a lot of artistic talent from all over the world in our county and we need a place to display these works of art. Plus, we need a facility that will encourage and support the arts for generations to come."

Brewer is not one to let obstacles get in her way—she meets them head on and one by one, she will mow them down. Currently she is in the process of gathering material to present to businesses and county and state officials in an effort to get funds and support. Her long-range goal is to convince the county to build an art facility that would encompass all arts, have classrooms, pottery studios, metal works studios, meeting and conference rooms, and a theatre if the YMCA project doesn't go through. And, of course, she is always looking for volunteers to help with the day-to-day operations and to create visibility in the community.

The Arts Center is constantly bustling with activities. It is a great meeting place for local groups. Fayette Writers Guild meets there twice a month, a photography club meets the second Saturday of each month, plus there are occasional book signings, art exhibits, lectures, and poetry readings. Brewer is in the process of developing a library that includes works by local authors, CDs by local musicians, and reference books and videos for artists. In addition, there are always classes available for all ages

and interests including flowe... ...nging, screenwriting, and various forms of art. Membership is only $35 a year and includes discounts on lectures, trips, monthly socials, and free use of the art library.

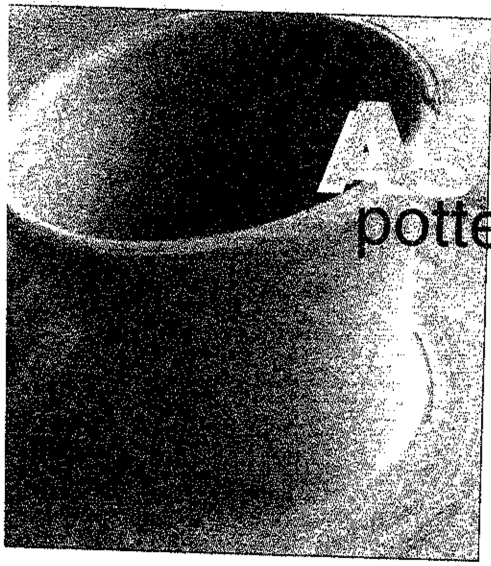
"We must educate the public on the importance of creativity," she emphasizes. "Art provides exercise for the brain which is just as important as exercise for the body—and it allows people to see how they think differently."

"I really didn't expect to make a mark when I moved here," she recalls, "but when I realized that Fayette County didn't have an art gallery or center, I felt it was my calling." And it's fortunate that Brewer brought her love for the arts with her. That's one thing she couldn't possibly leave behind.

The Fayette Art Center and Gallery is located at 125 Fisher Avenue, two blocks south of the Courthouse Square off GA Hwy 85. Further information and a schedule of classes and events call 770-461-4494, or visit www.fayetteartcenter.org. Membership is $35 a year. Open: Tue. – Sat., 10 a.m.-6 p.m.

How can you help the Fayette Arts Center and Gallery?

- Donate your time. The Center can always use people to help with the operation of the Center.
- Donate art supplies, books, or videos.
- Become a member. It's only $35 a year.
- Visit the gallery.
- Take classes or join a group.
- Enroll your children in classes and expose them to the arts.
- Encourage county and city officials to support the arts.
- Tell others about the Gallery and the class offerings at the Center.
- Shop at the Center. It is a great place to pick up art for your home or gifts for family and friends.



As the whee
pottery classes combine humor, artis

Muzel Chen

Pottery instructor and artist Billy Lee helps student Angie Breyne use the st ing potter's wheel at the Fayette Art Center and Gallery in Fayetteville. Top, a at the Fayette Art Center and Gallery. Inset, one of several works by Angie Br of Tyrone, a student of Billy Lee's.

Jessika Toothman
ette Neighbor Staff Writer

ottery lessons at the Fayette Art Center l Gallery are a combination of comedy l clay.

Billy Lee, who came to the art center as acher in August complete with a cou- of potter's wheels, started working n pottery through his career in the inte- plant maintenance business.

The expression "if you want something e, you've got to do it yourself," fit the ation perfectly as he worked to find perfect accessories for his plants.

Trying to find that just-right pot, I just ted making my own pots," he said.

ver the years since n, he has used a variety lays and kilns to make old numbers of pottery es by hand and later wheel.

f I had to put my fin- on a style, I like to be tive. I don't keep es of glazes and clay ulas; I just like to be rised," said the potter, wn as "Mr. Billy" to his ents.

ull of surprises himself, half-finished ery is often treated with what seems irreverence, until he proves his famil- y with clay and the vase he has turned de-down actually stays attached to at it was anchored on.

is cheerfulness and spontaneity nd the potter's wheel is apparent to yone who sees him teach.

He just brings joy and laughter into the ry when he has his classes," said Janet e, who helps out at the gallery.

He's down to earth. You can tell that he what he's doing and that he cares ut] what the students want to learn."

cording to Lee, the most important for the students to learn is centering; er words, getting the clay in the cen- the wheel so that it turns smoothly venly. Unfortunately, this is also the difficult thing to teach.

you can't center it, you can't throw it. l always be a problem," he said, with ul look that soon turned into a smile.

"I love to see the progression of the stu- dents. How they come along when they start out with a mess, and it moves along as they improve," he said.

A creator at heart, Lee has built and developed several of the pieces of equip- ment that he uses, both at the art center and at his home studio.

One of these is the stand-up wi which allows his students better acce the clay by raising the wheel up to level.

"It is just amazing the gift that he pull out of a person," said Ms. White.

Executive Board of Directors and Board Chairs
Nov. 2006

President — Ms. Kathaleen Brewer (770-461-4494
305 Grady Ave., Fayetteville,
Past Art Commissioner for the City of Ojai, California
Founder & Director: Ojai Art Garden, Ojai, California
Present founder& Director of Fayette Art Center and Gallery

Vice President — Mrs. Vickie Turner (770-461-2147)
165 Carnegie Place
Fayetteville, GA 30214
VP & Director of Marketing for AIS Computers
Artist

Secretary — Mrs. Carol Buckler (770-210-9947)
1124 Weeping Willow Place ,Hampton, GA 30228
Pres. of Fayette Writer's Guild
Published Author

Treasurer — Mrs. Terrie Hart (770-461-5218)
130 Pamela Court, Fayetteville, GA 30214
Retired CPA

Advisory Board Chair — Marilyn Haas (770-486-6560)
P.O. Box 2192, PTC, GA 30269
President, Elements of Design Graphic Studio, Inc.
Founded "Arts & Expressions" magazine

Community Relations Board Chair
Christine Snell (770-461-8841)
215 Ponde Trace, Fayetteville, GA 30214
Director of the Fayette County Library

Board Chairperson – Networking - Janet Dunn (770-631-9630)
Founder of Fayetteforum.org
Accomplished potter

Board Chairperson - Grants - Sandra Milavec (770-461-9564)
Retired Nurse - Head of Georgia State Prison Nursing Dept..
Artist and fiber art designer

Board Chairperson – Youth Art – Melanie Mickelboro (770-631-4922)
145 Stranhill Rd., Tyrone, GA
Art Director, Fayette County High

Board Chairperson – Marketing Carla Cook Smith (678-423-9549)
519 Ragsdale Rd. Sharpsburg, GA 30277
Owns marketing business & artist
Founded "Waiting for the Train, Inc."

WEEKLY CLASS SCHEDULES – Jan. 07

TUESDAY	10-12:00 noon Judy Huang **WATERCOLOR** $25 - 2 hours		**CHINESE CULTURAL ACTIVITES** by Julie Woodbridge Tuesday 4:30–5:30pm $35 Language & Calligraphy	**INTRO. TO WRITING 6:30-8:30** Carol Lunsford $35.00 ***INTRO-POTTERY & THROWING** 6:30 – 8:30 pm Billy Lee $35 2 hr./includes clay
WEDNESDAY		3:00 -4:30 p.m. Tatiana McCoy **GEN ART-YOUTH HOME SCHOOL** 1 ½ Hr. $80 (4 classes)		6:30-8:30 pm Kathaleen Brewer **PASTEL, OIL, ACRYLIC LANDSCAPES** $25 drop-in $80 4 classes
THURSDAY	**INTRO POTTERY** $35 2 hrs. /includes 10-12:00 noon Billy Lee	1:30 -3:30 pm Tatiana McCoy **ADULT WATERCOLOR & DRAWING** $25 Drop In or $80 month	4-5:30 pm WATERCOLOR & DRAWING **YOUTH CLASS** (Home School Credits) $80 month **YOUTH POTTERY** $35.00 session	6-7:00 pm Gigi Hines **BASIC GUITAR** $25 Drop In or $80 for 4 classes
FRIDAY		12:30-2:30 pm Georgette Liberatore Held in Fairburn **"Master's" OIL & DRAWING** 4 classes @ $145 8 classes @ $225	3:00 to 5:00 pm Lydia Ellis Teen/Adult **FIGURATIVE DRAWING/OILS** $25 PER CLASS $80 Month	5-6:00 pm Lydia Ellis **YOUTH ART** Home School Credits $10 – 1 Hr. $40 - month
SATURDAY	Georgette Liberatore is taking names for Sat. Oil & Drawing Classes "Master's Series" 10-12:00	1-2:30 pm Tatiana McCoy **YOUNG CHILDRENS ART**	2:30 -4:00 pm **YOUTH ART**	NEW: **ART QUILTS** Claudia Wood Taking names
SATURDAY MEETINGS & WORKSHOPS	10-12 **Writer's Guild** 2nd & 4th Sat. of mo.	1-3:00 pm 3RD Saturday of mo. Julie Woodbridge **IKEBANA FLOWER ARRANGMENT**	1-3:00 PM **Photography Club** 2nd Saturdays of the mo.	

***POTTERY CLASS** includes clay, tools and firing. 4 students only. Must confirm one day in advance.

TAI CHI CLASSES – offered by Julie Woodbridge – Monday evenings 6-7:00pm

SCREEN WRITING – by Appointment - $35.00 with Kathaleen Brewer

Funding Request
For Non-Profit Organizations

Organization Information:

Organization Name: Fayette Art Center & Gallery, Inc.

Address: Present: 125 Fisher Ave., Fayetteville, Ga 30214 After Feb. 2007: 2011 West Hwy. 54, Fayetteville, GA (Yellow Cottage at PTC line)

Phone #: 770-461-4495 Fax #: 770-461-4454

Contact Person: Kathaleen Brewer

Title: President

Financial Information: Our fiscal year is June 30th 2006 through July 1st 2007. The following numbers are based on the last six months; July 1st 2006 through December 31, 2006.

Total Annual Budget: $112,000

Total Clients Served Annually: 1,200 through Gallery (based on guest book) and approx. 300 based on last six months enrollment. Once we move, these numbers should double.

Peachtree City Residents Served Annually: During the last six months we served 114 Peachtree City residents and expect that number to increase markedly after the move. In other words, the majority of our participants are from Peachtree City.

Funding Request Information:

Funding Amount Requested: $10,000.00

Funding Use(s): Administrative

Additional Information on Organization/Services: We provide access to comprehensive art education, an art library and fellowship meeting space for artists, photographers and writers. (i.e. Fayette Writer's Guild, Fayette Photography Club, Fayette Society of Fine Artists, and Southern League of Fine Artist) We provide access to the only art gallery in the County which has monthly shows and a permanent collection of work by local writers and artists.

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

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

DEPARTMENT OF THE TREASURY

Date: AUG 20 2006

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

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

Dear Applicant:

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

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

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

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

Letter 1045 (DO/CG)

Corporations Division
315 West Tower
#2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

EFFECTIVE DATE	: 09/09/2005
JURISDICTION	: GEORGIA
REFERENCE	: 0045
PRINT DATE	: 09/16/2005
FORM NUMBER	: 311

CINDY LY
LEGALZOOM.COM, INC.
7083 HOLLYWOOD BLVD. STE. 180
LOS ANGELES, CA 90028

CERTIFICATE OF INCORPORATION

I, Cathy Cox, the Secretary of State and the Corporations Commissioner of the State of Georgia, do hereby certify under the seal of my office that

FAYETTE ART CENTER & GALLERY INC.
A DOMESTIC NONPROFIT CORPORATION

has been duly incorporated under the laws of the State of Georgia on the effective date stated above by the filing of articles of incorporation in the Office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta and the State of Georgia on the date set forth above.

Cathy Cox
Secretary of State

COPY

Form **990-EZ**

Department of the Treasury
Internal Revenue Service

Short Form
Return of Organization Exempt From Income Tax

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

▶ For organizations with gross receipts less than $100,000 and total assets less than $250,000 at the end of the year.

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

OMB No. 1545-1150

2005

Open to Public Inspection

A For the 2005 calendar year, or tax year beginning 9/1/2005 and ending 6/30/2006

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

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

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

Number and street (or P.O. box, if mail is not delivered to street address): 125 Fisher Avenue | Room/suite:

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

D Employer identification number: 20-3553487

E Telephone number: 770-461-4494

F Group Exemption Number ▶ N/A

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

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

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

I Website: ▶ www.fayetteartcenter.com

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

K Check ▶ [ ] if the organization's gross receipts are normally not more than $25,000. The organization need not file a return with the IRS; but if the organization chooses to file a return, be sure to file a complete return. **Some states require a complete return.**

L Add lines 5b, 6b, and 7b, to line 9 to determine gross receipts; if $100,000 or more, file Form 990 instead of Form 990-EZ. ▶ $ 42,550

Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances (See page 38 of the instructions.)

Revenue	1	Contributions, gifts, grants, and similar amounts received			1	30,270
	2	Program service revenue including government fees and contracts			2	12,009
	3	Membership dues and assessments			3	0
	4	Investment income			4	0
	5a	Gross amount from sale of assets other than inventory	5a	0		
	b	Less: cost or other basis and sales expenses	5b	0		
	c	Gain or (loss) from sale of assets other than inventory (line 5a less line 5b) (attach schedule)			5c	0
	6	Special events and activities (attach schedule). If any amount is from gaming, check here ▶ [ ]				
	a	Gross revenue (not including $ 0 of contributions reported on line 1)	6a	0		
	b	Less: direct expenses other than fundraising expenses	6b	0		
	c	Net income or (loss) from special events and activities (line 6a less line 6b)			6c	0
	7a	Gross sales of inventory, less returns and allowances	7a	263		
	b	Less: cost of goods sold	7b	193		
	c	Gross profit or (loss) from sales of inventory (line 7a less line 7b)			7c	70
	8	Other revenue (describe ▶ See attached statement)			8	8
	9	**Total revenue** (add lines 1, 2, 3, 4, 5c, 6c, 7c, and 8) ▶			9	42,357
Expenses	10	Grants and similar amounts paid (attach schedule)			10	0
	11	Benefits paid to or for members			11	0
	12	Salaries, other compensation, and employee benefits			12	0
	13	Professional fees and other payments to independent contractors			13	8,743
	14	Occupancy, rent, utilities, and maintenance			14	20,721
	15	Printing, publications, postage, and shipping			15	3,422
	16	Other expenses (describe ▶ See attached statement)			16	8,676
	17	**Total expenses** (add lines 10 through 16) ▶			17	41,562
Net Assets	18	Excess or (deficit) for the year (line 9 less line 17)			18	795
	19	Net assets or fund balances at beginning of year (from line 27, column (A)) (must agree with end-of-year figure reported on prior year's return)			19	0
	20	Other changes in net assets or fund balances (attach explanation)			20	
	21	Net assets or fund balances at end of year (combine lines 18 through 20) ▶			21	795

Part II Balance Sheets—If Total assets on line 25, column (B) are $250,000 or more, file Form 990 instead of Form 990-EZ. (See page 41 of the instructions.)

Line	Description	(A) Beginning of year	Line	(B) End of year
22	Cash, savings, and investments		22	396
23	Land and buildings		23	0
24	Other assets (describe ▶ See attached statement)	0	24	15,720
25	**Total assets**	0	25	16,116
26	**Total liabilities** (describe ▶ See attached statement)	0	26	15,321
27	**Net assets or fund balances** (line 27 of column (B) must agree with line 21)	0	27	795

For Privacy Act and Paperwork Reduction Act Notice, see the separate instructions.

(HTA)

Part III **Statement of Program Service Accomplishments** (See page 42 of the instructions.)

What is the organization's primary exempt purpose? Advance interest in art and provide art education

Describe what was achieved in carrying out the organization's exempt purposes. In a clear and concise manner, describe the services provided, the number of persons benefited, or other relevant information for each program title.

		Expenses (Required for 501(c)(3) and (4) organizations and 4947(a)(1) trusts; optional for others.)
28 Held various classes, workshops and summer art camps for over 200 individuals (Grants $) If this amount includes foreign grants, check here . . . . . ▶ ☐	28a	18,715
29 Provided gallery display of art and art shows based on various themes, format, or medium (Grants $) If this amount includes foreign grants, check here . . . . . ▶ ☐	29a	10,613
30 (Grants $) If this amount includes foreign grants, check here . . . . . ▶ ☐	30a	N/A
31 Other program services (attach schedule) (Grants $) If this amount includes foreign grants, check here . . . . . ▶ ☐	31a	N/A
32 Total program service expenses (add lines 28a through 31a) . . . . ▶	32	29,328

Part IV **List of Officers, Directors, Trustees, and Key Employees** (List each one even if not compensated. See page 42 of the instructions.)

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

Part V **Other Information** (Note the attachment requirement in General Instruction V, page 14.)

		Yes	No
33 Did the organization engage in any activity not previously reported to the IRS? If "Yes," attach a detailed description of each activity . . .	33		X
34 Were any changes made to the organizing or governing documents but not reported to the IRS? If "Yes," attach a conformed copy of the changes . . .	34		X
35 *If the organization had income from business activities, such as those reported on lines 2, 6, and 7 (among others), but not reported on Form 990-T, attach a statement explaining your reason for not reporting the income on Form 990-T.*			
a Did the organization have unrelated business gross income of $1,000 or more or 6033(e) notice, reporting, and proxy tax requirements? . . .	35a		X
b If "Yes," has it filed a tax return on **Form 990-T** for this year? . . .	35b	N/A	
36 Was there a liquidation, dissolution, termination, or substantial contraction during the year? (If "Yes," attach a statement.) . . .	36		X
37 a Enter amount of political expenditures, direct or indirect, as described in the instructions . ▶ 37a 0			
b Did the organization file **Form 1120-POL** for this year? . . .	37b		X
38 a Did the organization borrow from, or make any loans to, any officer, director, trustee, or key employee or were any such loans made in a prior year and still unpaid at the start of the period covered by this return? . . .	38a	X	
b If "Yes," attach the schedule specified in the line 38 instructions and enter the amount involved . . . 38b 14,000			
39 *501(c)(7) organizations.* Enter:			
a Initiation fees and capital contributions included on line 9 . . . 39a			
b Gross receipts, included on line 9, for public use of club facilities . . . 39b			
40 a *501(c)(3) organizations.* Enter amount of tax imposed on the organization during the year under: section 4911 ▶ 0 ; section 4912 ▶ 0 ; section 4955 ▶ 0			
b *501(c)(3) and (4) organizations.* Did the organization engage in any section 4958 excess benefit transaction during the year or did it become aware of an excess benefit transaction from a prior year? If "Yes," attach an explanation. .	40b		X
c Enter amount of tax imposed on organization managers or disqualified persons during the year under sections 4912, 4955, and 4958 . . . ▶ 0			
d Enter amount of tax on line 40c reimbursed by the organization . . . ▶ 0			

Name of organization
Fayette Art Center & Gallery, Inc.

Employer identification number
20-3553487

Part I **Contributors** (See Specific Instructions.)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	Kathaleen Brewer 305 Grady Avenue Fayetteville GA 30214 Foreign State or Province: Foreign Country:	$ 20,000	Person [X] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
2	Robert Roiader Scarbrough + Rolader Dev. 270 N. JEFF DAVIS FAYETTEVILLE, GA 30214 Foreign State or Province: Foreign Country:	$ 6,000	Person [X] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
	Foreign State or Province: Foreign Country:	$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
	Foreign State or Province: Foreign Country:	$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
	Foreign State or Province: Foreign Country:	$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
	Foreign State or Province: Foreign Country:	$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)

Part V **Other Information (Note the attachment requirement in General Instruction V, page 14.)** *(Continued)*

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

42 a The books are in care of ► Name Kathaleen Brewer

Located at ► 125 Fisher Ave City Fayetteville ST GA Telephone no. ► 770-461-4494 ZIP + 4 ► 30214

b At any time during the calendar year, did the organization have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? . . . . .

If "Yes," enter the name of the foreign country: ►

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

c At any time during the calendar year, did the organization maintain an office outside of the U.S.? . . . . .

If "Yes," enter the name of the foreign country: ►

	Yes	No
42b		X
42c		X

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

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

Please Sign Here

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

► Kathaleen Brewer — Signature of officer — Date 8-31-06

► KATHALEEN BREWER — Type or print name and title.

Paid Preparer's Use Only

Preparer's signature ►	Date	Check if self-employed ► ☐	Preparer's SSN or PTIN (See Gen. Inst. W)
Firm's name (or yours if self-employed), address, and ZIP + 4 ►		EIN ►	
		Phone no. ►	

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

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

Purpose	Section	I
Policy		II

I. Purpose

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

II. Policy

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

A. Council will budget no more than $25,000 annually for all non-profit funding.

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

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

D. Non-Profit Organizations

1. Basic Needs

As a general rule, funding for non-profit organizations serving Fayette County should be provided by the Fayette County Commission to ensure that Peachtree City residents are not subject to double payment through their municipal and County taxes. However, Council reserves the right to make contributions to non-profit organizations that provide services that meet the basic needs (food, shelter, protection) of Peachtree City residents based upon the merit of the request. Requests for funding for non-profit organizations that provide basic needs shall not require matching funds but such requests shall be prorated based upon the total annual budget of the organization and the percentage of Peachtree City residents served by the organization in comparison to the total number of people they serve. The amount of funding provided shall be the lesser of the amount requested, the amount of the annual budget used to serve Peachtree City residents based on the percentage of Peachtree City residents served, or $7,500.00. The percentage of Peachtree City residents served will be based on the total number of residents and non-residents served for the 12-month period ending with the month prior to the month in which the request is made. These funds, once identified, will be budgeted for annually, upon written request by the organization that would be subject to prorated allocation as noted above.

2. General Needs

Should Council approve a funding request for an organization that provides for general needs (other than food, shelter and protection), a dollar for dollar match up to a limit of $5,000 in funding/labor may be provided as a match to any non-government funding provided to the organization. If the organization serves people other than Peachtree City residents, request shall be prorated based upon the percentage of Peachtree City residents served in comparison to the total population served. The amount of funding provided shall be the lesser of the actual amount requested, the amount of the annual budget used to serve Peachtree City residents based on the percentage of Peachtree City residents served, or $5,000.00. The percentage of Peachtree City residents served will be based on the total number of residents and non-residents served for the 12-month period ending with the month prior to the month in which the request is made. Requests from a non-profit organization in the General Needs category will be considered no more often than every five years.

3. Public Schools

   a. Each request for funding/labor will be considered by the Peachtree City Recreation Commission, who will forward a recommendation to the City Council for final decision.

   b. Council will evaluate each request and make a decision based on the merit of the request.

   c. No more than one request, per school, will be considered in any five consecutive year period.

   d. Only Fayette County public schools whose attendance boundaries include Peachtree City will be eligible for consideration.

   e. Requests for funding/labor must be for enhancements to playgrounds and playing fields only. Any playground/playing field for which the City makes a contribution must be made available for use by City residents when not being used by the school. A formal agreement with the School Board would be required.

   f. Should Council approve a funding request, a dollar for dollar match up to a limit of $5,000 in funding/labor may be provided as a match to any funding provided by the school or any school organization (i.e. booster club). All funding requests must be submitted by June 1.

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

F. The City Council will have final approval on all funding requests. All funding requests must be submitted by June 1 for consideration for funding in the next fiscal year budget.

APPROVED:
Mayor and Councilmembers

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

VIA: **City Manager**

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

DATE: **January 9, 2007**

SUBJECT: **Consider Amendments to Home Occupation Ordinance**
January 18, 2007 Council Agenda

Recommendation:

Consider approval of the attached amendments to the Home Occupation Ordinance

Discussion:

Staff and the City Attorney have reviewed the current Home Occupation Ordinance and propose a number of changes to address issues with home occupations in the City. Changes include allowing outside use of the dwelling for those activities that would normally occur on residential property (i.e. someone keeping children in their home needs to be able to allow the children outside to play), limiting those who teach lessons to no more than two students at a time, requiring appropriate State registration and certification/licensing for day care, increasing the amount of space to be utilized for a home occupation from 15% to 25% of the dwelling, clarifying who may work in a dwelling in which a home occupation is being conducted, and prohibiting off-site employees from congregating on the premises (they may report to the dwelling where the home occupation is conducted by but not stay there).

Budget Impact:

None

Attachment

ORDINANCE NO. ____________

AN ORDINANCE TO AMEND THE ZONING ORDINANCES OF THE CITY OF PEACHTREE CITY, GEORGIA, AS AMENDED, SO AS TO PROVIDE FOR HOME OCCUPATIONS; AND FOR OTHER PURPOSES.

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

Section 1. Section 18-10 of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is hereby further amended as follows:

Sec. 907. Home occupations.

A home occupation shall be permitted in any residential zoning district on the following conditions:

1. It is not evident from outside the dwelling that a home occupation is being carried on within;
2. The home occupation in no way changes the residential character of the dwelling or the neighborhood;
3. Activities associated with the home occupation that take place at the dwelling are conducted entirely within the dwelling; or, any activities taking place on the property outside the dwelling are the types of activities that would normally occur on a residential property; or activities take place in a location other than the dwelling and property (such as outside sales or off site contracting);
4. Instructional uses are limited to no more than two students at any one time;
5. Daycare uses require appropriate State registration and certification/licensing.
6. The home occupation does not utilize more than 25 percent of the floor area of the dwelling;
7. Only persons residing on the premises may be employed in the operation of a home occupation within the premises. Off-site employees of the home occupation shall not congregate on the premises for any purpose concerning the home occupation;
8. The home occupation in no way creates a danger or nuisance to the neighbors;

Deleted: The home occupation is conducted entirely within a dwelling;

Deleted: 15

Deleted: The home occupation involves no employees other than members of a family who reside in the dwelling

9. No advertising is visible from the street or from adjoining property;
10. No materials or equipment shall be stored on the premises unless it is entirely within the dwelling;
11. Parking associated with a home occupation must be in an off-street location and in accordance with the requirements of section 78-18. (Ord. No. 448, 12-3-1987)

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

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

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

This ________ day of ________________ 2007.

____
Harold K. Logsdon, Mayor

____

____

____

Attest: ________________________________
City Clerk
____

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager

FROM: Administrative Services Director / City Clerk

DATE: January 9, 2007

SUBJECT: Consider Amendments to Rules of Court Ordinance
January 18, 2007 Council Agenda

Recommendation:

Consider approval of attached amendments to the rules of court.

Discussion:

The City Code of Ordinance includes rules regarding the operation of municipal court. City Staff and the Judge have reviewed the rules and made recommendations to update them to reflect changes in the number of court sessions currently held, the City Solicitor duties, and minor changes in court operations. Changes are indicated on the attached proposed ordinance.

Budget Impact:

None

Attachment

ORDINANCE NO. ________

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PEACHTREE CITY, GEORGIA, AS AMENDED, SO AS TO PROVIDE FOR RULES OF THE COURT; AND FOR OTHER PURPOSES.

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

Section 1. Article II, Chapter 46 of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is hereby amended as follows:

ARTICLE II. RULES OF THE COURT

Sec. 46-46. Time and place of court sessions.

There shall be eight regular sessions of court each month commencing at 9:00 AM and 1:00 PM on Wednesday at city hall, except that the judge may substitute the fifth Wednesday if necessary or may in recognition of holidays not hold court on certain weeks of the year. The judge of the court may establish other court sessions as necessary. (Code 1980, § 7-20)

Deleted: four

Deleted: 8:30 a.m. on the first, second, third and fourth

Deleted: in place of one of the first four

Deleted: with the approval of the chief administrative officer.¶

Sec. 46-47. Officers of court.

(a) The chief of police or any police officer or bailiff designated by the chief shall be the marshal of the municipal court.
(b) The clerk of the court shall keep and be the custodian of the records.
(c) The city solicitor is the prosecutor for the city.. In that capacity, the city solicitor may discuss the case with a defendant or a defendant's counsel and the arresting officer and may suggest to the court the most expeditious manner of disposing of the case in order to promote the interests of justice. The manner of disposition of the case, however, is always left to the discretion of the court after hearing in open court as delineated in section 46-46.
(d) The court will not discuss any case with any defendant, that defendant's representative, the prosecuting officer and the city solicitor without both sides being given the opportunity to be present. A pretrial conference, however, to clarify issues for trial may be appropriate in certain cases so long as this section is not violated.

Deleted: attorney may act as

Deleted: of certain cases on request of the city or the chief of police

Deleted: attorney

Deleted: attorney

(Code 1980, § 7-21)

Sec. 46-48. Rules of evidence.

The rules of evidence which govern the trials in the superior courts of this state shall be in effect in the municipal court.
(Code 1980, § 7-22)

Sec. 46-49. Continuances.

Continuances will be granted by the court only in open court at the time set for trial on motion of any party or his attorney; except that first continuances may be granted by the court clerk, city solicitor, the arresting officer or the chief of police, prior to the court date on request of a defendant or his counsel, provided all witnesses who have been subpoenaed shall be duly notified. Second and subsequent continuances will only be granted by the court in open session for good cause shown.
(Code 1980, § 7-23)

Deleted: attorney

Sec. 46-50. Forfeiture of cash bonds and mandatory appearance.

The failure of a defendant, who has posted cash bond for his appearance, to appear at the time of trial, will result in the forfeiture of the cash bond, and such forfeiture will be a final disposition of the case, except for the following charges:

(a) Any violation of chapter 6 of the Peachtree City Municipal Code (Alcoholic Beverages).
(b) Disorderly conduct (§ 50-10).
(c) Violation of Georgia Controlled Substance Act (O.C.G.A. § 16-13-30(a)).
(d) No insurance (O.C.G.A. § 40-6-10).
(e) Theft by shoplifting.
(f) Any traffic offense for which the law makes mandatory the suspension or revocation of a driver's license.
(g) Any traffic offense resulting in an accident when one or more persons are transported to a hospital.
(h) Minor in possession of alcoholic beverages.

The forfeiture of cash bond in any of the foregoing enumerated cases will not finally dispose of a case; but the court, in its discretion, may issue a warrant for the defendant; and the forfeited cash will not be applied to the payment of a fine subsequently imposed.
(Code 1980, § 7-24)
State law references: Forfeiture of cash bond in traffic cases, O.C.G.A. § 40-13-58.

Deleted: proof of

Deleted: 33-34-12

Deleted: , except that cash bond may be accepted by the court clerk prior to the date of trial in the amount of $22.00, which may be forfeited by the court, upon satisfactory proof's being exhibited to the court clerk that the defendant was covered by valid insurance at the time of arrest.

Sec. 46-51. Issuance of citation without requiring bail.

Officers may issue citations without requiring bail, and without requiring the surrender of a driver's license in lieu of bail, to any defendant provided the offense charged is not one listed as a mandatory suspension of license offense in O.C.G.A. § 40-5-54 or 40-5-70.
(Code 1980, § 7-25)

Deleted: who is a resident of the county,

Sec. 46-52. Setting arraignment date.

Deleted: trial

The arraignment date of all cases will be fixed by the officer issuing the citation, allowing not less than seven days from the date of the issuance of the citation to the date of trial.
(Code 1980, § 7-26)

Deleted: trial

Sec. 46-53. Record check.

The court clerk shall have available at the time of the trial of all traffic cases the driver's history as furnished by the department of driver services and shall not make the history available to the court until after the defendant enters a plea of guilty or nolo contendere or finding of guilt by the court.
(Code 1980, § 7-27)

Deleted: public safety

Deleted: acceptance by the court of

Sec. 46-54. Nolo contendere pleas in driving under the influence cases.

All parties and their attorneys submitting a verified petition requesting a nolo contendere plea be accepted on a charge of driving under the influence, as provided in O.C.G.A. § 40-6-391.1, shall file the petition on or before the call of the case on the calendar unless extended by the court for good cause shown.
(Code 1980, § 7-28)

Sec. 46-55. Cash bond acceptance.

Cash bonds are not to be accepted after 1:00 PM on the date prior to the date the case is set for trial.
(Code 1980, § 7-29)

Deleted: required

Deleted: 12:00 noon

Sec. 46-56. Violation of rules.

Any violation of the rules of this article, as now in force or as may be hereafter promulgated, will be dealt with as a contempt of court, and punished as provided in the Charter of this city.
(Code 1980, § 7-30)

Sec. 46-57. First/youthful offender treatment.

(a) Any person under the age of 21 at the time the offense is committed may request in writing, at or before the time of trial, first/youthful offender treatment of his sentence on the following conditions:

(1) The defendant has no prior record.

(2) The defendant is willing to submit and comply with all conditions imposed by the court.

(3) The defendant has never been sentenced under the city first/youthful offender ordinance.

(b) Failure of the defendant to comply with conditions will result in imposition of the original sentence. Compliance with all conditions, however, will result in dismissal of all charges against the defendant.

Deleted: youth/first

(c) First/youthful offender treatment will not be granted for any offense requiring mandatory suspension of a driver's license pursuant to state law.

(Code 1980, § 7-31; Ord. No. 839, 11-4-04)

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

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

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

This __________ day of __________________ 2007.

____
Harold K. Logsdon, Mayor

____

____

____

____

Attest: ______________________________
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

VIA: **City Manager**

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

DATE: **January 9, 2007**

SUBJECT: **Consider Approval of Probation Services**
January 18, 2007 Council Agenda

Recommendation:
Consider appointment of Providence Community Corrections to continue to provide probation services for the Peachtree City Municipal Court.

Discussion:
In October, the City solicited RFP's for Probation Services for municipal court. Three companies responded to the request – Judicial Correction Services, Inc., Professional Probation Services, Inc., and Providence Community Corrections. Inc. Of the three companies, staff deemed Judicial Correction Services, Inc. to be the least qualified. They have been in business six years and did loose money in 2005 due, in part, to improvements to their company. Staff focused on Professional Probation Services, Inc. and Providence Community Corrections, Inc. which is our current probation service provider. Both companies are well qualified and staff is certain both can provide the services we require. Since the cost of offering probation services is paid for by the probationers and the City has no expense in offering this service, staff evaluated Professional Probation Services and Providence Community Corrections based on services and costs to probationers. Both companies provide all services required by our court. The benefit to the City offered by Professional Probation Services is that they pay the City the entire fine before paying themselves for probation fees. Providence Community Corrections pays the City a pro rata share of the fine payment each month. The City would receive full payment of fines earlier with Professional Probation Services than with Providence Community Corrections but would certainly receive final full payment from Providence Community Corrections. Providence Community Corrections offers the probationers numerous workshops free of charge that are court ordered by the Judge that Professional Probation Services charges probationers to attend.

City staff has worked with some of the current staff at Providence Community Corrections for over eight years and are very pleased with the service and responsiveness of the Providence Community Corrections staff and recommends that the City continue to contract with this company to provide probation services.

Budget Impact:
None

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Bernard J. McMullen, City Manager
Paul J. Salvatore, Financial Services Director P.S.
Jane S. Miller, Administrative Services Director

FROM: Janet I. Camburn, Assistant Finance Director

DATE: January 8, 2007

SUBJECT: Reclassification of Budget Analyst Position
January 18, 2007, Council Agenda

Recommendation:

Staff requests that Council approve the reclassification of the Budget Analyst position from Pay Grade 276 to Pay Grade 277, effective January 1, 2007.

Discussion:

In 2000, The Mercer Group did a complete classification study and a new factoring system for the City that was implemented in establishing pay grades for all positions. The Budget Analyst position was evaluated at that time along with all other City positions. In 2006, at the City's request, the ARC Local Government Services staff conducted and completed a Market Salary Survey for selected City positions. The objective of the survey was to ensure that the City's minimum and maximum salary ranges are competitive in order for the City to retain the best employees and attract qualified applicants from its competitive market. The only position that surveyed considerably below the market was the Budget Analyst position (14 percent below the minimum and 12 percent below the maximum). A detailed analysis of the current requirements of the position was conducted by the Financial Services Division and the results of that work were presented to The Mercer Group for further analysis. Upon Mercer's evaluation, it was recommended that the position be upgraded from a Pay Grade 276 to a Pay Grade 277 (see attachments).

Budget Impact:

The current employee would move from a Pay Grade 276, Step 16 to Pay Grade 277, Step 16 resulting in an annual increase of $2,163.60, that can be absorbed in the City's General Fund budget.

Jane Miller

From: Ashlee Phillips [APhillips@atlantaregional.com]
Sent: Monday, August 28, 2006 11:06 AM
To: cityclerk@peachtree-city.org
Subject: Salary Study
Attachments: Final Salary Survey.xls

Attached is the salary survey that we conducted. Please contact me a 404-463-3214 if there are any questions. Thanks.

August 28, 2006

Ms. Jane Miller
151 Willowbend Road
Peachtree City, GA 30269

Dear Jane,

As discussed at our meeting in June, ARC Local Government Services staff conducted and completed a Market Salary Survey for the City of Peachtree City. The objective of such a survey is to ensure that minimum and maximum salary ranges are competitive so that the City can retain the best employees and attract qualified applicants from its competitive market.

ARC defines the City of Peachtree City's competitive market as those local governments to which City employees would go if Peachtree City's salaries were to fall more than 15 percent behind the market. Additionally, we survey those communities recognized as "trend setters" in the area of compensation.

Please keep in mind that this survey compared job responsibilities, not just titles.

The market survey is enclosed, and following are some general observations about the survey results:

- Most positions in the City are healthily competitive in regard to salary;
- Some positions have salaries that are 5% or less below the market rate;
- The only position that surveyed considerably below the market is the Budget Analyst (14 percent below the minimum and 12 percent below the maximum);
- The spread between minimum and maximum salary ranges in Peachtree City s is 60 percent; this is comparable to 56 percent in the market we surveyed; a 50 to 60 percent spread is standard.

In sum, the market survey results make it clear that Peachtree City has worked hard to develop and maintain a pay system that is competitive in the Atlanta regional market.

Please contact me directly at 404-463-3214 or aphillips@atlantaregional.com with any questions. We are looking forward to continuing our work with you through the performance appraisal revision process.

Sincerely,

Ashlee Phillips
Senior Program Specialist

Brenda Rogers

From: Mercernc@aol.com
Sent: Wednesday, November 22, 2006 4:11 PM
To: Brenda Rogers
Subject: Budget Analyst

Per our discussion we have the following recommendation for the Budget Analyst position:

F1: 950
F2: 275
F3:0
F4:125
F5:325
F6:325
F7:60
F8:50
F9:5
F10:5
TOTAL: 2120
PAY GRADE: 277

If you have any questions or need any further clarifications, please let us know.

Regards,

Kay

Kay Robertson
Vice President
The Mercer Group, Inc.
919-496-2080
cell: 919-349-7239 or 919-729-4102
FAX: 919-496-7995
MercerNC@aol.com

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

VIA: **City Manager**
Administrative Services Director / City Clerk

FROM: **Human Resources Manager**

DATE: **December 28, 2006**

SUBJECT: **Reclassification of Human Resources Specialist Position**
January 18, 2007, Council Agenda

Recommendation:
Staff requests Council approval to reclassify the Human Resources Specialist position to Human Resources Analyst, effective January 2007.

Discussion:
In 2000, The Mercer Group did a complete classification study and a new factoring system was put into place to be used in establishing pay grades for all positions. The Human Resources Specialist position was evaluated at that time along with all other City positions. Since that time this position has evolved into a much more complex job. Due to changes in the position, staff felt that The Mercer Group should refactor the position to determine if it was still properly factored. After providing updated information to The Mercer Group, they recommended reclassifying the position from a grade 74 to a grade 76 and retitling the position to Human Resources Analyst to better describe the position, (Attached).

Budget Impact:
Employee would move from a Grade 74, Step 28 to a Grade 76, Step 28 with an annual increase of $4,801.

Attachment

Brenda Rogers

From: Mercernc@aol.com

Sent: Tuesday, August 22, 2006 9:25 AM

To: jmiller@peachtree-city.org

Cc: Brenda Rogers

Subject: HUMAN RESOURCES SPECIALIST

Dear Jane:

We have factored the new questionnaire for the Human Resources Specialist position; the resultant factor scores in order are: 750, 275, 0, 275, 325, 225, 60, 50, 5, 5.
These scores yield a total of 1970 points. The new recommended pay grade would be 76. Further, we recommend a title change to Human Resources Analyst.

If you have questions or need additional information please let me know. We enjoy working with you.

Best regards,

Phillip

Phillip Robertson
Senior Vice President
The Mercer Group, Inc.
919-496-2080
fax: 919-496-7995

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO:	**Mayor & Council Members**
VIA:	**City Manager** **Assistant City Manager** **Director of Financial Services** **Assistant Finance Director**
FROM:	**Director of Leisure Services**
DATE:	**January 12, 2007**
SUBJECT:	**Consider QIT Suggestion: Pool Passes for Retired City Employees** **January 18, 2007, Council Meeting**

Recommendation: Request that Council approve a request based on a Quality Improvement Team (QIT) project idea to provide free passes for all city pools to retired PTC employees and their immediate family (spouse or minor children living with them).

Discussion: As you know, QIT ideas are regularly solicited from city staff, discussed by department QIT representatives monthly, and reviewed by the Quality Guidance Team (Directors and Chiefs) quarterly. This idea emanated from an employee at Kedron. The idea would allow retired city employees and immediate family members as described above to use employee pool passes, renewed annually, free of charge. Active city employees may also receive free pool passes for them and their families. (Currently, 62 employees take advantage of this offer). If approved, retirees would have the option to complete the same annual application form to receive their passes. This is only for retirees, not former employees.

Budget Impact: No impact on the city budget.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO:	**Mayor & Council Members**
VIA:	**City Manager** **Administrative Services Director / City Clerk**
FROM:	**Public Information Officer/Deputy City Clerk**
DATE:	**January 12, 2007**
SUBJECT:	**Consider Amendments to Peddlers & Solicitors Ordinance** ***January 18, 2007, City Council Meeting***

Recommendation:

That Council consider amendments to the Peddlers and Solicitors Ordinance that will be provided by staff next week.

Discussion:

The City Clerks Office and the Police Department have been working with the City Attorney to make amendments to the Peddlers and Solicitors Ordinance (current ordinance attached). The changes were originally planned to be presented on the February 1 City Council agenda, and primarily entailed having solicitors register through the Police Department. However, due to the recent volume of soliciting at major intersections, the dangers inherent in this practice, and the volume of citizen complaints that have ensued, staff felt the need to bring Council an option as quickly as possible.

A copy of the proposed changes will be forwarded to Council prior to the meeting for review.

Budget Impact:

This item should have no budgetary impact.

Chapter 58 PEDDLERS AND SOLICITORS*

*Editor's note: Ord. No. 785, adopted September 5, 2002, repealed and reenacted ch. 58 in its entirety to read as herein set out. Formerly, ch. 58 pertained to peddlers and derived from the Code of 1980, § 13-29(a--d).
Cross references: Streets, sidewalks and other public ways, ch. 70.
State law references: Peddlers and itinerant traders, O.C.G.A. § 42-32-1 et seq., exception from local peddler or itinerant vendor licensing requirements for persons selling agricultural products, O.C.G.A. § 43-32-6; Transient Merchant Act of Georgia, O.C.G.A. § 43-46-1 et seq.

Sec. 58-1. Intent.
It is the intent of this chapter to provide for the regulation of peddlers and solicitors within the city.
(Ord. No. 785, 9-5-02)

Sec. 58-2. Definitions.

For the purposes of this chapter, the following definitions shall apply:
Nonprofit organization means organizations established for purposes other than generating profit, including schools and community service organizations. Such organization need not have obtained tax-exempt status from the IRS.

Peddler means any person who goes from house to house, from place to place, or from street to street, carrying or transporting goods, wares, or merchandise and offering or exposing the same for sale, or making sales and deliveries to purchasers, or giving or leaving leaflets, pamphlets or other items that promote or advertise the sale of goods or the provision of services for profit.
Solicitor means any person who goes from house to house, from place to place, or from street to street soliciting or taking or attempting to take orders for any goods, wares, or merchandise, including books, periodicals, magazines, or personal property of any nature whatsoever for future delivery, or seeking information, money, donations or financial assistance for any purpose whatsoever, or soliciting or taking or attempting to take orders for services to be furnished or performed in the future.

(Ord. No. 785, 9-5-02)

Sec. 58-3. Permit requirement.

Without having first registered at city hall, obtaining a permit and paying the appropriate fee, no peddler or solicitor may call at residences, offices or businesses or leave at residences, offices or businesses coupons, cards, circulars, flyers, samples or other written or printed solicitations. The permit shall state the specific dates on which the peddler or solicitor is permitted to engage in businesses as a peddler or solicitor. Each peddler or solicitor must carry the permit at all times and must produce the permit for inspection on the request of a law enforcement officer or, when calling on a residence, office or business, on the request of the occupant thereof.

(Ord. No. 785, 9-5-02)

Sec. 58-4. Application for permit.

Each person applying for a permit under this article shall complete a registration form giving complete identification, signature, name of employer and proposed method of operation in the city, and such other identification or information as may be requested. Each such person shall, in advance, pay the city a fee of $25.00 per day for each day its permit authorizes it to engage in business as a solicitor or peddler.

(Ord. No. 785, 9-5-02)

Sec. 58-5. Prohibited acts.

It is unlawful for any peddler or solicitor to:
(1) Call at residences, offices or businesses clearly displaying a sign stating "No Solicitors Or Peddlers Invited," "No Solicitation," or using similar language;
(2) Engage in door-to-door soliciting on Sundays or between the hours of 8:00 p.m. and 9:00 a.m. from May 1 through September 30, or between the hours of 6:00 p.m. and 9:00 a.m. from October 1 through April 30;
(3) Enter any private dwelling without the consent of the owner or occupant, or to remain there after being requested or directed to leave;
(4) Fail to register and carry or produce for inspection a permit when required under this chapter;
(5) Make any false or deceptive statement on any registration hereunder.

(Ord. No. 785, 9-5-02)

Sec. 58-6. Exemptions.

(a) Any person who, without compensation, solicits or accepts money, donations, or financial assistance of any kind for any religious, charitable, educational, political, or nonprofit organization or sells merchandise for a fee on behalf of such an organization, or who leaves leaflets or flyers or other papers related to such an organization shall be exempt from the registration and permit requirements of this chapter. Such persons shall remain subject to the prohibitions set forth in sections 58-5(1) through 58-5(3).
(b) Any person who calls upon homes, offices or businesses at the request of or with the express permission of the occupants is exempt from the requirements of this chapter.
(Ord. No. 785, 9-5-02)

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO:	**Mayor and City Council**
VIA:	**Bernard McMullen, City Manager** **Colin Halterman, Assistant City Manager** **Paul Salvatore, Director of Finance** P.S. **Janet Camburn, Assistant Finance Director** **Angela Egan, Purchasing Agent** **Matthew Robinson, Systems Administrator**
FROM:	**James V. Murray, Chief of Police**
DATE:	**December 21, 2006**
SUBJECT:	**Conversion of Kustom Digital video DVD system to Kustom Digital Eyewitness Media Manager System (DEMM), Server Based System and Name Brand/Sole Source Kustom Media Manager System**
	Council Meeting: January 18, 2007

Recommendation:

The Police Department has conducted research into the feasibility of converting our DVD based Kustom Digital Video system to a server based Kustom Eyewitness Media Manager storage video system. The Police Department recommends converting our DVD based Kustom Digital Video system to a server based, Kustom Eyewitness Media Manager storage video system. The original purchase of the Kustom Digital DVD system was justified based on the future commitment to convert from the DVD to the server based storage at the earliest convenience. See attached quote from Kustom Signals, Inc. for $100,170.

It is the recommendation of the Peachtree City Police Department that we:

1. purchase fifteen (15) Kustom Digital Eyewitness Media Manager based systems,
2. purchase the Media Manager hard drive based storage,
3. convert our existing vehicles to hard drive based storage system
4. brand name/sole source Kustom Media Manager System for both now and the foreseeable future. Staff will continue to monitor changes in the industry and may decide to recommend change as circumstances warrant.

Discussion:

As stated in the justification for the Kustom Digital Video system, the department has taken a major step in providing a valuable tool for the officers in documenting incidents. By going from VHS to digital, the department now has the capability of:

1. Pre-recording of up to 3 minutes before the recorder is activated by the officer or by the activation of the emergency lights (TiVo function)
2. Instant review, and DVD quality video
3. Automatic activation of the microphone, with a failsafe backup microphones to avoid loosing conversations of officers with suspects and civilians.
4. GPS video tracking of the vehicle's location as a part of the digital video file
5. GPS speed activation of the video if the patrol vehicles reaches a certain speed
6. Changeable digital audio frequencies (no chance of officers on the same frequency)

The department has been using these systems in a demonstration mode for two (2) years. We have also maintained ten (10) DVD based Kustom Digital units in operation for approximately four (4) months. Besides for initial installation problems, the systems have worked flawlessly. The department has used Kustom Signal products for years. We still maintain VHS based Kustom Signal cameras that have been in operation for over eight (8) years with very little maintenance issues. All of our RADAR systems have been Kustom based for over fifteen (15) years. Kustom has trained all of the shop personnel on the maintenance and installation of their systems at no cost to the city, and has been responsive to any concerns the department has faced. The large LED SMART speed trailer which has been displayed at numerous high profile events was discounted by Kustom so the department could purchase the device last year. These added features will allow the department an added tool in successfully prosecutions and a more comprehensive review of incidents for administrative complaints.

The most significant advantage of the DVD based video systems is reductions in physical storage space and retrieval times. With VHS based systems, staff had to review almost an entire eight (8) hour VHS tape to find an event. With electronic media, the same incidents can be found by quickly indexing several available pieces of information (date/time/name/number) to retrieve the event in seconds. The individual incident is the only incident that is accessible with digital video.

The department's long range plan for electronic storage of in-car video is to store the data/video on a file server to allow for even more efficiency at retrieving the incidents and storing these incidents. The current DVD based storage system allow for approximately 9 hours of video. The recommended hard drive based system, which is being quoted at the same price as a DVD based system, allows for up to 166 hours of video storage per vehicle. By migrating to a server-based storage solution, video can be made available more quickly and in less physical space for the judicial and administrative review processes throughout the five year retention schedule currently mandated for police videos.

The system that has been quoted (Digital Eyewitness Media Manager) is a stand alone 1 terabyte (or TB) server. This system involves recording digital video to a hard drive in the patrol vehicle. When applicable, the video is downloaded (wirelessly or hardwire) to the server contained in the police department. Once stored in the server, the videos are available to be viewed from the server for a standard period of time, usually several weeks. After the standard period of time is exhausted, this media manager automatically archives the videos to a DVD-R, and assigns a serial number to the individual DVD-R's. Once downloaded from the vehicle's hard drive to the server, there is no more human interaction. In summary, from the vehicle to the media manager or server, the video is maintained for a standard period of time, or until full on the server, once that time has exhausted the videos are automatically burned to DVD-R's and assigned a serial number. The operator just needs to remove the DVD-R's, store them, and then re-load the cassette of DVD-R when prompted.

The issue that started this research into this recommendation is the cost of converting now versus the future. The department has already committed to ten (10) DVD based systems currently in use. Plans for FY2007 include committing to additional fifteen (15) this year for total of twenty-five (25) systems. In FY2008, an expected ten (10) more systems will be added for a grand total of thirty-five (35) systems. All existing VHS systems which fail will be replaced with digital video systems. The cost of converting from DVD to hard drive, including the cost of the server, is the issue that was researched.

Budget Impact:

The department has sufficient funding in the FY2007 budget for these systems.

- $9,252 from the budget for DVD/RAM disks.
- $30,000 is budgeted within the capital budget section for DVD Recorders.
- Of the $427,900 budgeted in PIP for the eleven (11) new vehicles and accessories, $60,918 is available for the DVD recorders.

Thank you for your consideration.

attachment

MNB/

Quotation

KUSTOM SIGNALS, INC.
A SUBSIDIARY OF PUBLIC SAFETY EQUIPMENT, INC
9325 Pflumm, Lenexa KS 66215-3347
913-492-1400 Fax 913-492-1703
sales@kustomsignals.com www.kustomsignals.com

Date 11/01/2006

To... SGT MARK BROWN
PEACHTREE CITY POLICE DEPT

350 HWY 74 SOUTH
PEACHTREE CITY GA 30269

Quote # 115797002534523
Terms Net 30
This Quote Expires on 01/30/2007
Phone 770-487-8866
Fax 770-631-2512

Qty	Product Description	UnitPrice	SubTotal
0	GEORGIA STATE CONTRACT PRICING	$0.00	$0.00
0	EXPIRES 6-30-2007	$0.00	$0.00
0		$0.00	$0.00
15	DIGITAL EYEWITNESS NXT SYSTEM, INTEGRATED OVERHEAD, INCLUDES 2 40 GIG HARD DRIVES PER SYSTEM, CLEAR COMM AUDIO UPGRADE, IN	$4,850.00	$72,750.00
15	GPS INTERFACE (NXT/ION SYSTEMS)	$175.00	$2,625.00
15	REAR CONSOLE CAMERA, BLACK AND WHITE	$225.00	$3,375.00
15	DIGITAL EYEWITNESS NXT REMOVABLE HARD DRIVE, 40GB - 80 GB SYSTEM UPGRADE	$288.00	$4,320.00
		$0.00	$0.00
0	***UPGRADE OF EXISTING SYSTEMS***	$0.00	$0.00
0	SERIAL NUMBERS IA02649 THROUGH IA02658	$0.00	$0.00
10	UPGRADE EXISTING NXT SYSTEMS FROM DVD TO 40 GB REMOVABLE HARD DRIVE	$200.00	$2,000.00
10	UPGRADE REMOVABLE HARD DRIVES FROM 40GB TO 80 GB	$288.00	$2,880.00
10	GPS INTERFACE (NXTSYSTEMS) **RETROFIT**	$175.00	$1,750.00
1	SHIPPING & HANDLING	$50.00	$50.00
0		$0.00	$0.00
0	***BACK OFFICE***	$0.00	$0.00
1	WORKSTATION DIGITAL EYEWITESS MEDIA MANAGER	$7,000.00	$7,000.00
1	DEMM DVD ARCHIVER	$2,350.00	$2,350.00
1	SHIPPING AND HANDLING	$170.00	$170.00
15	RADAR TO VIDEO INTERFACE CABLES	$60.00	$900.00

* Applicable Sales Tax Not Included

Signature *Jenny Martin*

Quotation

KUSTOM SIGNALS, INC.
A SUBSIDIARY OF PUBLIC SAFETY EQUIPMENT, INC
9325 Pflumm, Lenexa KS 66215-3347
913-492-1400 Fax 913-492-1703
sales@kustomsignals.com www.kustomsignals.com

Date 11/01/2006

To... SGT MARK BROWN
PEACHTREE CITY POLICE DEPT

350 HWY 74 SOUTH
PEACHTREE CITY GA 30269

Quote # 115797002534523
Terms Net 30
This Quote Expires on 01/30/2007
Phone 770-487-8866
Fax 770-631-2512

Qty	Product Description	UnitPrice	SubTotal
		Total	$100,170.00

* Applicable Sales Tax Not Included

Signature Henry Martin