

City Council of Peachtree City
Agenda
December 18, 2003
7:00 p.m.

- I. Prayer
- II. Pledge of Allegiance
- III. Announcements, Awards, Special Recognition
 - Remind Attendees to Turn Off Cell Phones
 - Present Recognition Awards to Annie McMenamin and Dan Tennant
 - Proclamation on John Gardner's Retirement from EPA
 - Recognize Employee of the Month -- Gary Meier
- IV. Minutes
 - November 30, 2003, Special Called Meeting Minutes
- V. Consent Agenda
 - 1. Consider Resolution to Adopt the Solid Waste Management Plan STWP Update
 - 2. Adoption of the Transmittal Resolution for the STWP/CIE Update
 - 3. Alcohol License – Change in Licensee – Longhorn Steakhouse
 - 4. Consider Street Resurfacing Agreement with Fayette County
 - 5. Consider Intergovernmental Agreement between City and Fayette County for Recreation Funds
- VI. Old Agenda Items
 - 11-03-01 Alcohol License – NEW – Rajkripa, LLC dba Kedron Wines & Liquor
- VII. New Agenda Items
 - 12-03-02 Alcohol License – NEW – Gumba's
 - 11-03-08 Consider Lifting Multi-family Moratorium Relative to the Stephens Tract
 - 11-03-09 Public Hearing – Section 1504, Zoning Ordinance
 - 12-03-03 Public Hearing – Rezoning Notification Requirement
 - 12-03-04 Public Hearing – Policy/Ordinance regarding Gas Stations on Outparcels
 - 12-03-05 Consideration of Variance Request – 330 North Peachtree Parkway
 - 12-03-06 Consider Amendment to Zoning Ordinance – Failure of Applicant to Appear
 - 12-03-07 Consider Change to Employee Dental Insurance Carrier
 - 12-03-08 Consider Appointment of Municipal Court Judge
 - 12-03-09 Consider Holiday Pay for Temporary Employees
- VIII. Council/Staff Topics
- IX. Executive Session

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

ANNOUNCEMENTS
December 18, 2003

Remind Attendees to TURN OFF Cell Phones

Proclamation on John Garden's Retirement from EPA

Recognize Employee of the Month – Gary Meier

City of Peachtree City
Minutes of Special Called Meeting
November 30, 2003
9:00 p.m.

The City Council of Peachtree City met in a special called meeting on Sunday, November 30, 2003, 9:10 p.m., in the City Hall Council Chambers. Council Members attending were: Mayor Steve Brown, Annie McMenamin, Steve Rapson, Dan Tennant, and Murray Weed.

New Agenda Items

11-03-16 Consider Stopgap Measure to Stabilize the Tennis Center and Amphitheater Transition

Brown noted that there were additional documents on the dais pertaining to the agenda item – a memo from the City Manager to Council dated November 26, 2003, entitled Stopgap Measure to Stabilize the Tennis Center and Amphitheater Transition; a memo from the Mayor to City Council and City Manager dated November 25, 2003, entitled Stopgap Measure to Stabilize the Tennis Center and Amphitheater Transition; an untitled sheet of Tennis Center fees; and an inventory for sale sheet for The Peachtree Trading Post.

Brown moved to approve items one through five in the City Manager's memorandum to Council dated November 26, 2003, and that no Tourism Association agenda items be included on the agendas until January 2004. Brown continued that the motion included the City funding a maximum of \$45,000 in salary expenses, \$5,391 for medical and dental benefits, and \$8,500 for equipment from the Council Contingency Fund, and that reimbursement of the remaining balance would be included as a requirement of the agreement with the new management entity that would take over, anyone beyond the City.

Rapson asked Brown to exclude item two from his motion since that recommendation dealt with the Development Authority and Rapson could not vote. Brown agreed. Rapson seconded the motion for items one, three, four, and five.

City Manager Bernard McMullen noted there was an inconsistency in terms of the money for the equipment. He said it should read as \$8,400 rather than \$8,500. Brown amended his motion to reflect the change. Rapson seconded the amendment.

McMenamin asked McMullen to present his position paper on the motion so Council and the public would have a clear understanding and could ask questions regarding each measure McMullen recommended. McMullen said staff recommended Council authorize the hiring of existing Tennis Center and Amphitheater employees, except for tennis pros, at their current salary as temporary City employees for seven weeks (December 1, 2003-January 17, 2004); authorize the deposit of any sponsorship money received with the Recreation Commission until the new management structure for the venues was approved; approve the existing fee structure for use of the Tennis Center for the interim period; and approve \$8,400 to purchase the equipment currently owned by the pro shop that was needed by the pros to conduct lessons and provide minimal support for individuals using the Tennis Center. McMullen said the last item had been excluded.

Tennant asked McMullen to explain the pay structure for the temporary City employees. McMullen said the employees would receive their current salaries as temporary employees for seven weeks. The tennis pros would be hired as other instructors in the Recreation Department and would be 1099 employees for the seven-week period. Tennant asked City Attorney Ted Meeker if this plan had his blessing. Meeker said the plan was fine with the modification for the tennis pros.

Tennant questioned recommendation three regarding sponsorship funds. He noted the Recreation Commission was made up of City Council appointees and said he understood the City could not receive sponsorship money. Salvatore explained that a special revenue fund would be set up and would serve as a pass-through fund similar to the funds for the All Children's Playground and the Dog Park. Tennant said that if he were a sponsor he would want to ensure his funds would go to the Amphitheater and would not be co-mingled with other funds. Salvatore said there would be a special purpose fund set up specifically for the Amphitheater. Rapson said the money would be spent in the same manner it had always been spent. Salvatore agreed.

McMenamin expressed concern about Rapson voting on items. She said she did not have a problem with Rapson voting, but wanted to protect him from any possible conflict. Meeker asked if any sponsorship funds had come in yet. Donna Romeo, Amphitheater Director, said she did have sponsorship funds currently, but the funds were in a special Development Authority/Amphitheater account. Meeker said, in that case, there probably would be a conflict as long as the funds were in a Development Authority account. Rapson said he understood the sponsorship money was being held and had not been deposited. He said he could see a problem if the Development Authority transferred money over. McMenamin said the matter was up to Rapson. If he felt he had no conflict, then they could move on. Meeker noted that the termination of the agreement required the Development Authority to turn any funds over to the City, but technically the funds belonged to the Development Authority. Rapson said to take it off the list and Brown struck items two and three from his motion. Weed seconded the modified motion. Weed clarified that Council would vote on staff recommendations one, four, and five.

Meeker questioned the payment for the equipment as noted in item five. Brown made the purchase of the equipment contingent that the property in question was owned outright by the Tennis Center and not encumbered by any kind of note or lien and modified his motion. Weed seconded the modification.

Tennant asked whether all employees were to be hired. Rapson pointed out there were several vacancies of tennis pros and asked if those vacancies could be filled through the contract process. McMullen said yes. Rapson said he wanted that to go on record so the City would not be tied to the current number of employees. He added that the people would be hired with the City Manager's approval.

McMullen summarized the expenditures for the equipment needed to run the Tennis Center. Leisure Services Director Randy Gaddo and one of the pros had inventoried and looked at the condition of the equipment. They checked with five different sources before coming up with an

estimated cost for the equipment. Tennant asked if the owner of the pro shop had agreed with the figures. McMullen said yes.

Tennant continued that they were discussing a maximum of \$45,000 in salary expense, about \$5,400 for medical and dental, and \$8,400 in equipment, with the understanding the funds would be reimbursed to the City from a new management entity. Tennant asked what would happen if there was no agreement with a new management entity. Rapson said the actual language was the fund would be reimbursed during the period with revenue received from lessons and court fees in addition to whatever difference would be funded from a new management company. Brown said it would be whatever the remaining balance would be and it might be considerably less than \$45,000. Brown assumed that an upfront lump sum would not be required, but an agreement for payment could be made as long as the City was reimbursed for the amount. Rapson noted that the average revenue at the Tennis Center was \$18,000-\$20,000 a month, so the shortfall could be about \$13,000. McMullen said yes. He said the figures were based on seven weeks; however, if Council approved a contract the first week of January, then two weeks would be taken off and the total amount would be reduced.

Rapson said, in essence, the motion on the table left the existing staff at both facilities, there would be no impact on service delivery, and the employees would not have to take a pay reduction. The motion carried unanimously.

Brown moved to approve recommendations two and three on the City Manager's memo dated November 26, 2003. McMenamin seconded.

Tennant reiterated that he wanted to make sure the City Attorney was comfortable with the fact that sponsorship money could be transferred to the Recreation Commission. Meeker said he was satisfied.

Tennant continued that the \$5,400 earmarked for medical insurance was considered a severance benefit from the Development Authority. He asked if the Development Authority needed to meet and approve that recommendation. Meeker said the Development Authority would have to meet and vote on the matter and that Council could make their approval contingent on the Development Authority's approval of the severance benefit. Brown modified his motion to include Meeker's suggestion. Weed seconded the modification. The motion carried 4-0-1 (Rapson).

There being no further business to discuss, Brown moved to adjourn the meeting. Tennant seconded. The motion carried unanimously. The meeting adjourned at 9:40 p.m.

Jane Miller, City Clerk

Stephen D. Brown, Mayor

Pamela Dufresne, Recording Secretary

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager *James M. Muller*
Developmental Services Director *GW*

FROM: City Engineer *AS*

DATE: November 11, 2003

SUBJECT: Solid Waste Management Plan – Short Term Work Program Update
November 20, 2003 - City Council Agenda Item

Recommendation: Staff recommends that Council adopt the attached resolution to approve the 2004-2008 Short Term Work Program (STWP) of the Solid Waste Management Plan (SWMP).

Discussion: The Solid Waste Management Plan was prepared in 1999 as a collaborative effort by the six jurisdictions in Fayette County representing their proposed plans to comply with the State's Solid Waste Management Act. As a requirement for compliance, an update to the Short Term Work Program is required at the five-year point in the ten-year term of the overall plan. City staff has reviewed the implementation goals contained in the plan and proposed several changes to Council in July.

As you will recall, the first change was to move the implementation of a new recycling and yard waste facility to 2008. The second modification was to consider a franchise agreement for solid waste to 2005. These changes were reviewed by City Council in July and forwarded to both ARC and DCA for review. The state-level review yielded no changes and the update is ready for adoption.

Budget Impact: There is no immediate budget impact on the current 2004 budget. In later years, the establishment of a public improvement project seeded with local matching funds will be required for the recycling facility, if pursued.

Attachment

cc: Assistant City Manager
Public Services Director
file

Resolution

WHEREAS, The Georgia Comprehensive Solid Waste Management Act requires county and municipal governments to prepare a local comprehensive solid waste management plan; and

WHEREAS, Peachtree City, Georgia, has compiled, reviewed and modified an update to the Short Term Work Program within the Fayette County Comprehensive Solid Waste Management Plan for Fayette County and the Municipalities of Brooks, Fayetteville, Peachtree City, Tyrone and Woolsey; and

WHEREAS, Peachtree City, Georgia, has complied with the Rules of Georgia Department of Community Affairs Minimum Planning Standards and Procedures for Solid Waste Management (Chapter 110-4-3) including public participation requirements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Peachtree City that the Short Term Work Program within the Fayette County Comprehensive Solid Waste Management Plan be officially approved and adopted.

Adopted this ____ day of _____, 2003.

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

Attest: _____
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council members

FROM: City Planner *David*

VIA: City Manager *Samuel M. Maff*
Developmental Services Director *OWH*

DATE: November 13, 2003

SUBJECT: Comprehensive Plan Update
November 20, 2003 City Council Agenda

Recommendation:

Staff recommends that City Council approve the attached Transmittal Resolution authorizing the Mayor to forward the Short Term Work Program and other Plan Amendments to the Atlanta Regional Commission and the Department of Community Affairs for review.

Discussion:

Staff has completed our annual update to the City's Comprehensive Plan, which must be submitted to the Atlanta Regional Commission (ARC) and the Georgia Department of Community Affairs (DCA) for review and approval. This information includes updates to the Short Term Work Program (STWP), the Capital Improvements Element (CIE) and an Impact Fees Report.

Prior to submitting this information to ARC, City Council must adopt a Transmittal Resolution authorizing the Mayor to forward these documents for review. Once we receive comments from ARC and DCA, the documents will be revised accordingly and re-submitted for approval. City Council must then officially adopt these updates, which will be incorporated into our Comprehensive Plan.

As you are aware, these updates must be prepared on an annual basis as specified within the Georgia Planning Act and the Development Impact Fee Compliance Requirements. Approval and adoption of these documents is required in order for the City to maintain its status as a Qualified Local Government (QLG).

Budget Impact:

There are no budget impacts associated with this request.

Attachments

Draft: 11/13/2003 5:27:25 PM

8.2.0.0: Short Term Work Program

Peachtree City: Short Term Work Program Update

Activity	Years	Responsible Party	Cost Estimate	Funding Source
Organize and budget for long-term sustainability of all City facilities.	2003, 2004, 2005, 2006, 2007	City (Finance)	Staff time	General funds
Implement recommendations of GA 54 West corridor study.	2003, 2004, 2005, 2006, 2007	City (Planning, Public Works)	Staff time	City
Develop plans and acquire land for comprehensive recycling center.	2003, 2004	City (Engineering, Public Works)	Staff time	City
Update and revise Multi-use Path System Master Plan and include recommendations in Comprehensive Plan update (2007).	2003, 2004, 2005, 2006, 2007	City (Planning, Engineering, Recreation)	Staff time	City
Update and revise Recreation Facilities Master Plan and include recommendations in Comprehensive Plan update (2007).	2003	City (Planning, Recreation)	Staff time	City
Update and revise Thoroughfare Master Plan and include recommendations in Comprehensive Plan update (2007).	2003, 2004	City (Planning, Engineering)	Staff time	City
Create Community Facilities Plan (e.g., Police, Fire, Library, non-recreational activities, etc.) and include in Comprehensive Plan update (2007).	2003, 2004, 2005	City (Administration)	Staff time	City
Assist in establishing Administrative Budget for Southern Conservation Trust and define natural areas for acquisition	2002	Not applicable	Not applicable	Not applicable
Activity	Years	Responsible Party	Cost Estimate	Funding Source
Continue to research and apply for funding through ARC, GA DOT, GRTA, DCA and other agencies to implement transportation and planning improvements throughout the City.	2003, 2004, 2005, 2006, 2007	City (Planning)	Staff time	General funds/ grant opportunities

Continue to work with GA DOT on the widening of GA 54 West to ensure integrated cart paths and landscaping is provided. Ensure proper consideration is given to all homeowners.	2003, 2004, 2005, 2006, 2007	City (Planning, Engineering)	Staff time	City
Continue to work with GA DOT on the widening of GA 74 South to ensure integrated cart paths and landscaping is provided. Ensure proper consideration is given to all landowners.	2003, 2004, 2005, 2006, 2007	City Staff (Planning, Engineering)	Staff time	City
Work with ARC, Consultant and Citizen Advisory Committee on Livable Centers Initiative for GA 54 West Activity Center	2003, 2004, 2005, 2006, 2007	City/ Task Force (Planning)	Staff time	City
Develop corridor and entry landscape plans for all major thoroughfares throughout the City	2003, 2004, 2005, 2006, 2007	City (Planning, Public Works)	Staff time	City

2007-2008				
Activity	Years	Responsible Party	Cost Estimate	Funding Source
Coordinate with Fayette County and surrounding jurisdictions to monitor development within water supply watersheds.	2003, 2004, 2005, 2006, 2007	City (Planning, Engineering)	Staff time	City
Coordinate with surrounding municipalities and Fayette County to implement policies regarding growth, traffic, land use, alternate transportation, etc.	2003, 2004, 2005, 2006, 2007	City (Engineering, Public Works)	Staff time	City
Develop standards for the re-development of existing commercial and retail sites, to include addition of mixed-use development criteria, how to address non-conforming sites, implementing architectural standards, etc.	2003, 2004, 2005, 2006, 2007	City/ Task Force (Planning)	Staff time	City
Secure zoning changes as appropriate to complement changes to Land Use Plan.	2003	City (Planning, Engineering)	Staff time	City
Update and revise Land Use Plan and include recommendations in Comprehensive Plan update (2007).	2003	City (Planning)	Staff time	City

Natural and Historic Resources

Activity	Years	Responsible Party	Cost Estimate	Funding Source
Development and implement a Comprehensive Storm Water Management Program and consider creation of a storm water utility for the City.	2003, 2004, 2005, 2006, 2007	City (Engineering)	Staff time	City
General Planning				
Activity	Years	Responsible Party	Cost Estimate	Funding Source
Update Short Term Work program and Capital Improvements Element to ensure conformance with stated goals and objectives.	2003, 2004, 2005, 2006, 2007	City (Planning, Finance)	Staff time	City
Evaluate present filing system for files, maps and other documents to determine methods to improve file retention.	2003, 2004, 2005, 2006, 2007	City (Planning, Engineering, Finance)	Staff time	City
Evaluate and encourage improvements to existing Quality Improvement Program, which seeks Staff input to upgrade City services.	2003, 2004, 2005, 2006, 2007	City (Administrative Services)	Staff time	City
Continue to work with citizen advisory committees and task forces as appropriate to solicit public participation and input.	2003, 2004, 2005, 2006, 2007	City (Planning, Engineering)	Staff time	City
Continue coordination with ARC Bicycle and Pedestrian Task Force and seek grant funding for a variety of bicycle and pedestrian oriented projects.	2003, 2004, 2005, 2006, 2007	City (Planning)	Staff time	City
Coordinate with Fayette County, ARC, GRTA and GA DOT to identify and promote alternate transportation programs.	2003, 2004, 2005, 2006, 2007	City (Planning, Engineering)	Staff time	City

Peachtree City: Report of Accomplishments

Community Facilities			
Activity	Status	Explanation	
Organize and budget for long-term sustainability of all City facilities.	Underway		
Implement recommendations of GA 54 West corridor study.	Underway		
Develop plans and acquire land for comprehensive recycling center.	Underway		
Update and revise Multi-use Path System Master Plan and include recommendations in Comprehensive Plan update (2007).	Underway		
Update and revise Recreation Facilities Master Plan and include recommendations in Comprehensive Plan update (2007).	Completed		
Update and revise Thoroughfare Master Plan and include recommendations in Comprehensive Plan update (2007).	Underway		
Create Community Facilities Plan (e.g., Police, Fire, Library, non-recreational activities, etc.) and include in Comprehensive Plan update (2007).	Underway		
Assist in establishing Administrative Budget for Southern Conservation Trust and define natural areas for acquisition	Postponed	Project placed on hold due to budget constraints.	

Community Development			
Activity	Status	Explanation	
Continue to research and apply for funding through ARC, GA DOT, GRTA, DCA and other agencies to implement transportation and planning	Underway		
Continue to work with GA DOT on the widening of GA 54 West to ensure integrated cart paths and landscaping is provided. Ensure proper consideration is given to all homeowners.	Underway		

Continue to work with GA DOT on the widening of GA 74 South to ensure integrated cart paths and landscaping is provided. Ensure proper consideration is given to all landowners.	Underway		
Work with ARC, Consultant and Citizen Advisory Committee on Livable Centers Initiative for GA 54 West Activity Center	Underway		
Develop corridor and entry landscape plans for all major thoroughfares throughout the City	Underway		
Land Use			
Activity	Status	Explanation	
Coordinate with Fayette County and surrounding jurisdictions to monitor development within water supply watersheds.	Underway		
Coordinate with surrounding municipalities and Fayette County to implement policies regarding growth, traffic, land use, alternate transportation, etc.	Underway		
Develop standards for the re-development of existing commercial and retail sites, to include addition of mixed-use development criteria, how to address non-conforming sites, implementing architectural standards, etc.	Underway		
Secure zoning changes as appropriate to complement changes to Land Use Plan.	Completed		
Update and revise Land Use Plan and include recommendations in Comprehensive Plan update (2007).	Completed		
Natural and Historic Resources			
Activity	Status	Explanation	
Development and implement a Comprehensive Storm Water Management Program and consider creation of a storm water utility for the City.	Underway		
General Planning			
Activity	Status	Explanation	
Update Short Term Work program and Capital Improvements Element to ensure conformance with stated goals and objectives.	Underway		

Evaluate present filing system for files, maps and other documents to determine methods to improve file retention.	Underway		
Evaluate and encourage improvements to existing Quality Improvement Program, which seeks Staff input to upgrade City services.	Underway		
Continue to work with citizen advisory committees and task forces as appropriate to solicit public participation and input.	Underway		
Continue coordination with ARC Bicycle and Pedestrian Task Force and seek grant funding for a variety of bicycle and pedestrian oriented projects.	Underway		
Coordinate with Fayette County, ARC, GRTA and GA DOT to identify and promote alternate transportation programs.	Underway		

City of Peachtree City							
Annual Impact Fee Financial Report - Fiscal Year 2003							
Public Facility	Roads/Bridges	Parks/Recreation	Library	Police	Fire	TOTAL	
Service Area							
Impact Fee Fund Balance at September 30, 2002	\$ 31,163	\$ 686,587	\$ -	\$ -	\$ -	\$ 717,750	
Impact Fees Collected in Fiscal Year 2003	133,141	159,752	3,800	1,064	34,350	332,107	
Accrued Interest	1,048	5,385	24	7	219	6,683	
(Administrative/Other Costs)	-	-	-	-	-	-	
(Impact Fee Refunds)	-	(2,102)	(50)	(14)	-	(2,166)	
(Project Expenditures)	(134,189)	(533,496)	(3,774)	(1,057)	(34,569)	(707,085)	
Impact Fee Fund Balance at September 30, 2003	\$ 31,163	\$ 316,126	\$ -	\$ -	\$ -	\$ 347,289	
Impact Fees Encumbered	\$ 31,163	\$ 316,126	\$ -	\$ -	\$ -	\$ 347,289	

City of Peachtree City

Capital Improvements Project Update for FY 2003

Public Facility: Service Area:	Roads/Bridges		Estimated Cost of Project	Percentage of Funding from Impact Fees	Other Funding Sources	Expenditures for FY 2003	Impact Fees Encumbered through FY 2003	Status/ Remarks
	Project Start Date	Project End Date						
Project Description								
Pedestrian Paths & Bridges	1993	2004	\$ 196,152	48.22%	City	\$ 3,237	\$ -	Reimburse Expenditures
Brown Road Improvement	1993	2004	218,315	33.76%	City	2,575	-	Reimburse Expenditures
Highway 54 Underpass	1993	2004	246,000	41.70%	City	-	31,163	On-going
Highway 74 Bike Path Bridge	1993	2004	354,048	48.79%	City	18,393	-	On-going
Crabapple Lane West	1997	2004	571,307	19.10%	City	109,984	-	Reimburse Expenditures
Summer Road	1998	2004	251,199	2.70%	City	-	-	On-going
TOTAL OF COSTS, EXPENDITURES & IMPACT FEES ENCUMBERED			\$ 1,837,021			\$ 134,189	\$ 31,163	

City of Peachtree City

Capital Improvements Project Update for FY 2003

Public Facility: Service Area:	Parks/Recreation		Estimated Cost of Project	Percentage of Funding from Impact Fees	Other Funding Sources	Expenditures for FY 2003	Impact Fees Encumbered through FY 2003	Status/ Remarks
	Project Start Date	Project End Date						
Project Description								
Recreation Land	1993	2004	\$ 1,332,413	85.86%	City	\$ 450,319	\$ 316,126	Reimburse Expenditures
Recreation Facilities	1993	2004	3,089,333	85.86%	City	81,517	-	Reimburse Expenditures
Recreation Administration Building	1993	2004	362,425	14.91%	City	1,660	-	Reimburse Expenditures
TOTAL OF COSTS, EXPENDITURES & IMPACT FEES ENCUMBERED			\$ 4,784,171			\$ 533,496	\$ 316,126	

City of Peachtree City

Capital Improvements Project Update for FY 2003

Public Facility: Service Area:	Library		Estimated Cost of Project	Percentage of Funding from Impact Fees	Other Funding Sources	Expenditures for FY 2003	Impact Fees Encumbered through FY 2003	Status/ Remarks
	Project Start Date	Project End Date						
Library Expansion	1993	2004	\$ 564,283	21.76%	City	\$ 3,774	\$ -	Reimburse Expenditures
TOTAL OF COSTS, EXPENDITURES & IMPACT FEES ENCUMBERED			\$ 564,283			\$ 3,774	\$ -	

City of Peachtree City

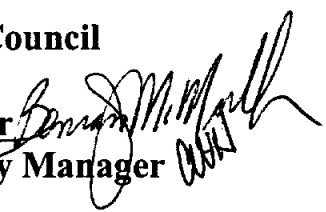
Capital Improvements Project Update for FY 2003

Public Facility: Service Area:	Police			Percentage of Funding from Impact Fees	Other Funding Sources	Expenditures for FY 2003	Impact Fees Encumbered through FY 2003	Status/ Remarks
	Project Start Date	Project End Date	Estimated Cost of Project					
Police Expansion I	1993	2004	\$ 57,259	25.74%	City	\$ 453	\$ -	Reimburse Expenditures
Police Expansion II	1993	2004	34,090	57.64%	City	604	-	Reimburse Expenditures
TOTAL OF COSTS, EXPENDITURES & IMPACT FEES ENCUMBERED			\$ 91,349			\$ 1,057	\$ -	

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager 
Assistant City Manager 

FROM: City Clerk 

DATE: December 10, 2003

SUBJECT: Alcohol License – Change in Licensee– Rare Hospitality
International, Inc. dba Longhorn Steakhouse of Peachtree City
December 18, 2003 Regular Meeting

Recommendation:

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

Discussion:

Rare Hospitality International, Inc. dba Longhorn Steakhouse of Peachtree City has submitted an application for a change in Licensee. Mr. Wayne Douglas Benn has requested he be appointed as the Licensee. Either Mr. Benn or Scott Trammell, the License Representative, will attend the meeting on Thursday, December 18th, to answer any questions you may have.

Budgetary Impact:

There is no budget impact due to the change in Licensee.

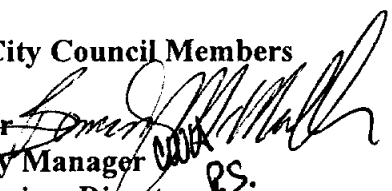
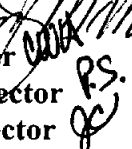
JSM:pd

Attachments

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council Members

VIA: City Manager 
Assistant City Manager 
Financial Services Director P.S.
Assistant Finance Director JC

FROM: Public Services Director AT

DATE: December 8, 2003

SUBJECT: Street Resurfacing Agreement with Fayette County
December 18, 2003 City Council Agenda

Recommendation:

Staff recommends that the City execute the Street Resurfacing Agreement between Fayette County and the City of Peachtree City.

Discussion:

Fayette County Public Works Department agrees to provide the labor and equipment to resurface the attached list of City Streets. The County will invoice the City for the cost of the actual materials (asphalt and tack) used for resurfacing City streets. Also, the City will be invoiced for any truck rental if required by the County to resurface the City streets.

The Peachtree City Public Works Department will be responsible for patching, crack sealing, traffic control, clean up and contracting for any milling and striping.

Budget Impact:

There are adequate funds available in the 2004 Public Works Department Budget line item, Street Resurface Program Supplies for resurfacing these streets.

BT/ly

Attachments

LARP FUNDED STREETS

1. Bridlepath Lane
2. Crossing East
3. Peachtree Parkway from McIntosh Trail to Crosstown Drive
4. Peachtree Parkway from Crosstown Drive to McIntosh Trail
5. Senonia Road (Old Highway 74)

CITY FUNDED STREETS

1. Huddleston Road
2. Fountain Head
3. Columns Lane
4. Mantel Court
5. Garret Ridge

STATE OF GEORGIA

COUNTY OF FAYETTE

STREET RESURFACING AGREEMENT

AN AGREEMENT entered into this ____ day of _____, 2003, by and between FAYETTE COUNTY, a political subdivision of the State of Georgia, acting by and through its Board of Commissioners, hereinafter referred to as the "County", and the CITY OF PEACHTREE CITY, a political subdivision and municipality of the State of Georgia, acting by and through its Mayor and Council, hereinafter referred to as the "City", to provide for certain street work within the corporate limits of the City.

WITNESSETH:

WHEREAS, the County and the City desire the proper resurfacing of certain streets within the corporate limits of the City to promote adequate and safe means of transportation; and

WHEREAS, the County and the City desire to coordinate their efforts and work together in the resurfacing of certain streets within the corporate limits of the City, pursuant to their respective Resolutions.

NOW, THEREFORE, in and for the consideration of the premises and conditions as hereinafter provided, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

1.

The County and the City hereby agree to coordinate their efforts, as hereinafter provided, in the resurfacing of the streets that are listed on the attachment to this Agreement known as

Special Stipulations. Said Special Stipulations are hereby adopted into this Agreement by this reference hereto.

2.

COUNTY RESPONSIBILITIES

The County agrees to provide the labor and equipment, which it has available, for the resurfacing of the streets which have been identified on the Special Stipulations attachment. Any additional County Responsibilities not listed in this paragraph may be contained on the Special Stipulations attachment.

3.

CITY RESPONSIBILITIES

The City shall perform all patching and milling, and shall notify the County when all patching and milling has been completed. The City shall reimburse the County for all materials (i.e., asphalt and tack, including over-run quantities for leveling and topping) and shall pay the County for the costs of material within 30 days of invoice. All inadvertent overspray of tack (on curb and gutter, driveways, lawn sections, etc.) shall be cleaned up by the City. The City agrees to handle any prior local resident work notification within the work area, in conjunction with the County's paving schedule. The City is responsible for striping on the streets that require striping. The City shall furnish staging/clean-out areas each day for paving machine/material cleaning and storage.

4.

INDEMNIFICATION

To the fullest extent permitted by law, the City agrees to and hereby does defend, hold harmless and indemnify the County and its officers, directors, employees, agents and representatives from and against any and all claims, damages, demands, actions, judgments, losses, costs, penalties, liabilities, assessments and expenses including, but not limited to attorney's fees, incurred or suffered by the County that arise out of, or result from, the performance of the Work, which are not incurred or suffered due to the negligence of the County.

5.

CITY STREETS

The County and the City agree that streets listed on the Special Stipulations attachment are in the city limits of the City, are part of the street system of the City and as such shall be completely and solely within the City's jurisdiction and control. The resurfacing of the streets listed on the Special Stipulations attachment is at the direction of the City and the County assumes no interest in the title of said street. In no manner shall the streets listed on the Special Stipulations attachment be deemed a County street. Unless otherwise agreed, the maintenance and repair of said streets shall be the sole responsibility of the City.

6.

SECURING WORK SITE

The City agrees to assist the County where possible to secure the work site and prevent the tampering, vandalism or theft of equipment, tools or materials left at the site by the County, its agents or employees, at the close of each working day. The City also agrees to provide certified

flaggers and pilot car, if necessary, to alert motorists and ensure caution when work is underway in the work area.

7.

RIGHTS OF THE PROPERTY

The City warrants that it owns or has rights to resurface the aforementioned streets listed on the Special Stipulations attachment and further warrants that said work will not violate any restrictions, covenants, local or state law.

8.

STARTING AND COMPLETION DATES

The County agrees to begin work on the project as soon as scheduled work permits, and to complete said project in a timely manner subject to inclement weather, existing obligations, and circumstances beyond control of the County, in which event the County shall commence or complete the project as soon as it may practicably do so.

9.

ADDITIONAL TERMS AND CONDITIONS

Any additional terms and conditions which may exist between the parties may be found on the Special Stipulations attachment. To the extent that there may exist a conflict between the terms and conditions in this Agreement and the terms and conditions in the Special Stipulations attachment, the parties agree that any terms and conditions which may appear in the Special Stipulations attachment supersede any terms and conditions within this Agreement.

IN WITNESS WHEREOF, parties have hereunto set their hands and affixed their seals
the day and year as first above written.

FAYETTE COUNTY, GEORGIA

By: _____
Gregory M. Dunn, Chairman

(SEAL)

Attest:

Deputy Clerk

CITY OF PEACHTREE CITY

By: _____
Steve Brown, Mayor

(SEAL)

Attest:

SPECIAL STIPULATIONS

Project Number LAU 00-5005-00 (513)

Name of streets to be resurfaced:

- (1) Bridlepath Lane
- (2) Crossings East
- (3) Peachtree Parkway from McIntosh Trail to Crosstown Drive
- (4) Peachtree Parkway from Crosstown Drive to McIntosh Trail
- (5) Senoia Road (Old Highway 74)

Additional streets:

- (1) Huddleston Road
- (2) Fountain Head
- (3) Columns Lane
- (4) Mantel Court
- (5) Garret Ridge

STATE OF GEORGIA

FAYETTE COUNTY

RECREATION FACILITY AND PROGRAM AGREEMENT

THIS AGREEMENT, made and entered into this ____ day of November, 2003, by and between the Board of Commissioners of Fayette County, State of Georgia, hereinafter referred to as ACounty, and the City of Peachtree City, Georgia, hereinafter referred to as ACity.

WITNESSETH:

WHEREAS, the governing bodies of the City and County are mutually interested in an adequate program of community recreation under the auspices of the County and City Recreation Departments; and

WHEREAS, said governing bodies are authorized to enter into agreements to cooperate in the cultivation of citizenship by providing for adequate programs of community recreation; and

WHEREAS, the County and City have established Recreation Departments responsible for carrying out the purposes of community recreation in Fayette County and the City of Peachtree City; and

WHEREAS, in the interest of providing the best service with the least possible expenditure of public funds, full cooperation between the City and County is necessary; and

NOW, THEREFORE, in consideration of these premises, said City and County do now agree to cooperate with each other in carrying out the above purposes, and to that end agree as follows:

1. The City will make available to County residents for Community recreation activities all City recreation facilities. Any user fees charged by the City to Fayette County residents shall be the same as to the user fees charged to City residents.
2. The County agrees to pay to the City the sum of One Hundred Fifty Thousand Dollars (\$150,000.00); said amount to be used by the City to maintain and operate recreation facilities in the City.
3. It is further agreed that any permanent improvements or any equipment that is permanently affixed on facilities contained in this Agreement shall remain the property of the City.

4. This Agreement will expire at midnight June 30, 2004, but it is the intention of each governing body to continue to cooperate in the provision of recreational opportunities. In the event that said amount is not utilized for the purpose set forth in Paragraph Two (2) on or before July 1, 2004, said amount shall be repaid by the City to the County.

IN WITNESS WHEREOF, and pursuant to the authority granted by duly recorded resolutions, the parties hereto have caused this Agreement to be executed on their behalf.

FAYETTE COUNTY, GEORGIA

By: _____
Gregory M. Dunn, Chairman
Fayette County Board of Commissioners

Attest:

Deputy Clerk

Approved as to Form:

County Attorney

CITY OF PEACHTREE CITY, GEORGIA

By: _____
Steve Brown, Mayor

Attest:

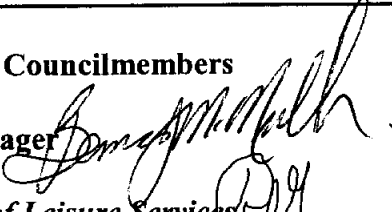
City Clerk

Approved as to Form:

City Attorney

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Councilmembers
VIA: City Manager 
FROM: Director of Leisure Services 
DATE: Dec. 12, 2003
SUBJECT: Recreation Facility and Program Agreement w/ County
(December 18, 2003 Agenda)

Recommendation: That Council approves subject agreement.

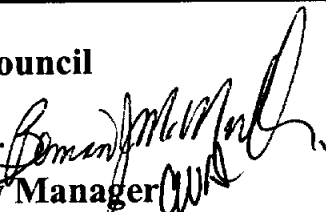
Discussion: As you know, each year the county issues a grant to the city for a specific Recreation project on the Public Improvement Plan. In exchange, the City makes available to county residents all recreation facilities and programs at the same fees charged to City residents. The agreement is subject to review each year.

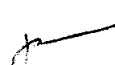
Budget Impact: This year's agreement secured \$150,000 to build a restroom/concession building for use at the multipurpose rink at Kedron.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager 
Assistant City Manager 

FROM: City Clerk 

DATE: December 10, 2003

SUBJECT: Alcohol License – NEW – Rajkripa, LLC, dba Kedron Wines
& Liquor

December 18, 2003 Regular Meeting Agenda

Recommendation:

Staff recommends Council consider the attached application for a new alcoholic beverage license.

Discussion:

Rajkripa, LLC, dba Kedron Wines & Liquor, has submitted an application for a new alcoholic beverage license for a new package store to be located in Kedron Village Shopping Center. Mr. Mehul Patel has requested he be appointed as the Licensee. Mr. Narendra Patel has requested he be appointed as the License Representative. All of the paperwork has been submitted except for the lease, which is expected to be ready by the meeting on Thursday, December 18th. Mehul and Narendra Patel will attend the meeting on Thursday, December 18th, to answer any questions you may have.

Budgetary Impact:

The budgetary impact of the alcoholic beverage license will be positive. The applicant will be required to pay the annual fee for a retail store of \$5,000.

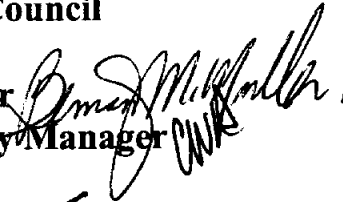
JSM:pd

Attachments

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager 
Assistant City Manager 

FROM: City Clerk 

DATE: December 10, 2003

SUBJECT: Alcohol License – NEW – Gumba's Rotisserie Café
December 18, 2003 Regular Meeting

Recommendation:

Staff recommends Council consider the attached application for a new alcoholic beverage license.

Discussion:

Gumba's Rotisserie Café, 290 Highway 74 North, has submitted an application for a new alcoholic beverage license. Mr. John D. Manzo has requested he be appointed as the Licensee and as the License Representative. Mr. Manzo will attend the meeting on Thursday, December 18th, to answer any questions you may have.

Budgetary Impact:

The budgetary impact of the alcoholic beverage license will be positive. The applicant will be required to pay the annual fee for a pouring license for beer and wine of \$1,050 and \$300 for Sunday Sales.

JSM:pd

Attachments

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

FROM: City Planner/ Zoning Administrator *David*

VIA: City Manager *Bernard M. Muller*
Developmental Services Director *Chris*

DATE: November 13, 2003

SUBJECT: Appeal of multi-family moratorium
November 20, 2003 City Council Agenda

Recommendation:

Based on the appeal procedures outlines in the attached copy of the moratorium on multi-family development, Staff is not authorized to provide a recommendation to the Applicant's request.

Discussion:

Bob Adams Homes submitted a letter to the City on October 10, 2003 (copy attached) requesting that Council consider lifting the City's moratorium on multi-family development so that he could pursue the possibility of incorporating a multi-family component within a new residential community his company is proposing on the Stephens Tract at the intersection of GA 74 and Rockaway Road.

The subject parcel is currently zoned GI, General Industrial and is identified as SFM, Single-family medium density on the City's Land Use Map. Attached for your review is a copy of the recently re-affirmed moratorium on multi-family development and an aerial of the immediate area identifying the zoning and land use designation of the surrounding properties.

Staff and the Applicant will be available at the Council meeting to answer questions pertaining to this request.

Budget impact:

Budget impacts associated with this request include the potential receipt of impact fees for the residential component of the proposed development, the potential receipt of property, and the potential realignment of Rockaway Road.

Attachments



BOB ADAMS HOMES

The Time of Your Life

October 10, 2003

David E. Rast, ASLA
City Planner
Peachtree City Development Services Dept.
151 Willowbend Drive
Peachtree City, GA 30269

Dear David,

We are currently exploring the possibilities of developing a new community at Highway 74 and Rockaway Road for the empty nesters and senior citizens of Peachtree City.

At this time we are requesting an exemption from the current moratorium on multi-family zoning. A small portion of the new development calls for attached fee-simple homes similar to those at Village on the Green.

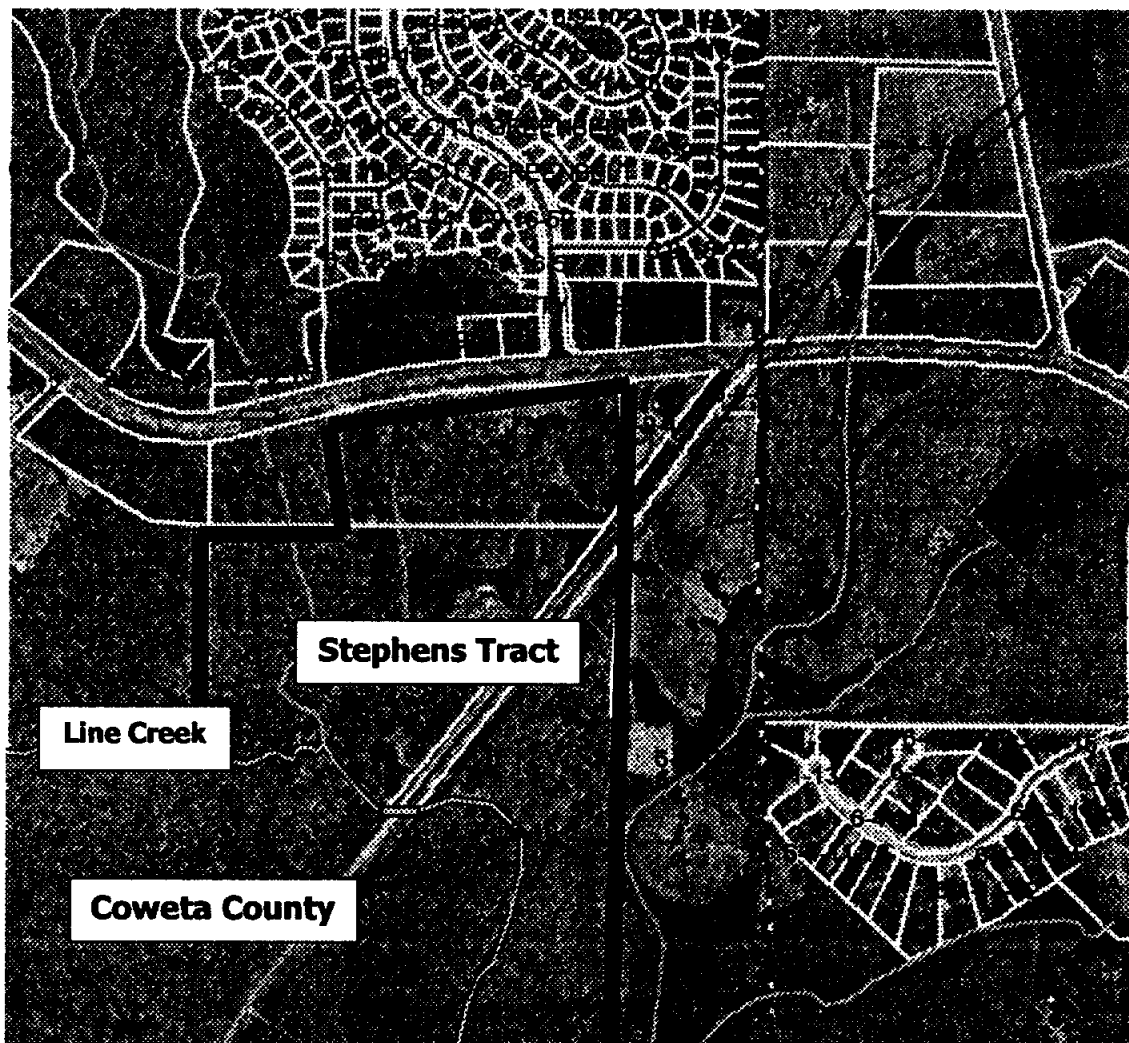
If you have any questions, please call me at 770-231-9041 (mobile) or at the office, 770-487-4663, extension 300.

Sincerely,

Bob Adams, President



parcel	zoning classification	land use designation
<i>North of GA 74</i>		
Wilshire Estates subdivision	R-12	SFM, Single-family medium density
Wilshire Pavilion retail center	GC	COM, Commercial
Fayette County Animal Shelter	OS	CS, Community Service
Peachtree City tract	OS	CS, Community Service
Flat Creek Nature Area	OS	REC, Recreation
Gimme Shelter tract	GI	IND, Industrial
<i>South of GA 74</i>		
WASA tract	GI	IND, Industrial
Stephens Tract	GI	SFM, Single-family medium residential
Recycling Center tract	OS	REC, Recreation
Meade Field softball complex	OS	REC, Recreation



ARTICLE XIV. MULTI-FAMILY--REZONING MORATORIUM*

**Editor's note: Ord. No. 727, adopted Nov. 4, 1999, renumbered art. XIV, §§ 1401--1404 to art. XV, §§ 1501--1504 and added a new art. XIV, §§ 1401--1404 as herein set out.*

Sec. 1401. Purpose.

In order to protect the health, safety, and welfare of its citizens, the city has determined that a moratorium on the zoning or rezoning of property for development of multifamily housing needs to be adopted and enforced for all property in the City of Peachtree City not currently zoned for use as multifamily.

This moratorium is intended to promote: the orderly development of property in the city; maintain the high quality of police services now provided; maintain the high quality of emergency and fire services now provided; maintain the quality of education now provided; maintain the high quality of life now existing; help reduce traffic congestion; and ameliorate air quality standards.

(Ord. No. 727, 11-4-99)

Sec. 1402. Findings.

The mayor and council have made the following findings of fact in consideration of this moratorium:

- (a) The development of additional multifamily housing would create a significant burden on the police department and emergency and fire departments for the city;
- (b) The development of additional multi-family housing would overburden area schools
- (c) The development of additional multi-family housing would exhaust available resources, thus reducing the quality of life now existing; and
- (d) The development of additional multi-family housing would increase traffic congestion, which also reduces air quality.

(Ord. No. 727, 11-4-99)

Sec. 1403. Moratorium.

The Mayor and Council of the City of Peachtree City hereby directs its staff to accept no applications seeking to zone or rezone property to any designation that would allow the development of the property as multi-family.

- (a) Multi-family shall include apartments, townhouses, duplexes, condominiums and assisted living facilities.
- (b) This moratorium shall be in effect for a period of one year and shall automatically expire if not reviewed by the mayor and council and if deemed necessary, renewed.

(c) This moratorium shall not apply to property already zoned for use as multifamily,
(Ord. No. 727, 11-4-99)

Sec. 1404. Appeals.

Any party with an ownership interest in property in the city that believes said property owner is severely prejudiced by this moratorium may file an application with the city planner requesting that the mayor and council remove the moratorium as it applies to the property.

- (a) The application shall be accepted by the city planner and placed on the council agenda after being properly advertised, and then, considered by the mayor and council.
- (b) City staff shall only provide council with current land use and zoning information regarding the subject property and its surrounding properties and shall not make a recommendation to council on the application to lift the moratorium.
- (c) In the event council lifts the moratorium, the property owner may then submit the request for rezoning following established procedures.
- (d) In the event council declines to lift the moratorium, the property owner shall have the same rights and follow the same procedures as those connected with the denial of a rezoning request.

(Ord. No. 727, 11-4-99)

PEACHTREE CITY AIRPORT AUTHORITY

Catherine M. Nelmes
Chairman

H.E. Buffington
Secretary/Treasurer

Douglas B. Warner
Attorney

James H. Savage
Airport Manager

Jerry R. Cobb
Member

Douglas A. Fisher
Member

Mark H. Harris
Member

October 3, 2002

Mr. Colin Halterman, Interim City Manager
City of Peachtree City
151 Willowbend Road
Peachtree City, GA 30269

Dear Mr. Halterman:

Attached is a letter I addressed to Mr. Jim Williams, then Director of Developmental Services, on April 26, 2002.

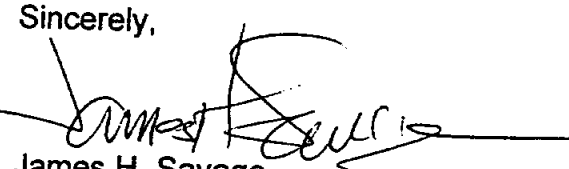
The purpose of the original letter was to outline the Peachtree City Airport Authority's concerns regarding the re-zoning of what is usually defined as the Black-Stevens Property located at State Highway 74 and Rockaway Road.

It is the Authority's understanding that the Planning Commission has reviewed this re-zoning request and has forwarded it to the City Council with a recommendation for approval. We understand that it will be considered at the October 17, 2002, City Council meeting.

Please provide the City Council with a copy of the April 26th letter for their review. The Authority will have a representative at the Council meeting to answer any questions that might arise.

Thank you.

Sincerely,


James H. Savage
Airport Manager



PEACHTREE CITY AIRPORT AUTHORITY

Catherine M. Nelmes
Chairman

H.E. Buffington
Secretary/Treasurer

Douglas B. Warner
Attorney

James H. Savage
Airport Manager

Jerry R. Cobb
Member

Douglas A. Fisher
Member

Mark H. Harris
Member

April 26, 2002

Mr. Jim Williams
Director of Developmental Services
City of Peachtree City
153 Willowbend Road
Peachtree City, GA 30269

Dear Mr. Williams,

The Peachtree City Airport Authority has expressed several concerns regarding the new subdivision being proposed on the western side of State Route 74 at Rockaway Road. Chief among those is the possible negative impact building homes under the departure path for Runway 13 and the final approach course to Runway 31, will have on the airport and the community.

First, some basic information as we understand it:

- The western edge of the proposed subdivision would be approximately 9,400 feet from the approach end of Runway 31.
- The southwestern edge of the subdivision would be located 1,500 feet northeast of the final approach course to Runway 31.
- The property is currently zoned for general industrial uses.
- The property is shown as low density residential on the current land use plan.
- The current proposal calls for 121 homes on forty acres.
- An informal noise abatement procedure has been in effect since 1990, which requests that jets and large aircraft departing on Runway 13 fly runway heading until reaching 3,000 feet before turning on course, and that departures from Runway 31 turn west until reaching 3,000 feet and turning on course. Please see the attached photo of our noise abatement procedure.
- The southern most part of Planterra Ridge subdivision is approximately 4,900 feet from the approach end of Runway 31, and is approximately 1,400 northeast of the final approach course to that runway.

Please consider the following information when you evaluate the proposed subdivision:

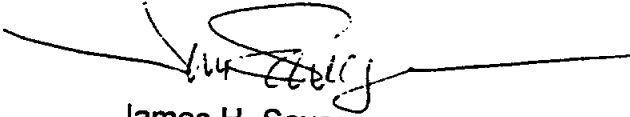
- Our normal flight patterns have jets, and other aircraft flying under instrument flight rules that are departing Runway 31 turn westerly – away from Planterra Ridge. In contrast, those departing Runway 13, fly straight ahead, or when required by air traffic control, turn easterly, which could cause them to regularly fly over the proposed subdivision.
- Departures from Runway 13, flying under visual flight rules normally turn to the southwest, which is away from the proposed subdivision. However, in the summer months, southerly winds and high temperatures could cause departing aircraft to drift over the proposed subdivision before the aircraft reaches an altitude of 400 feet and it begins its turn to the southwest.
- As noted before, the proposed subdivision is very close to the final approach course for Runway 31. Aircraft, including jets, will routinely pass just to the west of the proposed subdivision at approximately 600 feet above the ground. These planes will be in a landing configuration which can be particularly loud.
- Our master plan includes the installation of a more sophisticated precision approach system that could increase the amount of air traffic to Runway 31 during periods of bad weather.

Peachtree City-Falcon Field Airport currently has 165 based aircraft and our master plan forecasts that we will have over 300 based aircraft by 2020. We want to be a good neighbor in the community. To achieve this, we must ensure that development in the vicinity of the airport is compatible with airport operations. Any hindrance or curtailing of our operation could adversely affect our ability to maintain economic viability and to achieve our goal of self-sufficiency.

We request that you consider our concerns when reviewing the rezoning request for this proposed subdivision. If this property is rezoned for residential use, it is imperative that as a condition of that rezoning, the deed covenants to the rezoned property have notification of its proximity to the airport and the noise associated with the location. The notification should also address the anticipated increase in noise as the airport continues to grow. If the property is rezoned, the Airport Authority would like to be involved in developing the information to be included in the deed covenants.

Thanks for your help with this issue. Please give me a call if you need additional information.

Sincerely,



James H. Savage
Airport Manager

cc: Mayor and City Council, Peachtree City Airport Authority

TYRONE

**PLEASE FOLLOW NOISE
ABATEMENT PROCEDURES
AND AVOID LOW FLIGHT
OVER POPULATED AREAS.**

SHOAL CREEK

WHITE OAK

PEACHTREE CITY

INMAN

WOOLSEY

SHARPSBURG

TURIN

STARRS RIVER

SENODIA

BROOKS

OPERATING RULES - ALL AIRCRAFT

AVOID LOW FLIGHT OVER POPULATED AREAS.

TRAFFIC PATTERN ALTITUDE - 1800' MSL

RUNWAY 13 - RIGHT HAND TRAFFIC ONLY

RUNWAY 31- LEFT HAND TRAFFIC ONLY

VFR NOISE ABATEMENT PROCEDURES - TURBOJET & LARGE AIRCRAFT

RUNWAY 13 - FLY RUNWAY HEADING UNTIL 3,000' MSL, BEFORE TURNING ON COURSE.

RUNWAY 31- FLY HEADING 270° UNTIL 3,000' MSL, BEFORE TURNING ON COURSE.

IFR NOISE ABATEMENT PROCEDURES - ALL AIRCRAFT

ENTER CONTROLLED AIRSPACE ON HEADING ASSIGNED BY ATC.

RECOMMENDED NOISE TRACTS

POPULATED AREAS

TRAFFIC PATTERN AREA

Scale: 1 inch = 1 statute mile



FALCON FIELD FLIGHT PATTERNS

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

FROM: City Planner/ Zoning Administrator *David*

VIA: City Manager *Bernard G. Muller*
Developmental Services Director *WMS*

DATE: November 13, 2003

SUBJECT: Amendment to Section 1504, Public Hearings
November 20, 2003 City Council Agenda

Recommendation:

Staff recommends that the attached amendment to the existing zoning ordinance pertaining to Public Hearings procedures be adopted.

Discussion:

Section 1504 of the City's Zoning Ordinance outlines procedures for conducting public hearings for appeals, variances and amendments to the existing zoning ordinance. This section currently refers to chapter 2 of the Code of Ordinances, which contains a provision pertaining to City Council meeting procedures and rules.

Throughout the years, Chapter 2 has been revised and the paragraph numbering has changed. In an effort to ensure Section 1504 of the Zoning Ordinance correlates with the current language within Chapter 2 of the Code of Ordinances, it is necessary to amend the existing language in Section 1504 as identified on the attached document. Staff considers this amendment routine housekeeping of our Zoning Ordinance.

Budget Impact:

There are no budget implications associated with this request other than codification of the new ordinance.

Attachment

Ordinance Number _____

**AN ORDINANCE TO AMEND ARTICLE XV, SECTION 1504,
OF THE PEACHTREE CITY ZONING ORDINANCE
RELATIVE TO PUBLIC HEARING PROCEDURES
TO PROVIDE FOR CLARIFICATION AND CONSISTENCY,
AND FOR OTHER PURPOSES**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that Section 1504 relating to public hearings be amended as follows:

Section 1504. Public Hearings

All public hearings required by this ordinance in article XII, [relating to] appeals, and article XIII, [relating to] amendments, shall be conducted in accordance with the procedures specified in chapter 2 of the Code of Ordinances of Peachtree City, Georgia, section 2-38.

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

Done, Ratified, and Passed this _____ day of _____ 2003.

Stephen D. Brown, Mayor

Attest: _____
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

FROM: City Planner/ Zoning Administrator *Dana*

VIA: City Manager *Benjamin M. Muth*
Developmental Services Director *cws*

DATE: December 10, 2003

SUBJECT: Amendment to Section 1304, Hearings, City Council
December 18, 2003 City Council Agenda

Recommendation:

Staff recommends that the attached amendment to the existing zoning ordinance pertaining to City Council Public Hearing procedures be adopted.

Discussion:

Section 1304 of the City's Zoning Ordinance identifies the protocol for presenting rezoning requests in a public hearing at City Council meetings. This section outlines specific notification requirements which must be followed, which include placing a legal ad in the City's legal organ at least 15 days prior to the scheduled public hearing and placing a sign on the property displaying the hearing date, present zoning classification and proposed zoning classification.

In addition, this section states "a copy of the notice shall be sent by certified mail to all owners of property adjacent to the property considered for rezoning, and a copy of the notice shall also be sent by first class mail to all owners of property located within 200 feet of the property to be considered for rezoning."

Section 36-66-4 of the Zoning Procedures Law (Attachment "A"), which was adopted as a part of the Official Code of Georgia on December 31, 1998, requires placement of a legal ad and posting a sign on the subject parcel as the minimum standards for notification of a pending zoning decision. Local jurisdictions must adhere to these minimum requirements and can augment them with additional stipulations if deemed necessary.

Staff has found that the process for preparing, processing and sending certified mailings has become very costly and time-consuming. A significant amount of these letters are routinely returned to the City as undeliverable or are not picked up by the addressee, which negates the benefit of requiring notification by certified mail.

Amendment to Section 1304, Hearings, City Council

December 10, 2003

Page 2

The attached amendment to this section of the zoning ordinance removes the requirement to notify property owners by certified mail. Instead, all property owners adjoining the parcel and all property owners within 200 feet of the property boundary of the parcel being considered for rezoning would be notified by first class mail, which still exceeds the minimum standards as adopted by the Zoning Procedures Law.

Budget Impact:

Budget impacts associated with this amendment are positive in nature and will significantly reduce Staff time and mailing costs for certified mail for rezoning requests.

Attachment

**AN ORDINANCE TO AMEND ARTICLE XIII, SECTION 1304,
OF THE PEACHTREE CITY ZONING ORDINANCE
SPECIFICALLY TO MODIFY NOTIFICATION REQUIREMENTS,
AND FOR OTHER PURPOSES**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that Section 1304(1)(a) relating to notification requirements for public hearings be amended as follows:

Section 1304. Hearings, city council.

(1) Public hearing.

- (a) Upon receiving a recommendation from the planning commission and before enacting an amendment to this ordinance, the city council shall hold a public hearing thereon, at least 15 days but not more than 45 days' notice of the time, place and purpose of which shall be published in the newspaper of general circulation which serves as the legal organ for the City of Peachtree City.

The notice shall include the location, present zoning classification, and proposed zoning classification of the property. A sign displaying the hearing date, present zoning classification, and proposed zoning classification shall be placed in a conspicuous location on the property not less than 15 days prior to the hearing date. In addition, at least 15 days prior to the holding of a public hearing under this section, a copy of the notice shall be sent by ~~certified~~ first class mail to all owners of property adjacent to the property considered for rezoning and ~~a copy of the notice shall also be sent by first class mail~~ to all owners of property located within 200 feet of the property to be considered for rezoning. Property ownership shall be ownership as shown by the Fayette County Tax Digest for the year in which the zoning application is considered, and the city officials have no duty to inquire into ownership beyond that shown on said tax digest. As used in this section, the phrase "owners of adjacent property" means any owner of property that physically touches the property considered for rezoning.

Amendment to Section 1304

Page Two

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

Done, Ratified, and Passed this _____ day of _____ 2003.

Stephen D. Brown, Mayor

Attest:

City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

FROM: City Planner/ Zoning Administrator 

VIA: City Manager 
Developmental Services Director

DATE: December 10, 2003

SUBJECT: Amendment to Section 1005. LC Limited Commercial District
December 18, 2003 City Council Agenda

Recommendation:

Staff recommends that the attached amendment to the existing LC Limited Commercial and GC General Commercial zoning ordinances pertaining to establishments that sell gasoline be adopted.

Discussion:

City Staff and the Planning Commission have been working on an amendment to the existing zoning ordinance that would enhance the current guidelines pertaining to the installation of gasoline stations and the sale of gasoline at existing or proposed retail establishments. There has been an increase in this type of development in other communities, and we felt it was important to implement stringent guidelines as to how this type of development would be reviewed in Peachtree City.

Automobile service stations are permitted as a conditional use within the LC Limited Commercial and GC General Commercial zoning ordinance. Staff has prepared an amendment to Section 1005.3 Conditional Uses of the LC Limited Use zoning ordinance (Attachment "A"), which removes the existing criteria for evaluating gasoline service stations and replaces this with criteria for reviewing "*automobile service stations, grocery stores and convenience stores with gasoline sales, and other business establishments that sell pump gas.*"

It should be noted that this amendment does not restrict this type of development from occurring within the City; it merely addresses specific criteria that must be met in order for these types of developments to proceed through the site plan review process. This amendment has been discussed in a workshop format and at a Public Hearing with the Planning Commission (Attachment "B"), where it was unanimously adopted and recommended for approval by City Council.

Amendment to Section 1005. LC Limited Commercial District

December 10, 2003

Page 2

It should also be noted this amendment would be applicable to property within the GC General Commercial zoning district as well. Section 1006.3(b) Conditional Uses permits "All conditional uses permitted in subsection (1005.3) for LC zoning districts, subject to the same conditions."

Budget Impact:

There are no budget impacts associated with this request other than costs for codification.

Attachment

**AN ORDINANCE TO AMEND ARTICLE X, SECTION 1005,
OF THE PEACHTREE CITY ZONING ORDINANCE
TO ENACT GUIDELINES FOR THE REVIEW OF
RETAIL ESTABLISHMENTS THAT SELL PUMP GASOLINE,
AND FOR OTHER PURPOSES**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that Section 1005.3(b) relating to retail establishments that sell gasoline be amended as follows:

Section 1005 . LC Limited commercial district

(1005.3) *Conditional uses:* The following uses shall be permitted within any LC zoning district on a conditional basis:

~~(b) Automobile service station on the following conditions:~~

~~(1) The zoning lot is not less than 40,000 square feet in area.~~

~~(2) All pumps and service facilities are set back at least 20 feet from the street right-of-way and at least 30 feet from the property line of any adjoining residential zoning lot.~~

(b) Automobile service stations, grocery stores and convenience stores with gasoline sales and other business establishments that sell pump gas on the following conditions:

(1) The zoning lot is not less than 40,000 square feet in area.

(2) The building and/ or gasoline canopy meets applicable building setbacks.

(3) The site is designed with appropriate buffering from the adjoining road right-of way, back of curb or parking lot.

(4) The Stormwater Management Plan is prepared in accordance with the City's Post Construction Stormwater Management Ordinance.

(5) The building materials and exterior color scheme are compatible with existing or proposed structures on the property. Elevations of the proposed structures, including material and color selections, must be submitted as a part of the conceptual site plan review process.

(6) The design of the canopy over the gasoline pumps includes a pitched roof at a minimum pitch of 4:1 as opposed to a flat roof.

(7) A complete site lighting plan, including all lighting proposed within the parking lot, on the exterior of the building and underneath the gasoline canopy is submitted as a part of the conceptual site plan review process. This submittal must include a photometric study identifying how the lighting

on this site will impact the adjoining properties. Standard wall pack lighting will not be permitted on the zoning lot.

- (8) The lighting underneath canopies for service stations, ATM's or similar uses is restricted to no more than two 320-watt recessed lighting fixtures (including lenses) mounted flush with the bottom of the canopy on each side of a gasoline pump island or other design that meets the standards of this ordinance.
- (9) Lighting for canopies for service stations and other similar uses does not exceed an average of 12 fc as measured at the ground level at the inside of the outside edge of the canopy.
- (10) A complete sign program, including all signage proposed on the building, gasoline canopy, fuel pumps, etc. is submitted for review as a part of the conceptual site plan review process.
- (11) All exterior mechanical units (air handlers, gas meters, etc.) and trash pick-up areas are screened by a low wall, which is constructed of similar materials to those used for the building. Landscaping should also be utilized to screen these walls where applicable. If mechanical units are mounted on the roof, the panels used to screen this equipment must be designed in a manner to completely screen these units from view.
- (12) Landscaping is used to buffer views into the development from the adjoining properties and is designed to the same standard as a new development located on an undeveloped outparcel.
- (13) Timers are placed on all vacuums, tire pumps and other equipment so that they are not operational between the hours of 11:00PM and 6:00AM.
- (14) Written certification from the property owner is provided to the City stating that all underground storage tanks will be removed from the property and the property restored to its original condition within 90 days should the sale of gasoline be abandoned or terminated.

**UNAPPROVED EXCERPT OF MINUTES
OF PLANNING COMMISSION MEETING OF 11/24/03**

PH-03-06 Policy/Ordinance Regarding Gas Stations on Outparcels.

Mr. Rast stated that this item had also been discussed in the past. Staff's proposal was to enhance the existing regulations within the City's Zoning Ordinance pertaining to the installation of gasoline stations and the sale of gasoline at existing or proposed retail establishments. This type of development had increased in other communities, and Staff felt it was important to implement stringent guidelines as to how this type of development would be reviewed in Peachtree City. He added that Staff felt the fueling centers were a more intensive use than ATM's and should be located on a recorded out-parcel rather than a portion of a parking lot. It was felt that aesthetics and traffic circulation were also important considerations.

Mr. Rast stated that automobile service stations were permitted as a conditional use within the LC Limited Commercial and GC General Commercial zoning ordinance. The proposed amendment to Section 1005.3, Conditional Uses of the LC Limited Commercial zoning ordinance removed the existing criteria for evaluating gasoline service stations and replaced it with criteria for reviewing *"automobile service stations and grocery stores and convenience stores with gasoline sales."* He noted that the amendment did not restrict this type of development from occurring within the City, it merely addressed specific criteria that must be met in order for these types of developments to proceed through the site plan review process.

No one else spoke in favor of or in opposition to the proposed recommendation.

It was noted that the proposed restrictions would apply to new service stations as well as existing developments and that the limitations of the Outside Display Ordinance would also be applicable. Mr. Rast added that any subdivision of property would have to be approved by the Planning Commission.

The Commissioners thought the language in the ordinance should be more specific. Mr. Rast suggested the City Attorney look at the ordinance to ensure the Commission's concerns were addressed.

Mr. Mullin wondered if these fueling centers could be restricted altogether as he felt they were a safety hazard.

Mr. Rast pointed out that this would modify the LC Limited Commercial and GC General Commercial zoning districts but did not affect the LI Limited Industrial or GI General Industrial zoning districts. He thought they should also consider taking action that would affect the industrial park.

After discussion, a motion was made by Mr. Saunders to modify the phrase "*automobile service stations and grocery stores and convenience stores with gasoline sales*" to include "*other business establishments that sell pump gas.*" The proposed amendment to Section 1005.3 would then be forwarded to City Council with a recommendation for approval. The motion was seconded by Mr. Green and unanimously adopted.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager
Developmental Services Director *David*

FROM: City Planner/ Zoning Administrator

DATE: December 11, 2003

SUBJECT: Proposed Variance: Deters residence – 330 North Peachtree Parkway
December 18, 2003 City Council Agenda

Mr. Deters has requested that discussion on this variance request be continued until the January 15 Council meeting. It is our understanding Mr. Deters is preparing a survey of the property to include with his presentation to City Council.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

FROM: City Planner/ Zoning Administrator *David*

VIA: City Manager *[Signature]*
Developmental Services Director *ew*

DATE: December 11, 2003

SUBJECT: Amendment to Section 1304 (c). Hearings, City Council
December 18, 2003 City Council Agenda

Recommendation:

Staff recommends that the attached amendment to the existing zoning ordinance pertaining to City Council Public Hearing procedures be adopted.

Discussion:

Section 1304 of the City's Zoning Ordinance identifies specific Public Hearing procedures that city council must follow when considering amendments to the Zoning Ordinance. Specifically, Section 1304 (c) addresses who may appear before city council to present an application before enacting an amendment to this ordinance. This section currently states "*At a hearing before the city council, any party may appear in person or be represented by an agent or an attorney.*"

Although not common, there have been occasions where public hearings have been scheduled, legal ads have been placed, adjoining property owners have been notified, residents appear to speak in favor of or opposed to the proposed amendment, and the applicant or his representative fails to appear at the scheduled council meeting. When this happens, Council has had no choice but to continue the public hearing until another meeting.

The last time this situation arose, Councilman Weed requested that City Staff prepare language that could be added to the existing public hearing procedures that would give Council the option of taking action on the proposed amendment or continuing the hearing to another meeting. The proposed amendment also includes language requiring the Applicant to pay for additional costs associated with advertising the public hearing at a future meeting.

Staff presented this amendment to the Planning Commission at their meeting on December 8, and they recommended that it be approved. This amendment allows Council to take action on an application if the Applicant fails to appear or continue the hearing to a subsequent meeting. The amendment also stipulates that the Applicant would be responsible for all costs incurred to re-advertise the new public hearing.

Budget Impact:

The proposed amendment would reduce costs associated with re-advertising a Public Hearing.

Attachment

Ordinance Number _____

**AN ORDINANCE TO AMEND ARTICLE XIII, SECTION 1304,
OF THE PEACHTREE CITY ZONING ORDINANCE
TO ADD LANGUAGE SHOULD AN APPLICANT FAIL TO APPEAR,
AND FOR OTHER PURPOSES**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that Section 1304(1)(c) relating to notification requirements for public hearings be amended as follows:

Section 1304. Hearings, city council.

(1) Public hearing.

- (c) At a hearing before the city council, any party may appear in person or be represented by an agent or an attorney. Should the applicant or a representative of the applicant fail to appear at the public hearing, the council may take action on the proposed amendment or may continue the public hearing to another date. Should the applicant or a representative of the applicant fail to appear at a public hearing and the amendment be continued to another meeting, the applicant shall be responsible for any costs associated with re-advertising the notice of the public hearing.

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

Done, Ratified, and Passed this _____ day of _____ 2003.

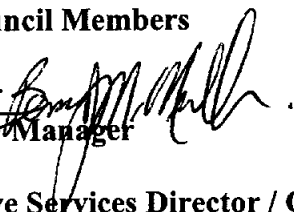
Stephen D. Brown, Mayor

Attest: _____
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
Assistant City Manager

FROM: Administrative Services Director / City Clerk 

DATE: December 12, 2003

SUBJECT: Employee Dental Insurance
December 18, 2003 Council Agenda

Recommendation:

Approve employee dental insurance coverage with Companion Insurance Company at a rate of \$23.78 for employee coverage and \$70.49 for employee/family coverage.

Discussion:

The City has had dental coverage with Ameritas for the past year. At renewal, Ameritas increased their rates by 31%. Staff requested that our insurance broker, Dave Knight, shop the market for a more reasonable rate. Attached is a spreadsheet with quotes for employee dental and employee/family dental coverage from nine companies that responded. The best rates were from Companion Insurance Company that quoted \$23.78 for employee coverage and \$70.49 for employee/family coverage. This is an increase of \$2.46 per month for employee coverage and \$5.37 per month for employee/family coverage from the current rates but is a significant savings from the renewal rates proposed by Ameritas. As you will note, Companion offers a \$100 lifetime deductible instead of a \$50 per year deductible and a \$1,500 annual maximum instead of a \$1,000 annual maximum. These are both enhancements in coverage. This coverage does not include adult orthodontia that is currently offered but does offer a significant increase in the annual maximum paid for other dental expenses. There were no adult orthodontia claims filed this past year. Companion is an A+ rated company and is part of the Blue Cross/Blue Shield family of companies.

Budget Impact:

Staff recommends that the City continue to fund dental insurance at the current rate of \$21.32 per month and that the employees be responsible for all premium costs above that amount.

Attachment

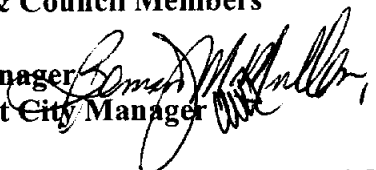
DENTAL QUOTES

	CURRENT	RENEWAL	COMPANION	COMPANION	METLIFE	FORTIS	MUTUAL of OMAHA	GUARDIAN	JEFFERSON PILOT	DELTA DENTAL	GE FINANCIAL
	AMERITAS	AMERITAS									
DENTAL:			Lifetime Ded.								
Deductible:	\$50	\$50	\$100	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50
Preventive	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Basic	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%
Major	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
Annual Maximum	\$1,000	\$1,000	\$1,500	\$1,500	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000
Ortho. Maximum	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000
			(No Adult Ortho)	(No Adult Ortho)							
PREMIUMS:											
Employee Only	\$21.32	\$27.92	\$23.78	\$25.45	\$26.45	\$26.83	\$27.92	\$28.78	\$30.15	\$30.27	\$30.66
Family	\$65.12	\$85.28	\$70.49	\$77.08	\$80.77	\$82.77	\$85.28	\$87.91	\$83.75	\$92.47	\$85.09

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
Assistant City Manager 

FROM: Administrative Services Director / City Clerk 

DATE: December 9, 2003

SUBJECT: Appointment of Municipal Court Judge
December 18, 2003 Council Agenda

Recommendation:

Appoint Eric K. Maxwell as Municipal Court Judge.

Discussion:

Staff prepared a Request for Proposal for Municipal Court Judge. Five attorneys responded to the RFP (see attached). As you will note, the salary requirements ranged from \$36,000 per year to \$62,500 per year. Staff is recommending Eric Maxwell who is our current Judge Pro Hac Vice. His quote is \$37,500 per year based on the past twelve months experience. Staff recommends Judge Maxwell because he currently works with our court and police personnel and the court solicitor and knows the operational procedures of our court. Judge Maxwell has served as Judge Pro Hac Vice with a high level of competency and staff is confident he will do a good job for the City.

As you know, Mitch Powell has served as our Municipal Court Judge since 1992. Judge Powell has done an excellent job as our judge for these many years and has made significant improvements to our court. While staff has always been extremely pleased with Judge Powell, his quote of \$62,500 is more than the City can afford, and therefore, he is not being recommended for reappointment. Cost is the only factor in this decision.

Once Council appoints the Municipal Court Judge, staff will prepare a RFP for Judge Pro Hac Vice. This position fills in as judge in municipal court as needed and also provides required hearings for City prisoners who are incarcerated at the Fayette County Jail.

Budget Impact:

The cost is estimated at \$37,500. There is currently \$42,525 budgeted in the FY 04 budget.

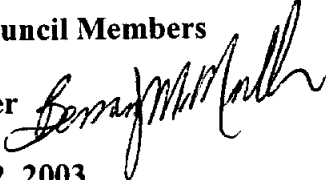
Attachment

CITY OF PEACHTREE CITY
MUNICIPAL COURT JUDGE
PROPOSALS - NOVEMBER 7, 2003

	PROPOSAL SALARY REQUIREMENTS	ANNUAL COURT COSTS 50 WEEKS ESTIMATED
Eric K. Maxwell, P.C. 135 Brandwine Blvd. Suite C Fayetteville, GA 30214	\$95.00/hour - normal business hours \$125/hour - after hours	\$37,500
Carlton H. Jones, III Collins & Jones, LLC 7 West Broad Street Fairburn, GA 30213	\$3,400/month	\$40,800
A. Mitchell Powell, Jr. Glover & Davis, P.A. 10 Brown Street P.O. Drawer 1038 Newnan, GA 30264	\$1,250/court session	\$62,500
Stephen M. Kiser 300 Prime Point Suite 100 Peachtree City, GA 30269	\$130/hour or \$54,040/annually	\$52,000
Sharon I. Pierce, P.C. 110 Haversham Drive Suite 151 Fayetteville, GA 30214	\$3,000/month \$36,000/annually	\$36,000

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members
FROM: City Manager 
DATE: December 12, 2003
SUBJECT: Holiday Pay for Full Time Amphitheater and Tennis Center Employees
December 18, 2003 Council Agenda

Recommendation:

Approve paying eight hours of holiday time for Christmas Day, eight hours for December 26 and eight hours of holiday pay for New Year's Day to all full time Amphitheater and Tennis Center employees.

Discussion:

As you know, the City has hired the employees of the Amphitheater and Tennis Center as temporary City employees. The question of holiday pay has been raised. The City's personnel policy indicates that regular employees receive holiday pay. Since these employees are temporary employees, the personnel policy does not authorize holiday pay for them. In an effort to be fair, staff is recommending that all full time temporary employees of these two venues be paid for two days of holiday pay. Part time and independent contractors will not receive holiday pay.

Budget Impact:

The cost to pay the seven full time employees for three days of holiday pay would be \$2,579.46. The expense can be covered in the \$45,000 authorized on November 30, 2003, by Council.