

City Council of Peachtree City
Agenda
December 3, 2009
7:00 p.m.

- I. Call to Order
- II. Pledge of Allegiance
- III. Announcements, Awards, Special Recognition
- IV. Public Comment
- V. Agenda Changes
- VI. Minutes
November 19, 2009, Regular Meeting Minutes
- VII. Monthly Reports
- VIII. Consent Agenda
 - 1. Consider Approval of the Revised City Emergency Operation's Plan (Disaster Plan)
 - 2. Consider Amendment to Sec. 2-336 Commission, Authority and Association
Appointments, Attendance
 - 3. Consider Intergovernmental Agreement with PCAA and Fayette County Commissioners
for Funding of Dam Access Road
- IX. Old Agenda Items
 - 11-09-11 Public Hearing – Consider Amendment to Development Impact Fee
Ordinance Establishing Criteria for Exemptions (2nd public hearing)
- X. New Agenda Items
 - 12-09-01 Public Hearing – Consider Annexation Request, Southern Pines
 - 12-09-02 Public Hearing – Consider Zoning, Southern Pines
 - 12-09-03 Public Hearing – Consider Sale/Lease Back of Weber Station 83 &
Satterthwaite Station 84 – Collateral for Bricks & Mortar Loan
 - 12-09-04 Consider Bricks & Mortar Loan Agreement
 - 12-09-05 Citizen Request to Address Council Concerning Ban or Limitation on
Outdoor Burning
 - 12-09-06 Consider Equipment Lease Agreement
 - 12-09-07 Consider Bids – Ford Crown Vics (6), Ford Explorers (3), and Aftermarket
Accessories
 - 12-09-08 Consider Raising the Volunteer Firefighter Stipend Program's Annual Cap
- XI. Council/Staff Topics
Review of 2005 SPLOST Projects
- XII. 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 Meeting
November 19, 2009
7:00 p.m.

The City Council of Peachtree City met Thursday, November 19, 2009, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Council Members present: Steve Boone, Cyndi Plunkett, and Doug Sturbaum.

Announcements, Awards, Special Recognition

Logsdon recognized Peachtree City Building Official Tom Carty for 15 years of service with the City.

Public Comment

There was none.

Agenda Changes

There were none.

Minutes

Plunkett moved to approve the minutes from the November 5, 2009, regular meeting as amended. Sturbaum seconded. Motion carried unanimously.

Consent Agenda

1. Alcohol License – NEW – Martini's
2. Qualifying Location Permit – NEW – Martini's
3. Consider Bid for Self Contained Breathing Apparatus (SCBA)
4. Consider 2010 Grassroots Arts Program Grant for the Amphitheater
5. Consider Budget Amendments for FY 2009
6. Consider Budget Amendments for FY 2010
7. Consider Surplus of Obsolete Technology Equipment
8. Consider Appointment of Alternate to Peachtree City Airport Authority – Bill Rial

Logsdon noted there were two additional items on the dais for Council review. Plunkett moved to approve the Consent Agenda items 1 – 7. Sturbaum seconded. Motion carried unanimously.

Logsdon said item 8 was the consideration of appointment of the alternate, Bill Rial, to assume a vacant seat on the Airport Authority. The ordinance on appointing authority members had been amended earlier in the year, but a sentence was left in that changed the intent. Following the letter of the current ordinance, Rial would be appointed effective immediately to serve through December 31, 2009, and he would need to reapply for the full remaining term. Logsdon said he would entertain a motion toward that end, adding that the problem with the ordinance would be on the December 3 agenda. Boone made the motion. Sturbaum seconded. Motion carried unanimously. Plunkett asked staff to ensure that Rial knew the deadline to apply was December 1.

Old Agenda Items

There were none.

New Agenda Items

11-09-11 Public Hearing – Consider Amendment to Development Impact Fee Ordinance Establishing Criteria for Exemptions.

Interim Community Development Director/City Planner David Rast explained that this was the first of two public hearings to amend the impact fee ordinance. Council had recently amended the ordinance, including language that would allow for exemptions to the impact fees. Staff felt some additional guidelines were needed and had originally drafted language to apply to office and industrial uses. When the Impact Fee Advisory Committee met, the members felt there should also be some consideration for character areas targeted for redevelopment within the Comprehensive Plan.

Rast continued that the amendment included use, investment, annual economic impact, and job creation as evaluation criteria in granting an exemption. The applicant would provide the information to Rast, who would send the application for exemption through any affected commissions and authorities for input and recommendation, and then bring it to Council for the ultimate decision on the exemption. Within that process, staff would be making a recommendation on the level of exemption and the corresponding impact on the City's budget.

Another addition by the Committee was language releasing Council from obligation to grant an exemption, and if an exemption was granted, it would not set a precedent for future projects. Rast said a couple of members of the committee had forwarded additional language that day that clarified there was no obligation to grant an exemption for a project similar to one that had previously been granted an exemption.

Rast asked for Council input on the second issue, which was the routing through the relevant Commissions or Authorities. Staff felt it should be reviewed at the staff level first and then routed. The Development Authority chairman was suggesting applications come through the Development Authority

Plunkett asked when the impact on Police and Fire would be evaluated. City Manager Bernard McMullen said that would be part of the staff-level review.

Mark Hollums, chairman of the Development Authority of Peachtree City (DAPC), clarified that the Impact Fee Committee had felt one agency should have oversight of the applications. Rast said his recollection of the meeting revolved around whether applications should go to the DAPC or to staff first and then be routed. Council felt that not all projects would need to go through other agency evaluation and that routing applications through the DAPC might be too cumbersome a process. Hollums said they were not suggesting all applications go through the DAPC, but felt that having the applications go through one of the citizen boards would help depoliticize the process and allow for a public vetting of the request.

City Attorney Ted Meeker clarified that all the language in front of Council was new, and the bolded items were language added by the committee. McMullen also pointed out there was an additional document on the dais. Logsdon noted that there was an e-mail from one of the Impact Fee Committee members.

Beth Pullias supported the changes, saying she served on the Impact Fee Committee, and she was under the same impression that Rast had been that all requests would ultimately, after other agency and staff input, would route through the DAPC for the final recommendation to Council. Pullias said that would keep all the public reaction from falling on staff's shoulders.

Hearing no other comments, Logsdon closed the public hearing.

Sturbaum clarified that, once an application went through the commissions and staff, it would go through the DAPC and then back to staff before coming to Council. Logsdon was concerned there were too many steps in the process. He said, after staff review, it would go to the respective commissions and authorities for comment, and then come back to staff for presentation to Council. Boone agreed, asking why it would need to go through another agency. Hollums said it would provide a public vetting process.

Logsdon asked how the public would not have an opportunity to give input if the application was discussed at public meetings by multiple agencies, then came to Council in a public meeting. Plunkett said, if staff felt the application did not need to go to any of the other agencies, it should at least go to the DAPC for discussion and evaluation. Council agreed the language could be tweaked to ensure that happened.

Logsdon asked if changing the ordinance would require an additional public hearing. Meeker said no, this was part of the process, and McMullen added staff would bring the revised language to the next meeting.

11-09-12 Public Hearing – Consider rezoning of several tracts of land within Kedron Village to OS-P Open Space-Public and to OS-C Open Space-Conservation

Logsdon noted staff had requested that this item be continued indefinitely. Plunkett moved to continue the item indefinitely. Sturbaum seconded. Motion carried unanimously. Plunkett said it made sense to tie this issue into the cell phone tower discussion as staff moved forward with that issue.

11-09-13 Consider RFP for Probation Services

Plunkett moved to approve the contract with Providence Community Corrections for probation services. Sturbaum seconded. Administrative Services Director Nikki Vrana introduced the staff of Providence. Motion carried unanimously.

11-09-14 Consider RFP for Municipal Court Judge

Vrana introduced Judge Stephen Ott, who had been serving and was being reappointed as the City's Municipal Court judge. Plunkett moved to approve the contract with Stephen Ott. Boone seconded. Motion carried unanimously.

11-09-15 Consider Oxygen Fill Station Purchase Bid

Assistant Fire Chief Dave Williamson said this item had come in \$3,248 over budget. He explained the equipment would allow the City to provide its own medical grade oxygen. The bid total submitted by B&T Enterprises was \$26,284, including the compressor and installation

(\$17,385), the fill station (\$5,790), "D" size aluminum cylinders (30 for \$1,609), and "M" size steel cylinders (eight for \$1,500). The City currently spent \$6,500 per year on this, so the investment would be paid back in a little less than four years. Williamson added that oxygen supplies had run very short following Hurricane Katrina since many of the companies that provided medical grade oxygen were located in the Gulf Coast area. Approximately 100 City residents were on oxygen, and the only generator in the County was at an assisted living facility in Fayetteville. The investment would save the City money in the long run and would be of great benefit to residents during emergencies.

Plunkett asked what the life expectancy of the equipment was. Williamson said 10-12 years on the compressor. Logsdon asked if Peachtree City Fire and EMS were the only ones who would use the equipment and how residents would benefit. Williamson explained that, in the event of a prolonged power outage, the City had assisted residents on oxygen in the past. Plunkett asked if that was a free service. Williamson and McMullen clarified it was only during emergencies, and that the residents on oxygen purchased their supplies from a service on a regular basis. Williamson continued that the City was currently paying \$450 each month to rent oxygen cylinders. That expense would be saved if the City owned the cylinders and filled them in-house.

Plunkett asked if this was the least expensive bid. Williamson said the bid was sent to three potential bidders and posted on the web site, but only one bid was returned. Plunkett asked what the annual maintenance agreement would be, and Williamson said after the first year, when the service agreement was not needed, he expected it to be about \$600 per year. Williamson noted that the SCBA equipment on the Consent Agenda had come in \$21,000 under budget, while this item had come in \$3,248 over budget. Approximately \$18,000 would be left in the budget. McMullen added that staff had looked at this purchase now due to the four-year payback, after which the City would be saving over \$5,000 per year.

Sturbaum moved to approve the oxygen fill station purchase in the amount of \$26,204. Boone seconded. Motion carried unanimously.

11-09-16 Certify Election Results

City Clerk Betsy Tyler presented the results of the November 3, 2009, General Election for Mayor, City Council Post 3, and City Council Post 4, and the Special Election for City Council Post 1:

Mayor

Don Haddix – 2,727 (45.19%)
Cyndi Plunkett – 1,752 (29.04%)
Scott Rowland – 1,544 (25.59%)
Write-in Votes - 11 (0.18%)

City Council Post 3

Stephen W. Boone – 1,043 (18.18%)
Kim Learnard – 2,757 (48.06%)
Robert Walsh – 1,920 (33.47%)
Write-in Votes – 17 (0.30%)

City Council Post 4

Les Dyer – 2,337 (41.74%)
Vanessa Fleisch – 3,246 (57.97%)
Write-in Votes – 16 (0.29%)

Special Election – City Council Post 1

Shelby Barker – 1,055 (18.92%)
David Craig – 978 (17.54%)
Eric Imker – 1,498 (26.86%)
Beth Pullias – 1,595 (28.60%)
Dar Thompson – 440 (7.89%)
Write-in Votes – 11 (0.20%)

Sturbaum moved to certify the election results. Plunkett seconded. Motion carried unanimously.

11-09-17 Consider Reallocation of Budgeted Funds for Online Training Software

Assistant Fire Chief Joe O'Connor said staff was asking to reallocate funds from the current training budget to pay for online training software. The online option was more accessible to the combined career and volunteer department, and the pilot program had increased training hours in the department. The funding was available from a conference the department would not be attending and by conducting dive team training locally.

Sturbaum moved to approve the reallocation of budget funding for online training software in the amount of \$11,262.25. Plunkett seconded. Motion carried unanimously. Plunkett thanked the department for finding the funds within the existing budget.

Council/Staff Topics

Plunkett asked about the status of the CSX bridge path connections. McMullen said the Notice to Proceed had been issued by the Georgia Department of Transportation that day. Construction would begin on November 30 and was scheduled to be completed by February 2.

Plunkett asked that, at the next meeting, staff give a brief update on remaining Special Purpose Local Option Sales Tax (SPLOST) funds and projects. McMullen said staff was working on having an overall presentation for the Spring City Council Retreat, with discussion on how the remaining funds could be allocated to maintain existing infrastructure versus building new infrastructure. An overview would be presented at the December 3 meeting.

Plunkett introduced resident Caren Russell, who had been diligently trying to get Fresh Market to reconsider locating in the former "baby" Kroger site at Peachtree Crossing Shopping Center. She asked Tyler to send out a notice to residents to e-mail Russell's contacts at Fresh Market to encourage them to come here.

McMullen said the landscaping project for Highway 54 East from Peachtree Parkway to the City limits would begin on November 30 and should be completed by December 21.

Logsdon asked about the status of the Flat Creek bridge. McMullen said the west approach ramp decking was finished, and the project was scheduled to be completed in January.

There being no further business, Plunkett moved to adjourn the meeting. Sturbaum seconded. The motion carried unanimously. The meeting ended at 7:56 p.m.

Betsy Tyler, City Clerk

Harold K. Logsdon, Mayor

2009 City Event Calendar

<u>October</u>	<u>November</u>	<u>December</u>
		12/1 – Election Run-Off 12/3 – City Council Meeting, 7 pm 12/7 – Pearl Harbor Day Ceremony, CAF Dixie Wing Hangar, 11 am 12/5 – Hometown Holiday @ The Fred 12/17 – City Council Meeting, 7 pm 12/24 & 25 – Christmas Holiday, City Offices Closed

2010 City Event Calendar

<u>January</u>	<u>February</u>	<u>March</u>
1/1 – New Year's Day, City Offices Closed 1/5 – Council Workshop (Tentative), 6:30 1/7 – City Council Meeting, 7 pm 1/18 – MLK Holiday, City Offices Closed 1/21 – City Council Meeting, 7 pm	2/2 – Council Workshop (Tentative), 6:30 2/4 – City Council Meeting, 7 pm 2/18 – City Council Meeting, 7 pm	3/2 – Council Workshop (Tentative), 6:30 3/4 – City Council Meeting, 7 pm 3/18 – City Council Meeting, 7 pm
<u>April</u>	<u>May</u>	<u>June</u>
4/1 – City Council Meeting, 7 pm 4/6 – Council Workshop (Tentative), 6:30 4/15 – City Council Meeting, 7 pm	5/4 – Council Workshop (Tentative), 6:30 5/6 – City Council Meeting, 7 pm 5/20 – City Council Meeting, 7 pm 5/31 – Memorial Day (City Offices Closed)	6/1 – Council Workshop (Tentative), 6:30 6/3 – City Council Meeting, 7 pm 6/17 – City Council Meeting, 7 pm
<u>July</u>	<u>August</u>	<u>September</u>
7/1 – City Council Meeting, 7 pm 7/4 – Independence Day (Sunday) – City Celebration Date TBA 7/5 – City Offices Closed for Independence Day 7/6 – Council Workshop (Tentative), 6:30 7/15 – City Council Meeting, 7 pm	8/3 – Council Workshop (Tentative), 6:30 8/5 – City Council Meeting, 7 pm 8/19 – City Council Meeting, 7 pm	9/2 – Council Workshop (Tentative), 6:30 9/6 – Labor Day – City Offices Closed 9/7 – City Council Meeting, 7 pm 9/16 – City Council Meeting, 7 pm

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

Updated 11/25/09

ADMINISTRATIVE SERVICES MONTHLY REPORT

For Month of: October 2009

	<u>September-09</u>	<u>October-09</u>	<u>FY 2010 YTD</u>	<u>FY 2009 YTD</u>
<u>Human Resources</u>				
Workers Compensation Claims Filed	1	3	3	3
City Vehicle / Equipment Accidents	1	1	1	1
Employee Turnover Rate ***	0.844%	0.410%	0.410%	0.377%
Lawsuit Legal Fees	\$1,808.40	\$2,831.40	\$2,831.40	\$3,330.58
*** Of the 8 terminations in FY 2009, 3 were retirements.				

Municipal Court

Fines Collected	\$138,259.71	\$134,678.00	\$134,678.00	\$144,084.00
Online Transactions	126	195	195	203
Citations Closed	502	567	567	589
Community Svc Hrs for KPTCB		659	659	
People on Probation (3)		430	430	
Jail Fund Balance	\$101,922.44	\$93,906.78	\$93,906.78	\$148,624.96

* Approximately 33% of the Municipal Court Fines Collected reflect mandated add-ons that pass through to State and other agencies.

** A positive Jail Fund Balance reflects a credit with the County based on jail fees paid versus number of prisoners housed

Public Information

New Businesses Registered	15	19	19	20
Public Contacts, Questions & Complaints	165	166	166	88

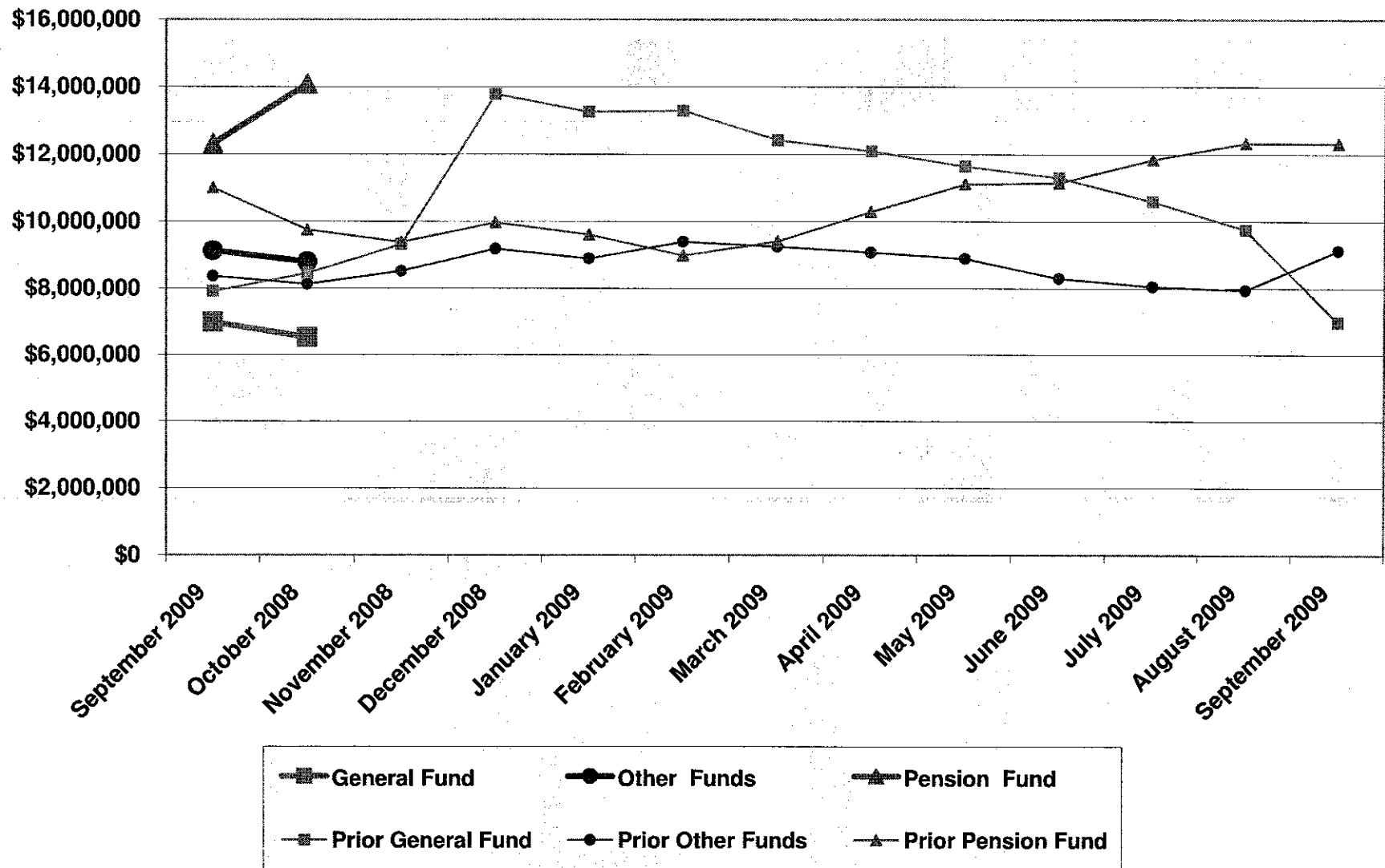
This includes 5 complaints against Comcast Cable Company, 20 garbage complaints, and 1 Open Records/Discovery Request.

PEACHTREE CITY BUILDING DEPARTMENT

FY 2010

	Sep-09	Oct-09	Fiscal Y-T-D 2010	Fiscal Y-T-D 2009
DEVELOPMENT PERMITS:	1	5	5	7
BUILDING PERMITS:				
Single Family Residential	1	8	8	2
Multi-Family Residential	0	0	0	0
Misc.-Pools/fences/additions	88	88	88	48
Commercial/Industrial	4	12	12	12
TOTAL INSPECTIONS:	335	324	324	468
CERTIFICATE OF OCCUPANCY:				
Residential	9	4	4	3
Commercial	9	8	8	1
Multi-Family Residential	0	0	0	146
CODE ENFORCEMENT:				
Sign Violations	107	178	178	317
New Rehab	10	7	7	5
Rehab Inspections	8	43	43	9
Tree Removal Permits	90	83	83	73
Notice of Violations - Construction	0	0	0	1
Notice of Violations-Non-Construction	121	75	75	157
Stop Work Orders	1	2	2	1
Compliance Inspections	181	124	124	236
Founded Complaints	25	5	5	17
Unfounded Complaints	7	1	1	7
Assessments	81	284	284	2
Water Ban Violations	0	0	0	3
Citations	0	1	1	16
Architect Review Board Permit Approval	24	21	21	37
PERMIT FEES COLLECTED:	20,248	20,463	20,463	44,279
POPULATION:	36,727	36,735	36,735	36,610
Based on 2.09 persons per new completed dwelling unit				

**CITY OF PEACHTREE CITY
FISCAL YEAR 2010 (with prior year comparison)
MONTHLY ENDING CASH/INVESTMENT BALANCES
(UNAUDITED)**



**CITY OF PEACHTREE CITY
MONTHLY REPORT
GENERAL FUND AND HOTEL/MOTEL TAX FUND
BUDGET COMPARISON (UNAUDITED)
FOR YEAR ENDED OCTOBER 31, 2009**

PERCENTAGE OF BUDGET YEAR COMPLETED 8.33%

GENERAL FUND REVENUES BY MAJOR CATEGORIES				
Description	2010 Budget	YTD Actual	Dollar Difference	Percentage To-Date
General Property Taxes	\$ 10,033,147	\$ 301,618	\$ (9,731,529)	3.01%
Franchise Taxes	2,536,080	-	(2,536,080)	0.00%
Local Option Sales Tax	6,350,841	478,278	(5,872,563)	7.53%
Other Sales & Use Taxes	685,494	60,608	(624,886)	8.84%
Business Taxes	2,313,321	1,765,869	(547,452)	76.33%
Licenses & Permits	767,569	58,445	(709,124)	7.61%
Intergovernmental/Grants	434,801	36,000	(398,801)	8.28%
Charges for Services - Other	933,344	15,670	(917,674)	1.68%
EMS Billings	376,200	26,040	(350,160)	6.92%
Fines & Forfeitures	1,127,852	96,129	(1,031,723)	8.52%
Investment Income	198,513	1,448	(197,065)	0.73%
Other Revenue	15,234	5,985	(9,249)	39.29%
Other Financing Sources	306,054	22,967	(283,087)	7.50%
Total General Fund Revenues	\$ 26,078,450	\$ 2,869,057	\$ (23,209,393)	11.00%
Surplus Carryover	451,181	-	(451,181)	0.00%
Total General Fund	\$ 26,529,631	\$ 2,869,057	\$ (23,660,574)	10.81%

GENERAL FUND EXPENDITURES BY DIVISION AND/OR TYPE				
Division and/or Type	2010 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Executive Services	\$ 366,714	\$ 30,658	\$ 336,056	8.36%
Administrative Services	1,114,504	103,860	1,010,644	9.32%
Financial Services	1,074,015	103,140	970,875	9.60%
Police Services	6,482,919	515,044	5,967,875	7.94%
Fire/EMS Services	6,280,609	517,838	5,762,771	8.25%
Public Works	3,257,420	249,184	3,008,236	7.65%
Leisure Services	4,378,576	353,370	4,025,206	8.07%
Developmental Services	1,099,709	101,512	998,197	9.23%
Non-Divisional:				
Unemployment Insurance	35,640	-	35,640	0.00%
Council Contingency	50,000	-	50,000	0.00%
Non-Profit Organizations	28,130	23,130	5,000	82.23%
Transfer to Development Authority	35,000	35,000	-	100.00%
Development Authority Debt Service	140,109	-	140,109	0.00%
Transfers to Other Funds	2,373,772	12,986	2,360,786	0.55%
Liability Insurance	91,610	-	91,610	0.00%
Legal Services	125,675	2,831	122,844	2.25%
General Administration/Miscellaneous	76,318	-	76,318	0.00%
Budgeted Savings	(481,089)	-	(481,089)	0.00%
Total General Fund	\$ 26,529,631	\$ 2,048,553	\$ 24,481,078	7.72%

HOTEL/MOTEL FUND REVENUES				
Description	2010 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Total Hotel/Motel Taxes	\$ 768,163	\$ 68,816	\$ (699,347)	8.96%

HOTEL/MOTEL TRANSFERS OUT				
Type	2010 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Transfer to General Fund	\$ 256,054	\$ 22,939	\$ 233,115	8.96%
Transfer to Tourism Association	512,109	41,877	470,232	8.18%
Total Hotel/Motel Transfers Out	\$ 768,163	\$ 64,816	\$ 703,347	8.44%

**CITY OF PEACHTREE CITY
FINANCIAL SERVICES
MONTHLY REPORT
(UNAUDITED)
AS OF OCTOBER 31, 2009**

SUMMARY OF MAJOR EXPENDITURES BY CITY MANAGER OCTOBER 2009			
Description	Vendor	Award	Date
PD Replacement video systems-PIP	COBAN Technologies	\$ 29,600.00	10/07/2009
PD Replacement video systems-General	COBAN Technologies	29,600.00	10/07/2009
Lucas CPR device	Physio Control	12,720.00	10/08/2009

PURCHASING REPORT FOR MONTH ENDED OCTOBER 31, 2009 AND OCTOBER 31, 2008		
Activity	Fiscal Year 2010	Fiscal Year 2009
Purchase Orders / Requisitions Processed	407	431
City Store Requisitions Processed	14	9
Sealed Bids Requested	8	2
Requests for Proposals	1	1
Bids Awarded	3	2
Requests for Proposals Awarded	0	1
Contracts Prepared	3	1
Electronic Auction	0	0
Fixed Assets Purchased	17	5

**CITY OF PEACHTREE CITY
DONATIONS RECEIVED
OCTOBER
2009**

POLICE

Karen Davis	K9	\$5.00
Paul or Jane B. Miller	K9	\$25.00
Peachtree City Animal Care	K9	\$145.00
Gerresheimer Wilden Plastics	K9	\$500.00

FIRE

Gerresheimer Wilden Plastics		\$500.00
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TOTAL MONTH OF OCTOBER 2009

\$1,175.00

**PEACHTREE CITY FIRE/EMS DEPARTMENT
2010 MONTHLY REPORT**

	Sept. 09	Oct. 09	2010 FY-T-D	2009 FY-T-D
FIRE/ACCIDENT CALLS				
Actual Residential Fires	3	1	1	3
Actual Business/Industrial Fires	2	0	0	2
Rescue/EMS Assist	159	166	166	134
Vehicle/Golfcart Accidents	21	19	19	31
False Alarms	22	41	41	33
¹Other	22	16	16	30
Total Engine Response	229	243	243	233
 Dispatched Fire Calls	 45	 61	 61	 62
 Response Time Fire	 4:05	 4:49	 4:49	 4:26
 RESCUE/EMS				
Trauma	31	35	35	40
Medical	152	145	145	132
Total # Patients	183	180	180	172
 Patients Transported	 89	 109	 109	 81
 Dispatched EMS Calls	 185	 182	 182	 176
 ²Total Medic Response	 218	 205	 205	 198
 Response Time EMS	 4:28	 4:55	 4:55	 4:28
 Dispatched Fire/EMS Total	 230	 243	 243	 238
 EMS BILLING				
Patients Billed	89	108	108	79

¹Other miscellaneous responses; gas and water leaks, hazmat spills, etc.

²Includes Fire Assist Responses

LEISURE SERVICES MONTHLY REPORT

Oct-09

<u>Activity Description</u>	<u>Unit</u>	<u>Oct 09</u>	<u>FY 2010 YTD</u>	<u>FY 2009 YTD</u>
Library				
Books Circulated	number	39,594	39,549	37,130
Internet Usage	visits	3,287	3,287	3,759
Computer Lab Use	hours	0*	0	23
<i>*Lab closed due to hour reductions</i>				

Recreation				
Class/Program Revenue	\$	\$5,614	\$5,614	\$4,163
Playing Field Preparations	hours	450	450	435
Building Maintenance	hours	485	485	481
Litter Removal	hours	295	295	290
Complaints answered	number	2	2	1
Amphitheater Rentals, commercial		0		0
Amphitheater Rentals, nonprofit*		*1	1	1
<i>* Hudson Family Foundation concert</i>				

Kedron Revenue Update

	October-09	FY2010 YTD	FY 2009 YTD
Classes/Programs	\$3,420.00	\$3,420.00	\$2,148.00
Pool Revenue*	\$1,103.00	\$1,103.00	\$6,770.75
Rentals	\$160.00	\$160.00	\$120.00
Total	\$4,683.00	\$4,683.00	\$9,038.75

*Pool revenue decreased year to date with the implementation of the quarterly pool pass; also, this system lacked a prorate system and people have been reluctant to pay for the full quarter part way into it. Staff is implementing a prorate system whereby cost is \$60 for the full quarter, \$40 if more than one month into the quarter and \$20 if more than two months into the quarter.

	FY 2008 YTD	FY2007 YTD
	\$2,065.00	\$1,272.00
	\$3,948.00	\$766.00
	\$80.00	\$80.00
	\$6,093.00	\$2,118.00

The Recreation staff is also planning the following revenue-generating actions: Bring to City Council in early 2010 new or revised fee rates for open gym, rentals and other selected fees; actively promote Kedron for specialized rentals and special events during low use times, to include in-house developed brochure and active promotion to target audiences; develop and promote sponsorship program that will include display areas in the facility.

PEACHTREE CITY POLICE DEPARTMENT

2009 MONTHLY REPORT

SEPTEMBER 2009 OCTOBER 2009

2009 2008
 Calendar Year to Date Calendar Year to Date

PART I CRIMES

Criminal Homicide	0	0	0	1
Forcible Rape	0	0	4	2
Robbery	0	0	3	7
Aggravated Assault	0	1	7	5
Arson	0	0	0	1
Motor Vehicle Theft	13	9	73	72
Theft	42	48	434	343
Burglary	2	1	38	49
TOTAL PART I CRIMES	57	59	559	480

ALCOHOL/DRUG ARRESTS

DUI – TOTAL	21	5	165	197
DUI – ADULT	20	5	150	182
DUI – UNDERAGE	1	0	15	15

MINOR IN POSSESSION OF ALCOHOL	3	5	82	68
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DRUG ARRESTS:

MARIJUANA	7	14	87	74
METHAMPHEDIMINE	0	0	3	1
COCAINE	0	0	3	6
OTHER (opium, heroin, etc)	0	0	1	5

ARRESTS

PROPERTY CRIMES	16	23	179	132
PERSON CRIMES	5	5	82	62
CITY ORDINANCES	20	33	355	406
TRAFFIC OFFENSES	48	48	430	411
OTHER	51	19	348	354

AVERAGE RESPONSE TIME	7.55	7.13	7.08	6.31
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CALLS ANSWERED	4,892	5,280	50,083	53,639
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TRAFFIC

CITATIONS ISSUED	567	476	5,206	5,843
WARNINGS	409	489	5,548	6,779
ACCIDENTS	93	95	850	983

TOP 5 ACCIDENT LOCATIONS – MONTH

CROSSTOWN DR / PEACHTREE PARKWAY	4
HWY 54 / HUDDLESTON RD	4
HWY 54 / WALTBANKS ROAD	3
HWY 74 / CROSSTOWN DRIVE	3
HWY 74 / WISDOM ROAD	3

TOP 5 ACCIDENT LOCATIONS – Y T D

HWY 54 / HWY 74	46
HWY 54 / PEACHTREE PARKWAY	28
HWY 54 / HUDDLESTON RD	24
HWY 54 / PLANTERRA WAY	21
HWY 74 / ROCKAWAY ROAD	18

**PUBLIC SERVICES MONTHLY REPORT
OCTOBER 2009**

<u>Activity Description</u>	<u>Unit</u>	<u>October-09</u>	<u>FY2010 YTD</u>	<u>FY2009 YTD</u>
Street Patching	Hrs.	402	402	0
Street Crack Sealing	Hrs.	46	46	224
Street Crack Sealing	Mi.	0.05	0.05	1.08
Street General Miantenance	Hrs.	512	512	334
Storm Water Maintenance	Hrs.	447	447	664
Cart Path Paving	Ft.	0	0	778
Cart Path Prepped for Paving	Ft.	285	~~~	~~~
Cart Path Litter Removal	Hrs.	120	120	207
Cart Path Drainage Maintenance	Hrs.	256	256	170
Cart Path General Maintenance	Hrs.	766	766	531
Subdivision Sign Maintenance	Hrs.	12	12	30
Traffic Sign Maintenance	Hrs.	195	195	163
Vandalism Repairs	Hrs.	16	16	35
Vandalism Repairs	Dls.	\$781	\$781	\$674
Citizen Complaints Answered	Num.	84	84	90
Community Service	Hrs.	656	656	48
 <u>RECYCLING SITE</u>				
Manhours	Hrs.	52	52	137
 Participants:				
Recycling	Num.	898	898	257
Composting	Num.	869	869	957
Mulch Pick UP	Num.	7	7	15
Streets Adopted for Litter Pickup	Miles	7.35		
Cart Paths Adopted for Litter Pickup	Miles	66.5		

COMMISSION/AUTHORITY ATTENDANCE RECORD

Planning Commission

October 2009

Board name

Report Date: Month Year

Name & Date of Appointment	Meetings Held Past 12 Months	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
Patrick Staples 10/01/2006	16	16	15	1	11/10/08	94%
Theo Scott 10/01/2004	16	16	16	0		100%
Larry Sussberg 10/01/2008	16	14	12	2	11/24/2008, 5/11/09	86%
Joe Frazar 10/17/2008	16	14	13	1	12/08/08	93%
Lynda Wojcik 02/23/2009	16	9	9	0		100%
Lisa Curtis 10/01/2009	16	1	1	0		100%

COMMISSION/AUTHORITY ATTENDANCE RECORD

RECREATION COMMISSION

October 19, 2009

Name & Date of Appointment	Meetings Held Past 12 Months*	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
Mark Ballard <i>01-Jan-08</i>	10	10	10			100%
Eric Imker <i>01-Jan-09</i>	10	9	7	2	05/18/2009 09/21/2009	78%
Vince Obsitnik <i>01-Jan-08</i>	10	10	10	0		100%
David Ring <i>01-Jan-07</i>	10	10	9	1	04/20/2009	90%
Shayne Robinson <i>01-Jan-09</i>	10	9	9	0		100%
Michael LeDonne Alternate ** <i>01-Jan-09</i>	10	5	1	4	1/16/09 - 4/20/09 5/18/09 - 6/15/09	20%
Cyndi Plunkett Council Liaison <i>01-Jan-09</i>	10	9	6	3	2/16/09 - 7/20/09 8/31/09	67%

* No meetings held 12/08 or 3/09

** As of 7/09, LeDonne is no longer an alternate

COMMISSION/AUTHORITY ATTENDANCE RECORD

PTC Water & Sewerage Authority

Oct-09

Board name

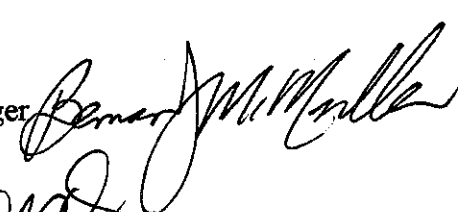
Report Date: Month Year

Name & Date of Appointment	Meetings Held Past 12 Months	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
Wade Williams 01/01/2007	12	12	11	1	10/05/2009	92%
Tim Meredith 01/01/2008	12	12	11	1	07/27/2009	92%
Jeff Prellberg 01/01/2006	12	12	10	2	07/06/2009 07/27/2009	83%
Phil Mahler 10/19/2007	12	12	12	0	0	100%
Michael Harman 01/01/2009	12	11	9	2	02/02/2009 04/02/2009	82%

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor Harold Logsdon
Peachtree City Council

VIA: Bernard McMullen, City Manager 
Ed Eiswerth, Fire Chief 

FROM: Joe O'Connor, Assistant Chief 
Operations Division

DATE: November 25, 2009

SUBJECT: Re-Authorization of Peachtree City Emergency Operations Plan

Recommendation:

Recommendation that Council approve and the Mayor sign the letter of promulgation for the 2009 revision of the Peachtree City Emergency Operations Plan.

Background:

The City disaster plan has been completely rewritten in keeping with federal and state guidelines for the national implementation of the National Incident Management System (NIMS). The plan addresses the role of City Departments, Non-Governmental and Volunteer Organizations as well as businesses and citizens of Peachtree City during time of natural and man-made disasters.

The Fire Chief, in keeping with his role designated within the City Charter as City Emergency Manager (Civil Defense Director), retains the on-going responsibility to keep this critical document up-to-date and members of City government properly trained and equipped to respond during incidents that exceed the day to day capacity of the City.

It is expected that the Peachtree City Emergency Operations Plan will serve as a guideline for all City disaster preparedness, planning, response and mitigation within Peachtree City.

Budget Impact:

There is no budget impact for adoption of the City Emergency Operations Plan.

CITY OF PEACHTREE CITY
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
TEL: (770) 631-7657
Internet Web Site: www.peachtree-city.org

LETTER OF PROMULGATION

TO: See Distribution List
FROM: Harold Logsdon, Mayor
DATE: November 3, 2009
SUBJECT: Peachtree City Emergency Operations Plan

The Peachtree City Emergency Operations Plan is attached. It is effective for planning, mitigation and preparation purposes upon receipt. It may be activated by the City Fire Chief or directed by the City Manager or his designated representative or a higher authority.

This Emergency Operations Plan supplements existing City, County, Regional, State and Federal Emergency Operations and special event plans. The focus of this plan is on public education; individual, neighborhood, business and industry, and community preparation; and contingency planning for emergency and critical functions that may be degraded by various natural, technological or human events. The City of Peachtree City is committed to exercising due diligence to identify and mitigate susceptible equipment, processes, functions and systems. It will implement reasonable measures to maintain normal operations and will use all available resources to maintain emergency and critical functions and operations.

We recommend that citizens implement modest preparation to provide essential supplies, food and water for themselves and their families to "weather the storm" or "go camping at home" for a period of four (4) days. We recommend using the family contingency preparation guidelines of the American Red Cross. These guidelines are available at the American Red Cross web site (www.redcross.org). We urge persons who are dependent on medical devices or medications to check their on hand supplies and equipment, and we urge any persons with special needs to notify us so that we can better plan.

Questions regarding preparation may be addressed to the City Manager (E-mail citymgr@peachtree-city.org), phone: #(770)-487-7657, Public Information Officer (Ms. Betsy Tyler, E-mail info@peachtree-city.org) at (770) 631-7657, or the Fire Department at Chief Eiswerth (E-mail Eiswerth@peachtree-city.org) at (770) 631-2526.

City of Peachtree City
Peachtree City Mayor

City of Peachtree City
City Manager

City of Peachtree City
Chief, City of Peachtree City Fire & Rescue

Date

Date

Date

11/25/09

11/25/09

I. EXECUTIVE SUMMARY

The **City of Peachtree City Emergency Operations Plan** provides general guidelines and principles for managing and coordinating the overall response and recovery activities before, during, and after major emergencies and disaster events that affect the City of Peachtree City. The plan's guidelines are consistent with the standards and principles of the National Incident Management System (NIMS), as endorsed by the Department of Homeland Security. The NIMS is the nationally mandated emergency management system for addressing all hazards and for integrating multiple agencies, jurisdictions and disciplines into a coordinated relief effort.

Major emergencies and disaster incidents are unique events that present communities with challenges that cannot be adequately addressed within the routine operations of a local government. Since disasters differ in important ways, it is impossible to plan for every contingency. Therefore, the intent of this all-hazards plan is to provide Peachtree City officials with a comprehensive plan to manage incidents and to minimize their impact on people, property, and public services, thereby restoring normal community conditions as quickly as possible. This all-hazards plan provides a basis for hazard specific annexes and plans that may be developed as required.

The coordination and integration of emergency plans and procedures form an ongoing process that should be collectively promoted by the convening of interagency meetings, formulation of mutual aid agreements, and conduct of or participation in multi-agency and multi-jurisdiction emergency training exercises.

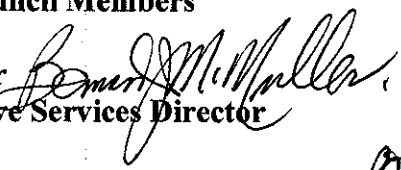


Fire Chief & Emergency Manager
Peachtree City Fire & Rescue Department

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
Administrative Services Director

FROM: Public Information Officer/ City Clerk 

DATE: November 25, 2009

SUBJECT: Consider amendment to the Commission, Authority, and Association
Appointments and Attendance Ordinance
December 3, 2009, City Council Meeting

Recommendation:

That Council adopt the attached amendment to the Commission, Authority, and Association Appointments and Attendance Ordinance.

Discussion:

In February of this year, Council approved an amendment to the ordinance in question following several weeks of internal review by staff, the Mayor and Council, and the City's various Commissions, Authorities, and Associations.

Due to a transcription error, not all the amendments reviewed were presented to Council at the time the ordinance was officially approved. The attached ordinance reflects the remaining verbiage that was unintentionally omitted from the ordinance approved on February 5 and clarifies the appointment of the alternate to fill any unexpired term.

Budget Impact:

This item has no budgetary impact.

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PEACHTREE CITY, GEORGIA, AS AMENDED, SO AS TO PROVIDE FOR COMMISSION, AUTHORITY, AND ASSOCIATION APPOINTMENTS AND ATTENDANCE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO ESTABLISH AN EFFECTIVE DATE; 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 V, Section 6-336 of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is hereby further amended by adding as follows:

Sec. 2-336. Commission, authority, and association appointments, attendance.

- (c) *Filling of unexpired terms.* At the time of appointment of a member(s) to a commission, authority, or association the city council may designate an alternate(s) from the pool of applicants. Any alternate shall have the ability to participate in all discussion of the commission, authority, or association, but shall not have the right to vote on any matter before the commission, authority, or association.

The alternate ~~shall~~ be appointed as a regular member of the commission, authority, or association should there be a vacancy during an unexpired term, ~~and serve the balance of the unexpired term.~~ Subsequently, the vacant alternate position would be filled via the next regular interview process.

Deleted: would

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Deleted: , the alternate will not automatically be appointed to the position.

- (d) *Attendance criteria.* Each regular member shall maintain an 80 percent attendance record at all regular and called meetings for the previous 12 months. Members failing to maintain such an attendance record, or who are absent at any three consecutively scheduled meetings, may be immediately dismissed from the commission, authority, or association by the mayor unless satisfactory justification of the absences is received from the chairman. However, the chairman may excuse an absence for documented medical reasons or for business directly related to the purpose of the commission, authority, or association so long as the total number of absences does not result in attendance falling below 70 percent for the previous 12 months..

While serving as an alternate, the alternate will be required to attend a minimum of 60 percent of regular and called meetings of the commission, authority, or association.

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

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

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

This _____ day of _____ 2009.

Harold K. Logsdon, Mayor

Attest: _____
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council
FROM: City Manager 
DATE: November 24, 2009
SUBJECT: Reimbursement Agreement for Lake McIntosh Access Road
December 3, 2009 Council Agenda

Recommendation:

Approve the attached reimbursement agreement between Fayette County, Peachtree City Airport Authority and Peachtree City, for an amount not to exceed \$30,000.00 for the construction of gravel access road to Lake McIntosh.

Discussion:

Fayette County is in the final stages of awarding a contract for construction of Lake McIntosh. Previously, the plan was that access to the lake for construction and ongoing operations would be via the TDK extension. The TDK extension project has been placed on a long term hold. Currently, the County has access to the lake area via an easement on the airport, however, use of this easement presents problems with the newly installed ILS approach landing system for the airport. To resolve all issues, staff has negotiated this agreement between the County and the Airport Authority. The Airport Authority is awarding the construction project and Fayette County will manage the construction. All three entities will share equally in the cost of construction up to a maximum of \$30,000.00 each.

Budget Impact:

Funding for this agreement is available in the 2010 PIP Contingency account. Balance remaining will be \$20,000.

Reimbursement Agreement

Project: Lake McIntosh
Access Drive Construction
Fayette County, Georgia

Issue: Payment for Construction Work

This Agreement, dated _____, 2009, is between Peachtree City, Georgia and Peachtree City Airport Authority for reimbursement of payments necessary for construction of an access drive to the Lake McIntosh dam (the "Construction Project"). The Construction Project consists of clearing, grading, storm drainage and graveling an access drive to run along the area depicted on Exhibit B, attached hereto and incorporated herein by reference.

The total cost of the Construction Project is not anticipated to exceed \$90,000 and is to be performed by Massana Construction, LLC by way of a contract with the Peachtree City Airport Authority, which shall be assignable to Fayette County.

Peachtree City, Georgia, agrees to reimburse the Peachtree City Airport Authority one-third (1/3) of the cost of the Construction Project, in an amount not to exceed \$30,000. It is acknowledged by the parties hereto that the additional two-thirds (2/3) of the cost of the Construction Project shall be paid one-third (1/3) each by Fayette County, Georgia and the Peachtree City Airport Authority and that any additional costs, burdens or obligations related to the Construction Project will be borne by Fayette County and in no event shall the cost to Peachtree City or the Peachtree City Airport Authority exceed \$30,000.00.

Peachtree City agrees that it will make the payments required hereby within 15 days of receipt of a payment notice and/or invoice by the Airport Authority or its assignee.

The Peachtree City Airport Authority expressly acknowledges that Peachtree City will assume no responsibility for any other work, costs, delays and/or impacts related to the Construction Project, other than the reimbursement obligations set forth herein.

[SIGNATURES ON FOLLOWING PAGE]

Agreed to by:

Peachtree City Airport Authority:

_____ Date _____

Chairman

Witness Signature

Witness Printed Name

Peachtree City, Georgia:

Harold Logsdon, Mayor
Peachtree City, GA

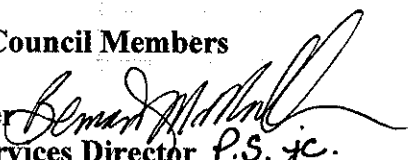
Date

City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager 
Financial Services Director P.S. jc.
Assistant Financial Services Director jc
City Clerk PK

FROM: Interim Community Development Director

DATE: November 20, 2009

SUBJECT: Second Public Hearing to discuss and consider amendments to Development Impact Fee Ordinance regarding the establishment of criteria for exemptions
December 3, 2009 City Council Agenda

Recommendation:

Adopt amendments to the Development Impact Fee Ordinance establishing criteria for granting exemptions, specifying whether Alternate A or Alternate B under the Exemption Guidelines be the procedure adopted.

Discussion:

In accordance with O.C.G.A. § 36-71-6, the city must hold two public hearings prior to the adoption of an amendment to our ordinance imposing a development impact fee. The law does not distinguish between adopting a new impact fee ordinance and amending an existing ordinance.

Following the adoption of the amended ordinance on September 3, 2009, Staff was asked to develop criteria that would be used to consider granting exemptions from the ordinance. These changes were reviewed by the City Attorney and then presented to the Development Impact Fee Advisory Committee. At their meeting on November 12, the committee identified three changes they wanted to include within the ordinance, and those changes were incorporated into the proposal presented to City Council at their meeting last night (November 19).

During the Public Hearing, there was discussion about modifying paragraph 307.8 (c) to include a requirement that all requests for exemption must be presented to and reviewed by the Development Authority of Peachtree City (DAPC). Those changes are incorporated within the attached ordinance.

In addition, there was discussion about adding language to paragraph 307.8 (e) reiterating there would be no obligation to grant exemptions for similar projects should they be requested.

Second Public Hearing – amendments to Development Impact Fee Ordinance

November 20, 2009

Page 2

Staff has modified both paragraphs and is presenting this to Council for review and approval. There are no other changes being proposed at this time.

Budget Impact:

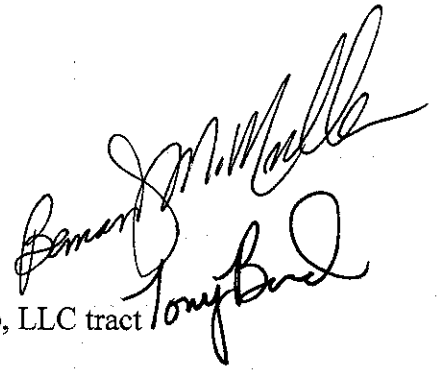
While adoption of an amended impact fee ordinance will have a net positive impact on the city's budget, there will be budgetary impacts should an exemption be granted. These impacts are unknown at this time but will be explained in detail when requests for exemption are brought forward to City Council for consideration.

Attachment

POSITION PAPER

Annexation and rezoning request
Southern Pines Plantations Commercial Group, LLC tract

Interim Community Development Director
November 20, 2009



Situation:

Southern Pines Plantations Commercial Group, LLC owns an 80.09-acre tract of land within unincorporated Fayette County. The subject tract is located immediately adjacent to Peachtree City and is bordered to the north by SR 74, to the west by the Meade Field sports complex, and to the east and south by the Little Ones day care facility and the Brechen Park subdivision.

On December 14, 2000, the Fayette County Board of Commissioners voted to rezone the property from its former designation of A-R Agricultural Residential to C-C Community Commercial (21.8 acres), OI Office Institutional (5.8 acres) and A-R Agricultural Residential (52.4 acres). The purpose of the rezoning was to accommodate a retail and commercial development consisting of 111,400 SF of retail and office/ commercial space, 41,700 SF of office space, and 24,100 SF of retail/ commercial space on five (5) outparcels adjacent to SR 74. Once constructed, the proposed development would provide in excess of 177,200 SF of retail, office and commercial space immediately adjacent to Peachtree City. For comparison sake, The Avenue retail complex at the intersection of SR 54/ 74 is comprised of 181,490 SF, not including the outparcels along the highway.

Because the property is located within unincorporated Fayette County, sewer would be provided by an underground septic system and associated spray fields, which were to be located at the rear of the property adjacent to the Brechen Park subdivision.

Over a year ago, the Applicant, the Peachtree City Water and Sewerage Authority, the owner of the Starr's Mill Professional Center north of SR 74, and the developer proposing the Somerby at Peachtree City senior apartment complex on Rockaway Road initiated discussions as to cost-sharing or other means to extend and provide sewer to these developments.

As part of the discussions the Applicant has requested that 18 acres of the overall site be annexed into the city limits of Peachtree City. The property being considered for annexation is immediately adjacent to the Meade Field sports complex, and the Applicant is proposing that a 3.86-acre tract adjacent to SR 74 be rezoned to GC General Commercial for the development of retail and/ or commercial buildings. The remaining 14.14-acre tract would be rezoned to OS-P Open Space-Public and dedicated to the city for the future expansion of the Meade Field sports complex.

Southern Pines Plantations Commercial Group, LLC tract

November 20, 2009

Page 2

The Applicant has complied with the submittal requirements specified within the city's Step One and Step Two annexation processes, and is requesting that the city annex and rezone the property accordingly.

A copy of the Applicant's Step Two Annexation request is included as Attachment "A" and a copy of the Rezoning permit application is attached as Attachment "B".

Facts:

1. The overall 80.09-acre Southern Pines Plantations Commercial Group, LLC tract is currently located within unincorporated Fayette County.
2. The subject tract is located immediately adjacent to Peachtree City and is bordered to the north by SR 74, to the west by the Meade Field sports complex, and to the east and south by the Little Ones day care facility and the Brechen Park subdivision. All of this development is located within unincorporated Fayette County and is served by septic systems.
3. On December 14, 2000, the Fayette County Board of Commissioners voted to rezone the property from its former designation of A-R Agricultural Residential to C-C Community Commercial (21.8 acres), OI Office Institutional (5.8 acres) and A-R Agricultural Residential (52.4 acres). The purpose of the rezoning was to accommodate a retail and commercial development consisting of 111,400 SF of retail and office/ commercial space, 41,700 SF of office space, and 24,100 SF of retail/ commercial space on five (5) outparcels adjacent to SR 74.
4. Prior to this rezoning, the city sent a letter to the County Zoning Administrator recommending that the rezoning not be approved, as it was not consistent with the Fayette County Land Use Plan (Attachment "C"). In addition, the letter stated that construction was underway on the recently rezoned Wilshire Pavilion retail development within the city and designed to serve the neighborhood shopping needs of the residents in the southern portion of Peachtree City.
5. To date, there has been no development on the Southern Pines tract.
6. City Council accepted the Applicant's Step One annexation application on July 16, 2009, authorizing the Applicant to work with City Staff and proceed with Step Two of the city's annexation process (Attachment "D").
7. The Applicant submitted their initial Step Two application shortly thereafter, which was deemed complete on August 6, 2009. At that time, Staff notified the Fayette County Board of Commissioners that we were in receipt of a complete annexation and rezoning application for property within unincorporated Fayette County.

Southern Pines Plantations Commercial Group, LLC tract

November 20, 2009

Page 3

8. At their meeting on October 22, 2009, the Fayette County Board of Commissioners considered the request to annex the 18-acre tract and took no action in favor of or opposed to the request (Attachment "E").
9. At their meeting on November 9, 2009, the Planning Commission voted unanimously to recommend that the annexation and rezoning not be approved at this time (Attachment "F").

Discussion

The subject property was initially designated on the Fayette County Land Use Map as low-density residential, which is consistent with most of the property within unincorporated Fayette County that adjoins Peachtree City. On December 14, 2000, the Fayette County Board of Commissioners voted to change the land use designation of the property from low density residential to commercial and office, as well as to rezone the property to accommodate in excess of 177,200 SF of retail, office and commercial space immediately adjacent to Peachtree City.

Prior to the December 2000 rezoning, the city sent a letter to the county recommending that the zoning not be approved, as the proposed use was not consistent with the County's Land Use Plan. One item mentioned within the letter from the city was the fact that Peachtree City had recently voted (May 4, 2000) to rezone the 15-acre Wilshire Pavilion tract from R-12 Residential to GC General Commercial. The purpose of this rezoning was to accommodate the development of an 80,000 SF neighborhood retail center as identified on the city's Land Use Map. It was envisioned this retail center would serve the needs of the residents in the southern portion of the city as well as those within the county.

The Applicant is now requesting that a portion of the 80-acre tract be annexed into the city limits of Peachtree City. The 18-acre tract being proposed for annexation is currently zoned within the County as open space, the Applicant is requesting that 3.86 acres within the 18-acre tract proposed for annexation be rezoned to accommodate a retail and/ or office development.

The Applicant is also proposing that the remaining 14.14 acres be rezoned to OS-P Open Space – Public and dedicated to the city for the future expansion of the Meade Field sports complex. However, with required stream buffers, floodplain and associated setbacks, it appears that no more than 7 to 8 acres of this tract would be usable for expansion of the sports complex.

Staff is concerned with the development of a rather large retail and office development at the city border. Staff is also concerned that the site plan presented to and approved as a part of the rezoning process in 2000 is not binding. In accordance with the county's site plan review process, as long as the Applicant or future owners of the property presented a site plan that did

Southern Pines Plantations Commercial Group, LLC tract

November 20, 2009

Page 4

not exceed the total square footage initially approved as a part of the rezoning, there would be no public discussion of any changes to the site plan.

While it is important that we continue to protect what happens within our borders by following our Comprehensive Plan and Land Use Plan, it is equally important that we do not enable development on the borders of our community that not only differs from what was initially envisioned but will have a direct impact on existing developments within the city.

Recommendation:

City Staff recommends that the proposed annexation and rezoning NOT be approved based on the following findings:

1. Rezoning the 3.86-acre tract for retail and/ or commercial use is not consistent with the initial rezoning of the property and would allow an increase in the amount of retail and/ or commercial use initially approved by the County Commission.
2. A large portion of the property being donated to the city for the future expansion of the Meade Field sports complex would not be developable. Additionally, there are no funds designated for the design, construction and/ or maintenance of these improvements.
3. The site plan initially approved by the County as a part of the rezoning is not binding, which presents uncertainties as to what might eventually be developed on the property.
4. There is no compelling reason to annex this property at this time.

While Staff is recommending that the annexation and rezoning not be approved at this time, we do acknowledge that an in-depth planning analysis should be undertaken to fully analyze not only the Southern Pines tract but the remainder of the Mills Farm subdivision across SR 74. This study should include, at a minimum, a financial impact analysis to determine the benefits of these parcels remaining within the county or being annexed into the city; an analysis as to whether or not sanitary sewer should be extended to serve these parcels; and what would be the best use of these parcels should they remain within the county or be annexed into Peachtree City. This study should be coordinated with county staff and completed as a part of the comprehensive plan update.

Step Two: Annexation request form

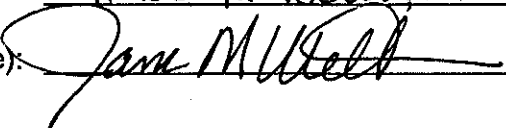
The following information is required in order to prepare a detailed analysis of the proposed annexation, a schematic master plan of the proposed development, and a more informed recommendation that will ultimately be considered by other governmental agencies, the Planning Commission and City Council.

A formal request is hereby being made to annex the following described property into the city limits of Peachtree City:

18 acres fronting on Hwy 74 (see attached legal description)

This request for annexation is being made for the following reasons:

To enable the installation of a sanitary sewer line as a part of a regional pumping station and to add property to Meade Field. I certify that I am the owner, or duly authorized agent of the owner, of the property described above, and that I have submitted all information and documents required to properly evaluate this request:

Owner (print): JAMES M. WELLS, III Date: 7/28/09
Owner (signature): 
Agent (print): _____ Date: _____
Agent (signature): _____

To be completed by the City of Peachtree City:

This request, along with the required supplemental information and documents, has been properly submitted, and is hereby accepted for consideration by the Planning Commission and the City Council.

Date of acceptance: 08-06-09
Request number: 2009-11
City Planner: David E. Rant Date: 08-06-09
City Clerk:  Date: 8-6-09
Public Hearing – Planning Commission: Date: ~~09-07-09~~ 10-12-09
Public Hearing – City Council: Date: ~~10-01-09~~ 11-05-09

All that tract or parcel of land lying and being in Land Lot 18 of the 6th District Fayette County, and is more particularly described as follows:

Begin at the point of intersection of the southerly right-of-way line of State Highway #74 (right-of-way varies) with the westerly land lot line of Land Lot 18;

THENCE along said right-of-way North 85 degrees 30 minutes 07 seconds East for a distance of 119.87 feet to a point;

THENCE along a curve to the right having a radius of 5925.00 feet and an arc length of 278.29 feet, being subtended by a chord of North 86 degrees 50 minutes 51 seconds East for a distance of 278.27 feet to a point;

THENCE South 01 degrees 48 minutes 25 seconds East for a distance of 81.00 feet to a point;

THENCE along a curve to the right having a radius of 5844.00 feet and an arc length of 97.40 feet, being subtended by a chord of with a chord bearing of North 88 degrees 40 minutes 14 seconds East for a distance of 97.40 feet to a point;

THENCE North 00 degrees 51 minutes 07 seconds West for a distance of 81.00 feet to a point;

THENCE along a curve to the right having a radius of 5925.00 feet and an arc length of 51.53 feet, being subtended by a chord of with a chord bearing of North 89 degrees 23 minutes 50 seconds East for a distance of 51.53 feet to a point;

THENCE leaving said right-of-way South 00 degrees 26 minutes 00 seconds East for a distance of 18.18 feet to a point;

THENCE South 00 degrees 19 minutes 26 seconds West for a distance of 306.18 feet to a ½" rebar set;

THENCE South 88 degrees 38 minutes 15 seconds West for a distance of 549.78 feet to the westerly line of Land Lot 18 and a ½" rebar set;

THENCE along said westerly line North 00 degrees 40 minutes 16 seconds East for a distance of 309.91 feet to the point of beginning;

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 3.86 acres more or less.

All that tract or parcel of land lying and being in Land Lots 17 and 18 of the 6th District Fayette County, and is more particularly described as follows:

Commence at the point of intersection of the southerly right-of-way line of State Highway #74 (right-of-way varies) with the westerly land lot line of Land Lot 18;

THENCE along said land lot line South 00 degrees 40 minutes 16 seconds West for a distance of 309.91 feet to a ½" rebar set and the Point of Beginning;

THENCE leaving said land lot line North 88 degrees 38 minutes 15 seconds East for a distance of 549.78 feet to a ½" rebar set;

THENCE South 01 degrees 07 minutes 29 seconds East for a distance of 395.27 feet to a ½" rebar set;

THENCE South 04 degrees 09 minutes 13 seconds West for a distance of 249.32 feet to a ½" rebar set;

THENCE South 04 degrees 09 minutes 13 seconds West for a distance of 149.93 feet to ½" rebar set;

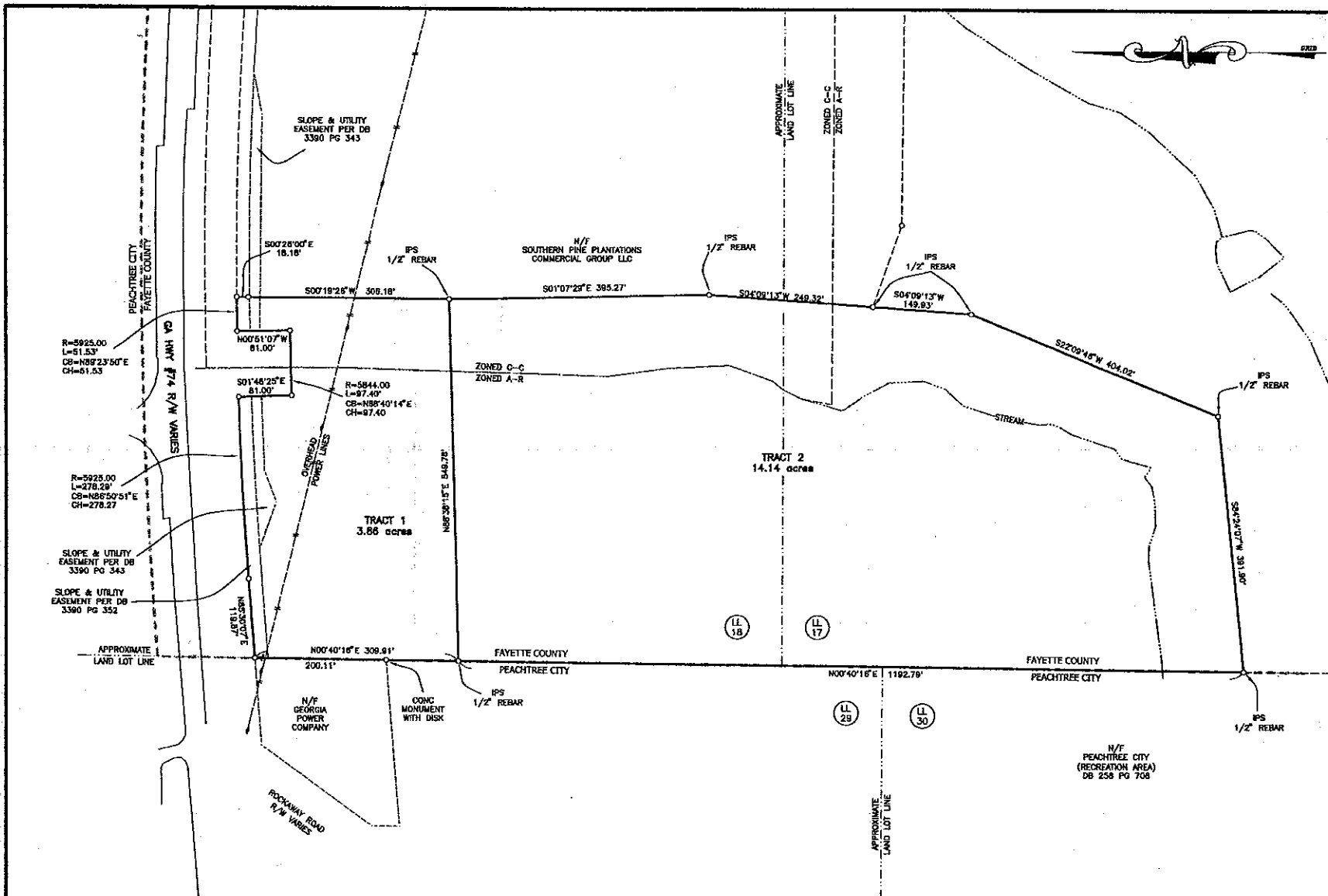
THENCE South 22 degrees 09 minutes 46 seconds West for a distance of 404.02 feet to a ½" rebar set;

THENCE South 84 degrees 24 minutes 07 seconds West for a distance of 391.90 feet to the westerly line of Land Lot 17 and a ½" rebar set;

THENCE along said westerly line and the westerly line of Land Lot 18 North 00 degrees 40 minutes 16 seconds East for a distance of 1192.79 feet to the Point of Beginning;

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 14.14 acres more or less.



NOTE:
NO GEODETIC CONTROL MONUMENT FOUND
WITHIN 500 FEET OF THE PROPERTY.

EQUIPMENT UTILIZED:
ANGULAR - TOPCON GPT-3003
LINEAR - TOPCON GPT-3003 EDM

REFERENCES
PLAT BOOK 31 PAGE 170
DEED BOOK 3390 PAGE 343
DEED BOOK 2033 PAGE 140
DEED BOOK 2699 PAGE 24



This survey and plat were performed under my direct supervision, and is a true and correct representation of existing conditions and meet the minimum requirements of law. Both angle and distance were measured electronically. The angles closed better than 5 seconds per angle point. The linear error of closure was better than one foot within fifteen thousand feet. The plat has been checked for closure and is mathematically correct, namely one foot within fifteen thousand feet.
Integrated Science & Engineering

Scott D. Grusenmeyer
Scott D. Grusenmeyer RLS 3130

DATE OF FIELD WORK : 4/23/09



Date	Drawn By	Check By	Rev.	Description	Date
4/24/09	TJL	SDG			
Project #					
00015.03					
Scale	1" = 100'				

BOUNDARY SURVEY
FOR
SOUTHERN PINE PLANTATIONS
COMMERCIAL GROUP LLC

LAND LOTS 17 & 18 OF THE 6TH DISTRICT, FAYETTE COUNTY, GEORGIA

DRAWING NO.
V-00015.03-1

III. Documentation that the property is eligible for annexation, along with a detailed explanation of the proposed method of annexation.

As shown on the maps included in this application, the subject property is immediately adjacent to and also across Highway 74 from property currently within the Peachtree City boundaries. The location of the site makes it eligible for annexation. The applicant has commenced Step One of the annexation process and received approval from the Mayor and City Council on June 26, 2009 to proceed with Step Two of the annexation process. As required by the annexation process, concurrently with this annexation application, the applicant is also seeking a rezoning of the subject property. On August 10th, the applicant shall attend a workshop session with the Planning Commission. On September 14th, the Planning Commission shall review the applicant's proposal for recommendation to the City Council. Assuming no delays or deferrals, on October 1st, the City Council will consider the applicant's annexation and rezoning applications. During the review process the applicant will attempt to address any concerns raised by the community.



6501 Peake Road
Building 800
Macon, Georgia 31210
(478) 477-0000
FAX (478) 477-2111
www.sppcommercial.com

July 28, 2009

Mr. David Rast
Peachtree City
Planning and Zoning Department
153 Willowbend Road
Peachtree City, Georgia 30269

Dear Mr. Rast,

In regard to our application for annexation and rezoning, Southern Pine Plantations Commercial Group, LLC is familiar with the Peachtree City Land Use Plan; the Annexation Policy; and all relevant codes and ordinances of the City, especially those pertaining to zoning, land development, site planning, landscaping and signs.

Sincerely,

James M. Wells, III
Managing Member
SPP Commercial Group, LLC

IV. Supplemental Information and Documents (items not listed are included in attached reports or maps):

1. Complete and accurate indication of all zoning classifications that presently exist on and adjacent to the property.

The subject property is currently zoned C-C and A-R in Fayette County. To the immediate west of the subject property is a tract zoned Open Space and the site is improved with the Meade Memorial Park recreation complex. The property immediately across Highway 74 is zoned Office Institutional in Peachtree City. Adjacent property to the east in Fayette County is zoned C-C and A-R.

2. Name and address of all property owners within 200 feet of the boundary of the property.

See attached map.

Southern Pine Plantation Commercial Group LLC (Remainder property)
6304 Peake Road
Macon, GA 31210

City of Peachtree City (Meade Field)
P O Box 2371
Peachtree City, GA 30269

N/F Starrs Mill Professional Center LLC
900 Westpark Drive, Suite 300
Peachtree City, GA 30269

Georgia Power Company
241 Ralph McGill Boulevard NE
Atlanta, GA 30308

N/F Group VI Properties LLC
900 Westpark Drive, Suite 300
Peachtree City, GA 30269

Fayette County BOC Animal Shelter
140 Stonewall Ave West, Suite 100
Fayetteville, GA 30214

Sheehan, James E
335 Boutura Drive
Senoia, GA 30276

Lombardo, David
325 Bontura Drive
Senoia, GA 30276

3. A location map at a scale of 1" = 800' showing the property in relations to the City.

See attached map.

4. A recent aerial photograph which also shows the property in relation to the City.

See attached map.

5. An accurate and detailed map which shows the proposed new City zoning districts at a scale of 1" = 800'.

See attached map.

6. Identification of all major natural, geographic, and cultural features which presently exist on or near the property

The property is located on GA Highway 74 next to the Meade Memorial Park recreation complex and undeveloped property owned by Southern Pine Plantations Commercial Group L.L.C.; across from the Starrs Mill Professional Center; and near the intersection of Redwine Road and GA Highway 74. The property is bordered to the east by an unnamed tributary to Line Creek. The property mildly slopes from the west to the east.

7. Identification and description of all public services presently available to the property

Sewer service to the property is being proposed through the construction of a regional pump station and collection system in collaboration with the Peachtree City Water & Sewerage Authority. Other utilities are available and present on the property through connection from GA Highway 74. Emergency services are provided by the City through Fire Station #83 located at 450 Peachtree Parkway and the Police Department located at 350 South Hwy 74 (approximately 3.8 miles from the property).

8. Identification and description of all public facilities presently on or near the property, or proposed to be built on or near the property

The concept plan for the property includes an addition to the adjacent Meade Memorial Park recreation complex totaling 14.14 acres. No other public facilities are on, near or proposed for the property. The proposed development should have minimal, if any, impact to public facilities.

9. Identification of any development plans, feasibility studies, impact analyses, population projections or other such planning documents prepared relative to the property

No planning documents or impact analyses have been prepared for the property. The proposed office use should have minimal impact to the City of Peachtree City.

10. Report demonstrating how the property will be tied into the City's major thoroughfare system and cart path system

The proposed development will have one access point on Highway 74 and/or internal access through neighboring properties to the east and west. The small and limited office buildings proposed should have minimal traffic impact to Highway 74 and nearby intersections. A cart path connection will tentatively be made through the redeveloped Meade Memorial Park to a cart path tunnel which is being installed approximately 550 feet to the west of the property.

11. A statement as to the acreage of the property, proposed density of the development and the projected population at build-out.

The property proposed for annexation is eighteen acres. Of the eighteen acres, 3.86 acres is proposed for General Commercial zoning and 14.14 acres is proposed for Open Space zoning. The General Commercial site will be development with two 10,000 square foot office buildings. The Open Space site will be dedicated to Peachtree City for an addition to the Meade Memorial Park recreational complex.

12. Report demonstrating exactly how the property will relate to and complement the City's Land Use Plan.

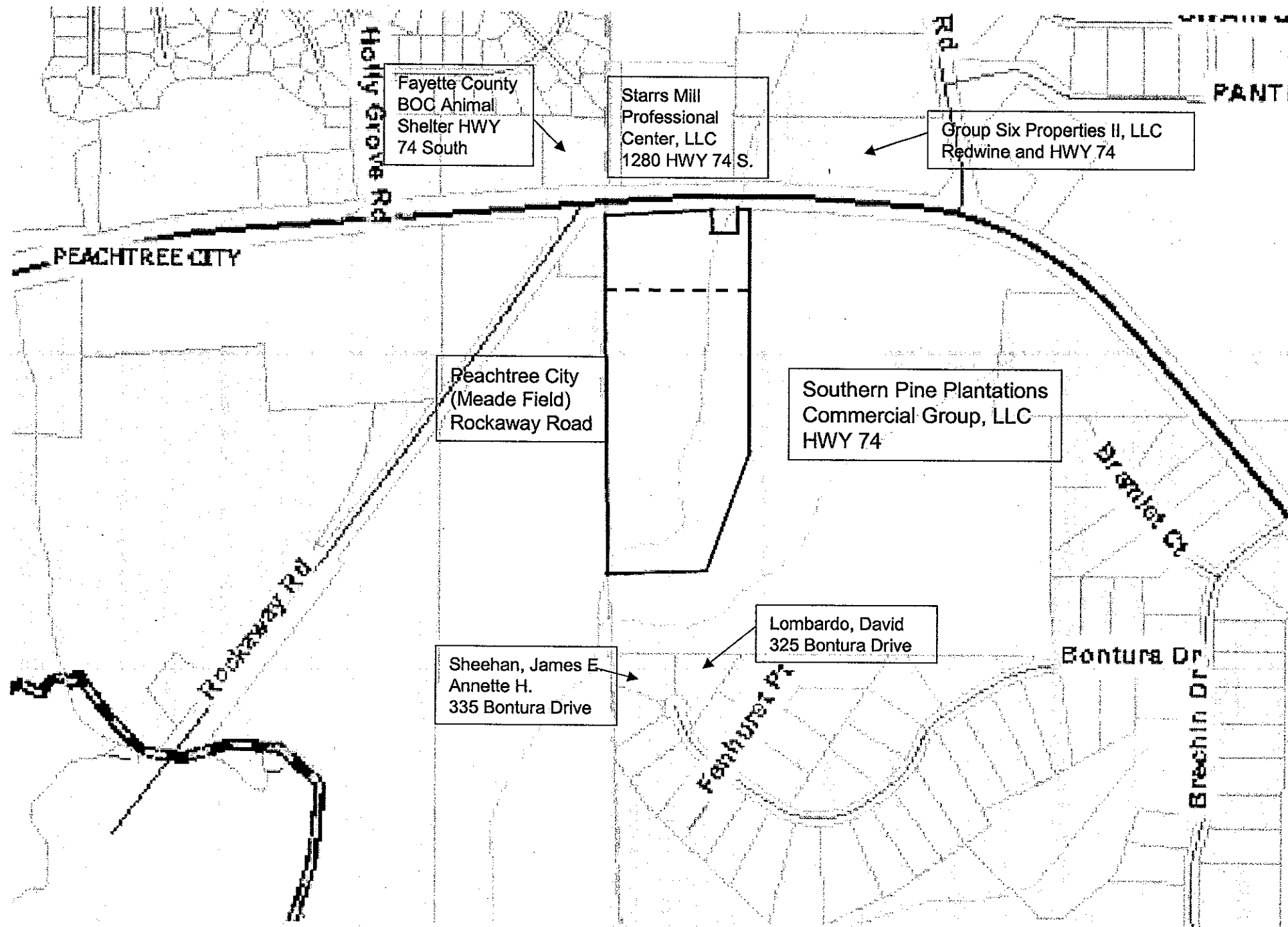
The subject property is adjacent to or near several different Land Use Plan Designations in the City including commercial, office, community service and open space. The proposed office use along the Highway 74 frontage will be consistent with and a logical extension of the office Land Use Plan Designation immediately across Highway 74 from the site. Furthermore, given the commercial zoning of the applicant's adjacent property in Fayette County, a commercial Land Use Plan designation is appropriate for the Highway 74 frontage. The addition to Meade Memorial Park recreation complex will expand the existing Open Space designation of Meade Memorial Park recreation complex and further the City's goal of providing open space and recreation areas for its residents. Overall the proposal is consistent with the existing land uses in the immediate area and the City's Land Use Plan.

13. A report demonstrating that the proposed annexation will be consistent with the City's annexation policy.

The annexation of the subject property provides two important incentives to the City. First, the annexation would grant the City additional property for use in an addition to the Meade Memorial Park recreation complex. The additional land would enable the City to expand the existing recreation area to accommodate a larger number of the City's residents and offer additional types of recreation. Further, the annexation would enable the extension of sanitary sewer service to City properties across Highway 74, thus eliminating the need for septic tanks on these properties. The installation of the sanitary sewer line would be a part of a regional effort to expand sanitary sewer facilities through a pumping station. The uses proposed on the site are consistent with other commercial and recreational uses in the area and would not adversely affect the City's balance of uses. The proposal enables the City to serve its residents and businesses while maintaining the goals and guidelines of the City.

14. An analysis of how the proposed annexation will affect the City, especially with respect to (a) tax base; (b) public education; (c) police and fire protection; (d) emergency medical service; (e) transportation facilities; (f) utilities; (g) environmental protection; (h) recreation program; and (i) implementation of the overall development plan.

The addition of the subject property to the City will increase the tax base due to the proposed office use. No effect is anticipated on public education due to the lack of residential uses. Police, fire protection services and emergency medical services already service this area and based on the proposed office and recreational uses, the effect, if any, on such services will be minimal due to the uses proposed. No effect on transportation facilities is anticipated, particularly with the recent widening of Highway 74. With the exception of sanitary sewer service, all necessary utilities are already provided through the Highway 74 right-of-way. As discussed above, the sanitary sewer service will be upgraded with the applicant's development. The applicant's proposal is sensitive to environmental protection and the applicant has located all proposed improvements outside of the required stream buffer and any wetlands. The dedication to Peachtree City of over seventy-seven percent (77%) of the site being annexed for recreational purposes evidences an improvement to the City's recreation program. Overall, the annexation will be consistent with other uses and developments in the area and will not adversely affect the balance of development in Peachtree City.



Fayette County
BOC Animal
Shelter HWY
74 South

Starrs Mill
Professional
Center, LLC
1280 HWY 74 S.

Group Six Properties II, LLC
Redwine and HWY 74

Peachtree City
(Meade Field)
Rockaway Road

Southern Pine Plantations
Commercial Group, LLC
HWY 74

Sheehan, James E.
Annette H.
335 Bontura Drive

Lombardo, David
325 Bontura Drive

PANTI

Bontura Dr

Brechin Dr

Brentlet Ct

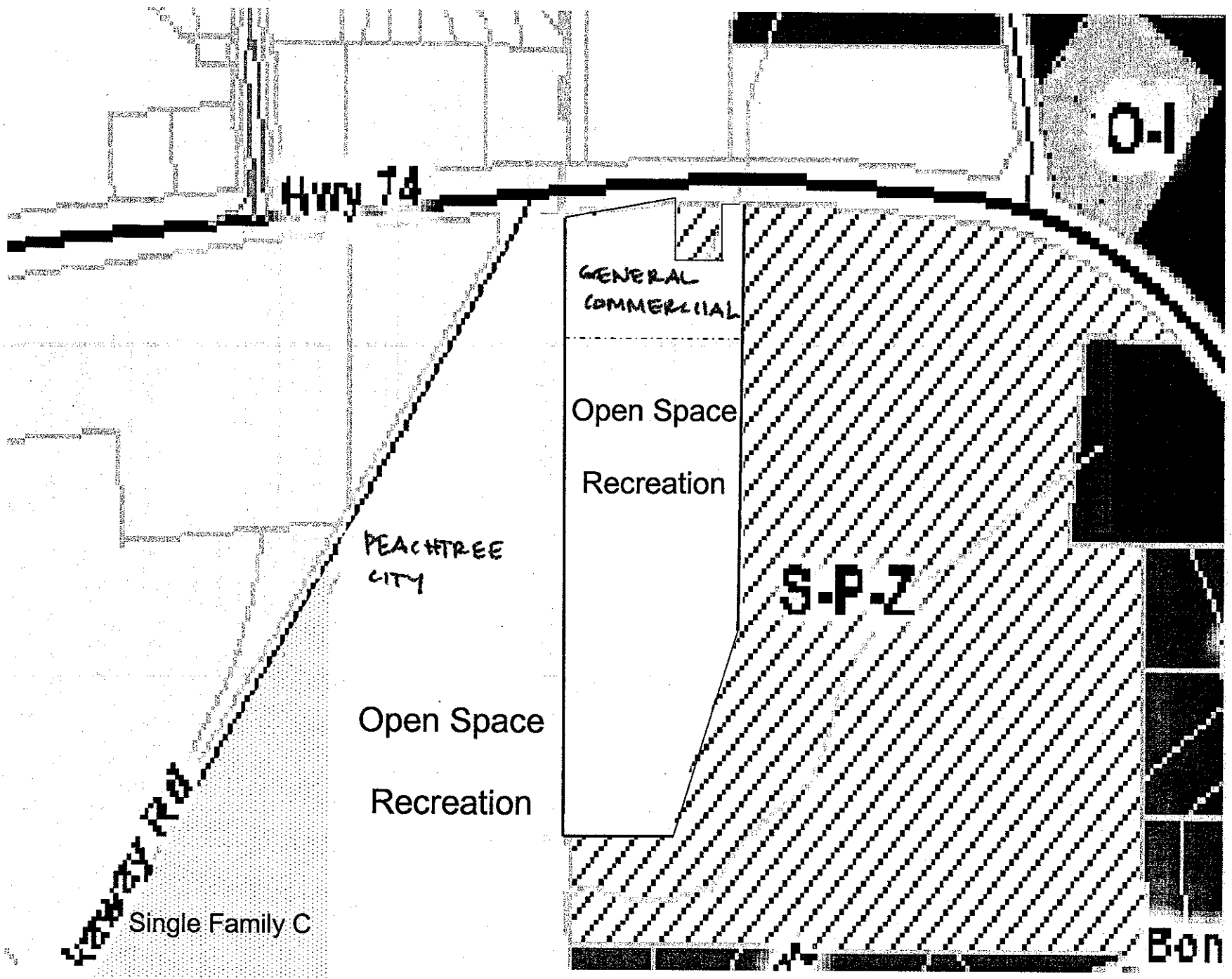
Bontura Dr

PEACHTREE CITY

Holly Grove Rd

Rockaway Rd

Rd



Hwy 74

GENERAL
COMMERCIAL

Open Space
Recreation

PEACHTREE
CITY

Open Space
Recreation

Single Family C

S-P-Z

0-1

Bon

Zoning Map of Peachtree City, Georgia



Jan 2008

Layout By Peachtree City GIS Department

Legend

AI - Airport Industrial	LUC-17
AR - Agricultural Reserve	LUC-19
ER - Estate Residential	LUC-20
GC - General Commercial	LUC-3
GI - General Industrial	LUC-6
GR - General Residential	LUC-9
GR-10	LUI - Limited Use Industrial
GR-12	LUR - Limited Use Residential
GR-14	LUR-12
GR-15	LUR-13
GR-16	LUR-2
GR-18	LUR-3
GR-3	LUR-4
GR-4	LUR-5
GR-6	LUR-8
VR - Villa Residential	LUR-7
LC - Limited Commercial	LUR-9
LI - Limited Industrial	R-43 - Residential
LUC - Limited Use Commercial	OI - Office Institutional
LUC-10	OS - Open Space
LUC-11	R - Residential
LUC-13	R-10
LUC-13A	R-12
LUC-14	R-15
LUC-15	R-22
LUC-16	

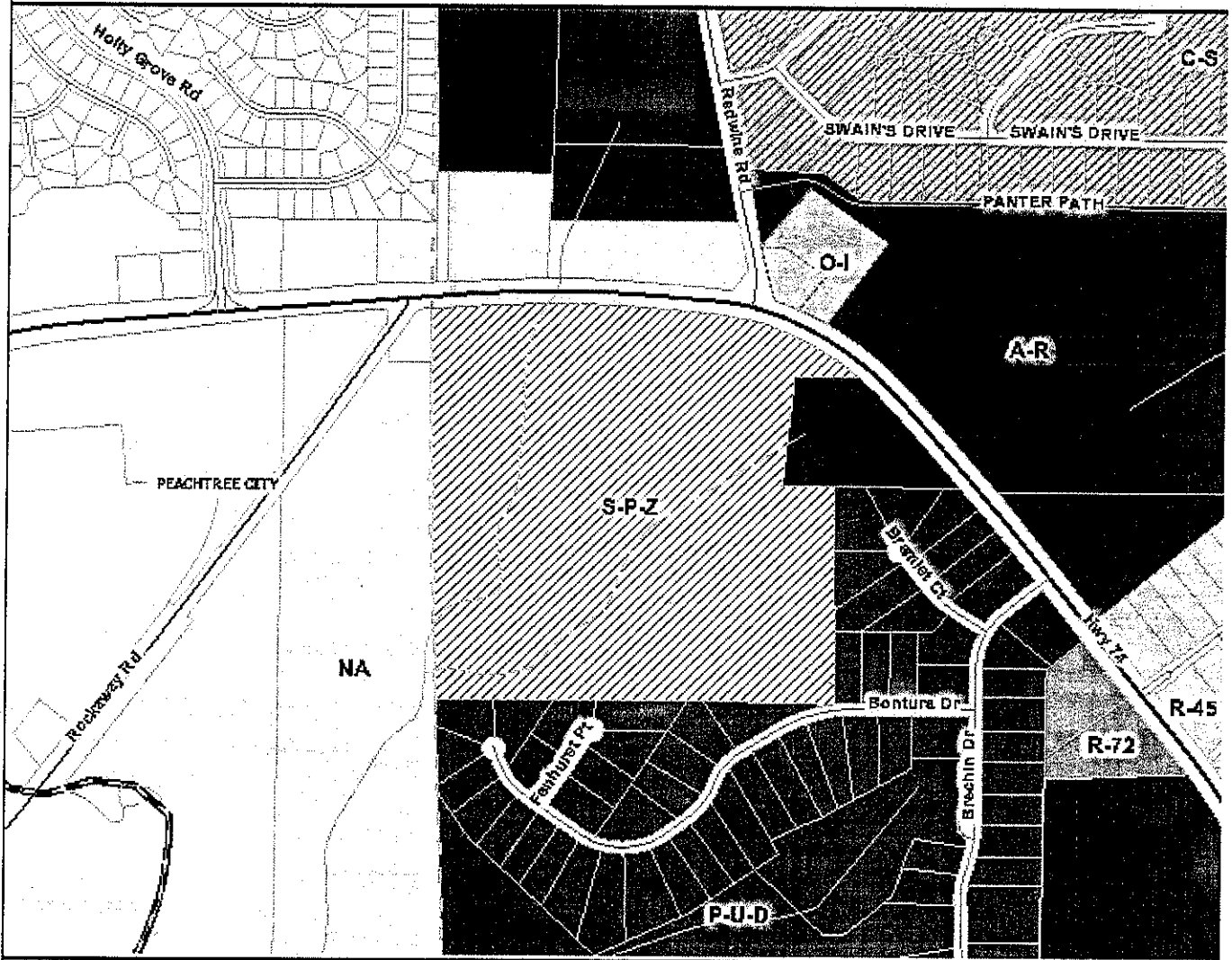


PEACHTREE
CITY

Google

Image © 2009 DigitalGlobe
© 2009 Tele Atlas
© 2009 LeadDog Consulting

Fayette County GIS



Zoning Map

Created by MapIt on 6/29/2009 2:24:57 PM© Copyright 2008-2009 BinaryBus, Ltd.



Please use blue or black ink to fill out this form.

REZONING PERMIT APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269
P: 770-487-5731 F: 770-631-2552
WWW.PEACHTREE-CITY.ORG

$\$600 + (\$50 / \text{acre}) = \$1,500$

Fee: \$250/acre

Receipt # 0057828

Date Filed 08, 06, 09

Case # 2009-11

Office Use Only

SITE LOCATION	Address <u>Highway 74 near intersection of Rockaway Road</u>		SITE INFORMATION	Parcel #(s) <u>0603 006</u>																																
	Proposed Use: <u>office and open space</u>			Existing Zoning <u>CC/AR (Fayette)</u>																																
APPLICANT	Site in which Village: ☐ Aberdeen ☒ Braelinn ☐ Glenloch ☐ Kedron ☐ Wilksmoor ☐ Industrial		OWNER	Property Size: <u>784,680</u> Square Feet <u>18</u> Acres																																
	Name <u>Southern Pine Plantation Commercial Group L.L.C.</u> Address <u>6501 Peach Road, Bldg 800</u> City, State, Zip <u>Marion, GA 31210</u> Phone # <u>(478) 444-0000</u> Email <u>jim@sppcommercial.com</u>			Name <u>Southern Pine Plantations Commercial Group L.L.C.</u> Address <u>6501 Peach Rd, Bldg 800</u> City, State, Zip <u>Marion, GA 31210</u> Phone # <u>(478) 444-0000</u> Email <u>jim@sppcommercial.com</u>																																
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LOCATION OF	Entrance to Site: <u>Highway 74</u>																																			
	Tree Save and Landscape Buffers: <u>none</u>																																			
TYPE OF CONSTRUCTION	Other Buffers: <u>stream buffer - see Site Plan</u>		Greenbelts (to be dedicated to the city): <u>none</u>																																	
	Multi-Use Path Connections: <u>potential connection to new tunnel</u>		Historical Resources: <u>none known</u>																																	
TYPE OF CONSTRUCTION	Natural Features: <u>stream on east side of property</u>		Stormwater Retention: <u>possibly shared with Meade Field expansion</u>																																	
	Building type: <u>office</u>		Briefly describe proposed use of property: (A separate detailed report is still required to be attached to this application) <u>Two 10,000 SF office buildings with surface parking and a 14.14 acre addition to the Meade Field complex</u>																																	
TYPE OF CONSTRUCTION	Hrs of operation: _____ to _____		# of stories: <u>2</u> Building height: <u>30'-35'</u>																																	
	Floor Area (Sq ft) <u>N/A</u> Existing <u>20,000</u> Proposed		# of dwelling units: <u>NONE</u> Units/acre: <u>N/A</u>																																	
TYPE OF CONSTRUCTION	# of employees: <u>NONE</u> Existing _____ Proposed		Parking: _____																																	
	Structural Material: ☐ Wood ☒ Metal ☐ Concrete ☒ Brick ☐ Other _____		Roof Material: ☒ Metal ☐ Tar ☐ Shingles ☐ Slate ☐ Other _____																																	
TYPE OF CONSTRUCTION	Interior Finish: ☒ Drywall ☐ Wood ☐ Concrete ☐ Stucco ☐ Other _____		Exterior Finish: ☐ Wood ☐ Metal ☐ Concrete ☒ Brick ☒ Other <u>Stucco</u>																																	
	SETBACKS		<table border="1"> <thead> <tr> <th></th> <th>Required</th> <th>Proposed</th> </tr> </thead> <tbody> <tr> <td>Front (Building)</td> <td><u>40</u> ft</td> <td><u>60</u> ft</td> </tr> <tr> <td>Front (Parking)</td> <td><u>20</u> ft</td> <td><u>60</u> ft</td> </tr> <tr> <td>Side</td> <td><u>10</u> ft</td> <td><u>10</u> ft</td> </tr> <tr> <td>Rear</td> <td><u>20</u> ft</td> <td><u>20</u> ft</td> </tr> </tbody> </table>				Required	Proposed	Front (Building)	<u>40</u> ft	<u>60</u> ft	Front (Parking)	<u>20</u> ft	<u>60</u> ft	Side	<u>10</u> ft	<u>10</u> ft	Rear	<u>20</u> ft	<u>20</u> ft																
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Per zoning Application
Revised 6/2008

www.peachtree-city.org
Fax: 770-631-2552

TRANSPORTATION INFORMATION	Name of access or adjacent street	# of access points	ROW width (ft)	Pavement width (ft)	# of lanes	Paved? (Y or N)	Roadway design capacity ¹	Traffic volume (ADT) ²	Est. traffic generated (ADT) ³
		Highway 74	1	varied	32	2	4	not known	not known
Estimated traffic generated by heavy vehicles: ¹ See GADOT Highway Capacity Manual; ² See GADOT Traffic Survey Unit (ADT = Average Daily Traffic); ³ Based on Institute of Transportation Engineers ratios - ratio used for estimate (e.g., x trips per yr)									
Types of vehicles(s): _____ ADT: _____ (vehicles other than automobiles and light trucks - Delivery, Waste, Equipment trucks, etc)									

UTILITIES & SERVICES INFO	Solid waste collection: <u>not known</u>		** Please attach letters from utilities indicating that their services can support the proposed development **	
	Natural gas: <u>unknown</u>			Water supply:
Electrical Service: <u>GA Power or Coweta Fayette</u>	Underground? ☒ Yes ☐ No		☐ Individual Well(s) ☐ Community System	1000-1200 gpd
Telephone Service: _____	Underground? ☒ Yes ☐ No		☒ Municipal System: (Fayette County Water Dept)	
Cable TV Service: _____	Underground? ☐ Yes ☒ No		Wastewater collection/treatment:	Estimated total wastewater discharge (gpd):
			☐ Individual Onsite ☐ Community System	900-1100 gpd
			☒ Municipal System: (Peachtree City WASA)	

FIRE & SAFETY INFORMATION	Automatic Fire Sprinklers:		Briefly describe daily operations: (A separate detailed report is still required to be attached to this application)	
	☐ Yes ☐ No, why? <u>unknown at</u>			
Automatic Fire Alarm: <u>this time</u>				
☐ Yes ☐ No, why? _____				
# of Fire Hydrants: <u>1</u>	Existing ☐ Proposed ☐			
Hazardous Material On Site? (If yes, describe type and method of storage to the right:)	☐ Yes ☒ No	Material(s): _____	Storage: _____	
(Not Known)				

With the signing and submittal of this application, the property owner authorizes the Peachtree City Staff to enter onto the subject property to collect data and other information in order to accurately prepare reports or other documentation for review by the Planning Commission and City Council.

By signing below I hereby certify that the above listed information and the accompanying materials as requested are accurate.

Applicant Signature: Jan M. Hill Date: 7-28-09

Property Owner Signature: Jan M. Hill Date: 7-28-09

Please complete the attached checklist.

OFFICE ONLY

This request, along with the required fee and supplemental documents, has been properly submitted and is hereby accepted for consideration by the Planning Commission and the City Council:

Signature: David E. Rant Date: 08-06-09

Date & Time of Planning Commission Public Hearing: Workshop 08-10-09 / PH 09-07-09

Date of City Council Public Hearing: 10-01-09 Case Number: 2009-12

Submittal Requirements

1. Schematic Site Plan

See attached plan.

2. Boundary Survey

See attached boundary survey.

3. Rezoning Packet

See attached, executed rezoning application.

4. Property Deeds

See attached recorded warranty deed.

5. Legal Description

See attached metes and bounds legal description.

6. Fees

See attached fee check.

7. Utilities and Services Letters

Sanitary sewer service is being provided to the site through the applicant's installation of a new line to connect to Highway 74 as a part of a regional pump station. The balance of the utilities are currently available to the site. Utilities and Services Letters have been requested, to be provided within one week.

8. Environmental Constraints Analysis

No environmental limitations are known for the property. The property is bordered to the east by an unnamed tributary to Line Creek. Wetlands have been delineated for the property and stream buffers have been established per Peachtree City ordinances.

9. Schematic Land Use Plan

City to provide.

10. Streetscape and Landscape Plan

See attached plan.

11. Phasing Plan

The proposed development will have one access point on Highway 74 and/or internal access through neighboring properties to the east and west. The driveway access will be permitted by the Georgia DOT. Traffic management for construction of the driveway and any required deceleration and acceleration lanes will be permitted by the Georgia DOT. No City streets will be impacted by development of the property. The sanitary sewer line will be constructed with the development of the subject property.

12. Community Facilities and Infrastructure Plan

The proposed office use will have minimal impact to Peachtree City community facilities. While there is capacity in the City sewer system, impacts to the collection system are being mitigated by participation in construction of a regional pump station and collection system. Further, the addition of property to the Meade Memorial Park will benefit the City's existing recreation area.

13. Emergency Response Plan

Emergency services for the property are provided by Station #83 located at 450 Peachtree Parkway. Commercial uses typically have a lower demand for medical, fire and police services than residential uses.

15. Architectural Program

See attached program.

16. Written Narrative

See attached Written Narrative Response.

17. Information

No additional information is required at this time based on the lack of adverse impact on the City by the proposal.

18. Electronic Copy

See attached CD.

FAYETTE COUNTY
ANIMAL SHELTER

GA HWY #74 R/W VARIES

AR R/W TO GDOT
1.52 AC

WAY ROAD R/W VARIES

N/F
GEORGIA
POWER
COMPANY

CONC MONUMENT WITH DISK

N/F
PEACHTREE CITY
(RECREATION AREA)

IPS
1/2" REBAR

D LOT LINE

PROPOSED ADDITION
TO MEADE FIELD
14.14 AC.

60' Front Yard Setback

OFFICE
10,000 SF

OFFICE
10,000 SF

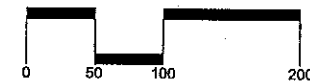
20' Rear Yard Setback

3.85 AC

25' Impervious Stream Buffer

50' Stream Buffer

ZONED C-C



ZT3
Placemaker
Studio

Designing Desirable Places
urban planning & design
land planning
landscape architecture

300 HOLMES STREET, SUITE 202,
MACON, GEORGIA 31201
TEL: 478-477-0000
FAX: 478-477-0005
WWW.ZT3PLACEMAKER.COM



GEWCC Level II Design Professional
Registration 03-4805

NOT FOR CONSTRUCTION		
REVISION	DATE	BY

SITE PLAN
for

CREEKSIDE PROFESSIONAL CENTER

S.P.P. Commercial Group, Inc.
6501 Peake Road, Macon, Georgia 31210
478-477-0000

PROJECT NO.	558.83.00
DATE	August 3, 2000
SHEET TITLE	SITE PLAN
SHEET NO.	2 of 3



Doc ID: 006586010003 Type: GLR
Filed: 02/01/2005 at 10:15:42 AM
Fee Amt: \$14.00 Page 1 of 3
Transfer Tax: \$0.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court

BK 2699 PG 24-26

This instrument is to be returned to:
Wendell Bowden
Martin Snow, LLP
P. O. Box 1606
Macon GA 31202-1606

WARRANTY DEED

GEORGIA, BIBB COUNTY:

THIS INDENTURE is made this 21 day of January, 2005, between STARRS MILL, LLC, a Georgia limited liability company, (hereinafter referred to as "Grantor") and SOUTHERN PINE PLANTATIONS COMMERCIAL GROUP, L.L.C., a Georgia limited liability company, (hereinafter referred to as "Grantee") ("Grantor" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits).

WITNESSETH:

GRANTOR, in consideration of the sum of ONE HUNDRED (\$100.00) DOLLARS and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Grantee the following described property:

All that tract or parcel of land lying and being in Fayette County, Georgia, being more particularly described on Exhibit "A" attached hereto and by this reference incorporated herein and made a part hereof.

TO HAVE AND TO HOLD the Land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee forever in FEE SIMPLE.

AND GRANTOR WILL WARRANT and forever defend the right and title to the Land unto Grantee against the claims of all persons whomsoever.

EXECUTED under seal as of the date above.

STARRS MILL, LLC

By: James M. Wells, III
James M. Wells, III, General Manager

Signed, sealed and delivered
in the presence of:

Witness

Notary Public

My Commission Expires:

[AFFIX NOTARY PUBLIC SEAL HERE]

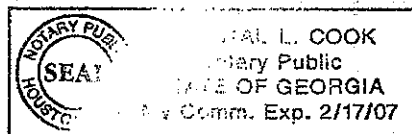


EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lots 17 and 18 of the Sixth District of Fayette County, Georgia, and being 87.754 acres, more or less, and being designated on said plat as 72.754 acres and 15.00 acres as per plat of survey dated March 11, 1992, as revised May 6, 1992, as revised June 2, 1992, made by Larry C. Shimshick, Georgia Registered Land Surveyor No. 2343, and being more particularly described as follows:

Beginning at the point of intersection of the southerly right-of-way line of State Highway #74 (100' right-of-way) with the westerly land lot line of Land Lot 18 and running thence along the southerly right-of-way line of said highway north 84 degrees 29 minutes 35 seconds east a distance of 36.11 feet to a point; continuing thence in an easterly direction, and following the southerly right-of-way of State Highway #74, and following along the arc of a curve to the right an arc distance of 668.10 feet (chord bearing north 87 degrees 24 minutes 53 seconds east and a chord length of 667.81 feet) to a point; continuing thence in an easterly and southeasterly direction, and following along said right-of-way, and along the arc of a curve to the right an arc distance of 654.66 feet (chord bearing south 87 degrees 20 minutes 12 seconds east and a chord length of 654.58 feet) to a point; continuing thence in a southeasterly direction, and following along said right-of-way and along the arc of the curve to the right an arc distance of 484.23 feet (chord bearing south 71 degrees 42 minutes 09 seconds east and a chord length of 480.58 feet) to a point; continuing thence in a southeasterly direction, and following along said right-of-way and along the arc of a curve to the right an arc distance of 507.01 feet (chord bearing south 51 degrees 10 minutes 11 seconds east and a chord length of 504.64 feet) to a point; continuing thence in a southeasterly direction and following along said right-of-way, and along the arc of the curve to the right an arc distance of 376.61 feet (chord bearing south 41 degrees 51 minutes 52 seconds east and a chord length of 376.60 feet) to a point; continuing thence in a southeasterly direction and following along said right-of-way, and along the arc of the curve to the right an arc distance of 132.72 feet (chord bearing south 40 degrees 58 minutes 33 seconds east and a chord length of 132.72 feet) to a point, which point is located on the southerly land lot line of Land Lot 18 (also the northerly land lot line of Land Lot 17); running thence north 89 degrees 52 minutes 04 seconds west, and following along said land lot line, a distance of 606.67 feet to a point; running thence south 00 degrees 06 minutes 42 seconds west a distance of 1027.05 feet to a point; running thence south 89 degrees 31 minutes 09 seconds west a distance of 1935.21 feet to a point, which point is located on the westerly land lot line of Land Lot 17; running thence north 00 degrees 01 minute 37 seconds west, and following along the westerly land lot line of Land Lots 17 and 18, a distance of 1886.68 feet to a point and the POINT OF BEGINNING.

LESS AND EXCEPT the 7.680 acre tract of land in Land Lot 18 of the Sixth District of Fayette County, Georgia, shown on the plat of survey prepared for S. M. Bishop Co., Inc. by Jefferson Consultants, Registered Surveyors, dated September 4, 1998, recorded in the Clerk's Office of Fayette Superior Court in Plat Book 31, page 63, which was conveyed by Frank M. Shepherd and Jacob W. Wise to Little One's At Starr's Mill, Inc. by Warranty Deed dated November 5, 1998, recorded in the Clerk's Office of Fayette Superior Court in Deed Book 1316, page 168.

All that tract or parcel of land lying and being in Land Lots 17 and 18 of the 6th District Fayette County, and is more particularly described as follows:

Commence at the point of intersection of the southerly right-of-way line of State Highway #74 (right-of-way varies) with the westerly land lot line of Land Lot 18;

THENCE along said land lot line South 00 degrees 40 minutes 16 seconds West for a distance of 309.91 feet to a ½" rebar set and the Point of Beginning;

THENCE leaving said land lot line North 88 degrees 38 minutes 15 seconds East for a distance of 549.78 feet to a ½" rebar set;

THENCE South 01 degrees 07 minutes 29 seconds East for a distance of 395.27 feet to a ½" rebar set;

THENCE South 04 degrees 09 minutes 13 seconds West for a distance of 249.32 feet to a ½" rebar set;

THENCE South 04 degrees 09 minutes 13 seconds West for a distance of 149.93 feet to ½" rebar set;

THENCE South 22 degrees 09 minutes 46 seconds West for a distance of 404.02 feet to a ½" rebar set;

THENCE South 84 degrees 24 minutes 07 seconds West for a distance of 391.90 feet to the westerly line of Land Lot 17 and a ½" rebar set;

THENCE along said westerly line and the westerly line of Land Lot 18 North 00 degrees 40 minutes 16 seconds East for a distance of 1192.79 feet to the Point of Beginning;

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 14.14 acres more or less.

All that tract or parcel of land lying and being in Land Lot 18 of the 6th District Fayette County, and is more particularly described as follows:

Begin at the point of intersection of the southerly right-of-way line of State Highway #74 (right-of-way varies) with the westerly land lot line of Land Lot 18;

THENCE along said right-of-way North 85 degrees 30 minutes 07 seconds East for a distance of 119.87 feet to a point;

THENCE along a curve to the right having a radius of 5925.00 feet and an arc length of 278.29 feet, being subtended by a chord of North 86 degrees 50 minutes 51 seconds East for a distance of 278.27 feet to a point;

THENCE South 01 degrees 48 minutes 25 seconds East for a distance of 81.00 feet to a point;

THENCE along a curve to the right having a radius of 5844.00 feet and an arc length of 97.40 feet, being subtended by a chord of with a chord bearing of North 88 degrees 40 minutes 14 seconds East for a distance of 97.40 feet to a point;

THENCE North 00 degrees 51 minutes 07 seconds West for a distance of 81.00 feet to a point;

THENCE along a curve to the right having a radius of 5925.00 feet and an arc length of 51.53 feet, being subtended by a chord of with a chord bearing of North 89 degrees 23 minutes 50 seconds East for a distance of 51.53 feet to a point;

THENCE leaving said right-of-way South 00 degrees 26 minutes 00 seconds East for a distance of 18.18 feet to a point;

THENCE South 00 degrees 19 minutes 26 seconds West for a distance of 306.18 feet to a ½" rebar set;

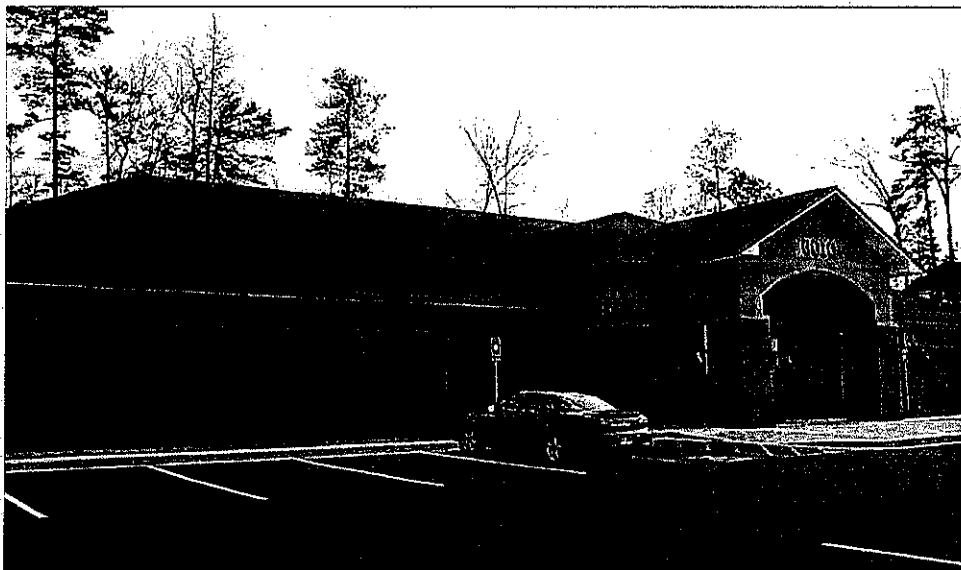
THENCE South 88 degrees 38 minutes 15 seconds West for a distance of 549.78 feet to the westerly line of Land Lot 18 and a ½" rebar set;

THENCE along said westerly line North 00 degrees 40 minutes 16 seconds East for a distance of 309.91 feet to the point of beginning;

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 3.86 acres more or less.

Architectural Program



Architectural Program



Architectural Program



WRITTEN NARRATIVE REFERENCE

Instructions: The applicant shall complete the following written narrative as part of the submittal requirements. If the applicant fails to fully describe any of the following elements the Rezoning Permit may be delayed or denied.

The written narrative is a description of how the proposal relates to the relevant chapters of the comprehensive plan. Please create a Microsoft Word file that addresses each of the following elements, as applicable. When finished please print one (1) copy to enter in the Rezoning Packet and save one copy as (*writtennarrative.doc*) to be included in the required electronic copy of materials:

1. **Land use:** Whether the proposed zoning and/ or land uses are consistent with the long-range land use designation, as well as:
 - (a) Proposed uses and impacts on public & educational facilities.
 - (b) Proposed maximum number of dwelling units.
 - (c) Maximum height of all proposed structures.
 - (d) Mitigation of impacts on neighboring properties, including vehicular access plan, landscaping and screening, setback and buffer requirements, and transition of density/ intensity of land use.
 - (e) Proposed special amenities including a commitment to landscaping with indigenous, drought tolerant species.
 - (f) Proposed phasing of development and their relationship to supportive utilities, facilities, transportation, and service components to accommodate the impacts of the development.
2. **Community Design:** How the proposal will address the principles & standards of community design including, but not limited to:
 - (a) How the project fits within the village concept of the city as set forth in the city's comprehensive plan.
 - (b) Providing multi-use path connections between residential and commercial properties and community facilities.
 - (c) Incorporating crime prevention principles into site and building designs.
 - (d) Providing parking at the rear of commercial buildings.
 - (e) Locating structures close to the street edge.
 - (f) Eliminating or limiting large parking lots between public streets and building entrances.
 - (g) Preserving natural resources on the site.
 - (h) Incorporating natural storm water management designs as wet ponds and as architectural features of new developments.
 - (i) Protecting and restoring the natural terrain, drainage, and vegetation.
 - (j) Aligning new roads to the natural contours of the land.
 - (k) Building architecture, signs, landscaping, lighting, and retention of natural vegetation along roadways and property boundaries.
 - (l) Preserving and/or providing open space.
3. **Economic Development:** Identify whether or not the proposed use is an existing county-based business or targeted industry, as identified by the Fayette County development authority and/or the development authority of the city. Provide an estimate the development will have on the city's tax base.
4. **Fire and Rescue:** Discuss how fire safety will be addressed:
 - (a) Impacts of the proposal on established level of service (LOS) standards.
 - (b) Additional mitigation measures such as sprinklers and fire-rated construction if outside travel time.
 - (c) Proposed improvements, including possible transportation improvements to achieve a satisfactory LOS.
5. **Potable Water:** Describe how water will be provided to the site:
 - (a) Relationship of the proposed development to supportive public utilities.
 - (b) Improvements proposed, especially if the proposal relies on groundwater or recharge areas.
6. **Sewer:** Describe how sanitary sewer service will be provided to the site:
 - (a) Relationship of the proposed development to supportive public utilities, where consistent with the comprehensive plan.
 - (b) Proposed improvements to accommodate development.
7. **Transportation:** Describe measures to achieve level of service 'D' or better. The limits of any traffic study shall be determined by the city engineer and the city's traffic consultant and shall include:
 - (a) Impacts of the proposal on established level of service (LOS) standards.
 - (b) Improvements proposed, both motorized and non-motorized.
 - (c) Address connectivity of sidewalks and/ or multi-use path system to adjacent properties, as well as the connectivity of internal roads to adjacent properties.

Written Narrative Reference

The applicant seeks the annexation and corresponding rezoning of an eighteen acre tract fronting on Highway 74. The applicant proposes to zone approximately 3.86 acres fronting on Highway 74 to the General Commercial zoning classification. The remaining 14.14 acres shall be zoned as Open Space and be dedicated to Peachtree City for an addition to the Meade Field complex. In addition, the applicant intends to install a sanitary sewer line along the length of the subject property that would provide sanitary sewer for the applicant's property, the existing Fayette County Animal Shelter and also a stubbed connection on Highway 74 for future use by other parties.

1. Land Use: Whether the proposed zoning and/or land uses are consistent with the long range land use designation.

Concurrently with this application, the applicant is seeking an annexation of the subject property from Fayette County into Peachtree City. Although the City's comprehensive plan does not address the subject property, the site is adjacent to property currently zoned for commercial and office uses in Fayette County and is located across the street from the Starrs Mill Professional Center and near the recently developed Wilshire Village. The site abuts a commercial node in the City that contains office and commercial land use plan designations. Approximately seventy seven percent (77%) of the applicant's property proposed for annexation is planned for zoning and use as an addition to the existing Meade Field complex which would be consistent with the long range plans for Meade Field in the City.

(a) Proposed uses and impacts on public and educational facilities.

The applicant proposes to develop single story office uses on the portion of the site being zoned General Commercial. The balance of the eighteen acre site will be dedicated to Peachtree City for recreation use as an addition to Meade Field. The proposal will benefit the City through the enhancement of the existing ball field complex. Due to the lack of residential uses, no effect is anticipated on educational facilities.

(b) Proposed maximum number of dwelling units.

No residential uses or dwelling units are proposed.

(c) Maximum height of all proposed structures.

The maximum building height shall not exceed thirty-five feet (35').

(d) Mitigation of impacts on neighboring properties, including vehicular access plan, landscaping and screening, setback and buffer requirements, and transitioning of density/intensity of use.

The portion of the property proposed for office use will be accessed from Highway 74 and interparcel access with the adjacent commercial tract will also be

provided. The balance of the site will be accessed from Rockaway Road through Meade Field. As shown on the site plan included in this application, the proposal shall observe the required landscaping, screening, setback and buffer requirements. The office site is located adjacent to site currently zoned for commercial uses including office and retail in Fayette County and is located across the street from the Wilshire Village's retail center.

- (e) Proposed special amenities including a commitment to landscaping with indigenous, drought tolerant species.

The applicant's proposal will add a significant amount of open space and recreation area for use by the residents of Peachtree City. The landscaping proposed is detailed in the streetscape and landscape plan included in this application.

- (f) Proposed phasing of development and their relationship to supportive utilities, facilities, transportation, and service components to accommodate the impacts of the development.

In connection with the rezoning, the applicant proposes to construct a sanitary sewer line to serve the project and enable properties across Highway 74 to connect to the service. Due to the limited amount of office use proposed and the current mix of residential, commercial and educational uses along Highway 74, the applicant does not anticipate any adverse effect on utilities, facilities, transportation or services in the area. Further, the addition of open space for use in conjunction with Meade Field will benefit the area by expanding an existing amenity. Additional information about the phasing and community facilities is included in the Phasing Plan and Community Facilities and Infrastructure Plan included in this application.

2. **Community Design:** How will the proposal address the principles and standards of community design?

The office portion of the applicant's proposal is consistent with design standards established by the recently approved Wilshire Village commercial project. The office development will be traditional single story, brick office buildings. Signs will compliment the color and style of the buildings. Site lighting using cut-off fixtures and poles that compliment the color and style of the buildings will be used. Further, the orientation of the buildings and parking on the site is appropriate to provide a clear transition between the office uses and the adjacent Meade Field complex. In an effort to be environmentally sensitive to the existing stream and wetland areas at the rear of the applicant's property, commercial use is localized along the Highway 74 frontage. Inter-parcel access will be provided between the office site and the adjacent property proposed for commercial development. The recent widening proposal for Highway 74 further reinforces the suitability of the proposed location of the office uses.

3. **Economic Development:** Identify whether or not the proposed use is an existing county-based business or targeted industry, as identified by the Fayette County development authority and/or the development authority of the City. Provide an estimate the development will have on the City's tax base.

The end user for the General Commercial portion of the site has not yet been determined. The Open Space portion of the site being added to the Meade Field complex will further the City's goal of providing park and recreation areas for use by the City's residents. The applicant estimates that the development will generate approximately \$45,000 in property taxes.

4. **Fire and Rescue:** Discuss how fire safety will be addressed.

The site is located on Highway 74 in an area currently served by fire protection and rescue services. The proposed office buildings will be constructed in accordance with the City's fire safety standards. The widening of Highway 74 will improve the ability of fire and rescue teams to respond to emergencies in the area.

5. **Potable Water:** Describe how water will be provided to the site.

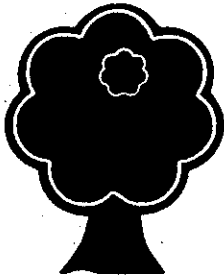
Water service is present on the adjacent Highway 74 right-of-way. No water related improvements are needed to service the proposed improvements.

6. **Sewer:** Describe how sanitary sewer will be provided to the site.

In connection with the development of the site, the applicant is installing a new sanitary sewer line running the length of the property. The installation of the line will enable participation in a regional pump station to service the area

7. **Transportation:** Describe measures to achieve a level of service "D" or better. The limits of any traffic study shall be determined by the City engineer and the City's traffic consultant.

Widening of Highway 74 is already proposed independently of the applicant's proposal. The applicant further proposes an inter-parcel connection between the commercial tract and the applicant's adjacent commercial property in Fayette County. The applicant anticipates that the traffic effect generated by the proposed office and recreational uses will be minimal given the current development and vehicular activity in this area.



Peachtree City

Georgia

August 7, 2000

Ms. Kathy Zeitler
Fayette County Zoning Administrator
140 Stonewall Avenue West
Fayetteville, GA 30214

Re: Proposed Rezoning, Plantation Centre

Dear Kathy:

This is in response to your request for comments from Peachtree City concerning the proposed rezoning of an 80-acre tract on the south side of GA 74 opposite the Redwine Road intersection.

We would not recommend the creation of a new zoning district to accommodate about 189,000 square feet of commercial space in the proposed location.

Construction has recently begun on a neighborhood-oriented shopping center adjacent to the Animal Shelter within Peachtree City, a short distance from the proposed site. That center has the following characteristics:

1. It is limited to 15 acres with floor area of about 80,000 square feet, while the proposed new center would be about twice that size.
2. It is going to be connected to a public sewer system, while the proposed new center would not be.
3. It is in accordance with the City's Land Use Plan, while the proposed center would not be in accordance with the Fayette County Land Use Plan.
4. It is designed to serve the neighborhood shopping needs of the southern portion of Peachtree City via the internal street system, while the proposed new center would be essentially a highway-oriented center.

Thank you for considering our input on this important matter.

Sincerely,

James B. Williams
Director of Developmental Services

JBW/jir

REZONING APPLICATION EVALUATION

PETITION NO.: 1057-00

APPLICANT: Starrs Mill, LLC
6304 Peake Drive
Macon, GA 31210

LOCATION OF PROPERTY: Land Lot(s) 17 and 18 of the 6th District and fronts on S.R.
74 South.

SIZE: 80.09 acres

REQUEST: Request to rezone 80.09 acres from A-R to C-C to develop a Neighborhood Retail
and Office and Church.

COMMENTS:

See attached letter.

- ☐ CHRIS VENICE, PLANNING/TRC CHAIR
- ☐ KATHY ZEITLER, ZONING/ZONING ADMINISTRATOR
- ☐ DAVID SCARBROUGH, FIRE (2 copies)
- ☐ TONY PARROTT, WATER
- ☐ LEE HEARN, PUBLIC WORKS
- ☐ , COUNTY ENGINEER
- ☐ DAVE BORKOWSKI, CIVIL ENGINEER
- ☐ RICK FEHR, ENVIRONMENTAL HEALTH
- ☐ JOHN DECOTIS, BOARD OF EDUCATION
- ☐ WAYNE HANNAH, S.O. TRAFFIC
- ☐ MARY ALICE LAWRENCE, RECREATION
- ☐ STEVE DANIELS, GA DOT
- ☒ OTHER: CITY OF PEACHTREE CITY

COMMENTS TO BE RETURNED TO THE ZONING DEPT. BY 08/11/00.

Return comments to: Fayette County Zoning Dept.
Attn: Robyn Moore, P.C. Secretary
140 Stonewall Avenue West, Suite 202
Fayetteville, GA 30214

Rec'd 8/7/00

LETTER OF INTENT

The subject property consists of 80.09 acres along Georgia Highway 74, across the highway from the intersection of Highway 74 with Redwine Road. The property is currently zoned A-R.

The applicant requests a rezoning to the Community Commercial (C-C) classification to allow development of a neighborhood retail center anchored by a grocery store with offices, as well as a church site. The office and commercial areas would total approximately 188,900 square feet. The applicant will provide approximately 1088 parking spaces to serve the commercial and office uses, with additional parking spaces provided for recreational uses.

The applicant's site plan shows the possible use of a significant portion of the site for recreational purposes. However, the ultimate use of that portion would depend upon the County's demand for such uses and its interest in acquiring and maintaining that area for recreational purposes.

The applicant's site plan incorporates several concepts to make the shopping center more pedestrian-friendly and more attractive than most shopping centers, including a mix of uses, building footprints close to the highway, parking that is largely hidden from view of the highway, sidewalks throughout the center, and interparcel access to the Brechin Park subdivision located behind the proposed shopping center.

The property is across the road from the Starrs Mill high school complex and is adjacent to the Little Ones daycare facility and the Meade Recreation Park, which is inside the Peachtree City city limits. Property within one-half of a mile of the property inside Peachtree City is zoned for commercial use. The Brechin Park subdivision adjoins the rear of the property.

The applicant's proposal is highly appropriate for the area, which has seen significant residential development in recent years but which is at least seven miles from the closest grocery store. The site plan proposes church and recreational uses for the portion of the property closest to residential development to minimize any impact from the development.

Because the property is located on a busy highway, it is inappropriate for the low-density residential use proposed by the County's land use plan. The applicant's proposal presents a way to meet the commercial needs of nearby residents, to reduce the need for residents to drive into Fayetteville or Peachtree City, and to increase the park space available for nearby residents in the least intrusive way possible.



Carl E. Westmoreland, Jr.
Agent for Applicant

**EXCERPT FROM APPROVED MEETING MINUTES
CITY COUNCIL MEETING**

July 16, 2009

Public Hearing – Consider Step One Annexation Application – Southern Pines Plantation (SR 74 South)

Rast addressed Council, saying that the County had rezoned the parcel, which was located just south of Rockaway Road and Meade Field, for a retail/office complex. The applicant proposed that the City annex approximately 18 acres of the overall 80-acre site. The overall tract included 21.8 acres designated as C-C Community Commercial, 5.8 acres designated as OI Office Institutional, and 52.4 acres designated as AR Agricultural Reserve. The County approved 177,200 square feet of office and retail space for the overall site. The 18-acre tract proposed for the annexation was located immediately south of and adjacent to the Meade Field sports complex. The applicant proposed that 14.14 acres be donated to the City for future expansion of the sports complex and the remaining 3.86 acres be designated for commercial use. That portion was located adjacent to SR 74 and would be used for offices.

Carl Westmoreland, attorney for the property owner, SPP Commercial Group, LLC, spoke on behalf of the applicant, noting the application was the first step in a collaborative process between the owners, the County, the Peachtree City Water and Sewerage Authority (WASA), and the City. He continued that they would request General Commercial GC zoning for the portion next to SR 74 with conditions similar to Wilshire Pavilion. They proposed to give the 14 acres abutting Meade Field to the City. There was a creek that ran perpendicular to SR 74 on Tract 2 and the sanitary sewer line would run up the creek. If the application to annex moved forward with the City, they would file to modify the commercial zoning that existed in the County. They planned to bring the Step Two application to Council in October.

The public hearing opened.

Bob Brown said he was not adamantly opposed to annexation where it made sense. They were asking that part of the overall property be annexed into the City for the benefit of sewer access for the entire project without having to adhere to the City's ordinances for the entire project. The City should either annex the entire portion or develop the portion in the County to the City's standards.

Phyllis Aguayo said there was not enough information to know if the annexation would be good or bad. She had the same concerns as Brown. Logsdon said the City would get that information if the Step One application was approved. Aguayo said there also needed to be a better understanding of what would be different if the property were not annexed.

Beth Pullias asked why the entire tract was not included in the request. Plunkett said that the back portion of the overall tract had been deeded to the County as part of the development agreement. Logsdon said all of that would become public information if Council approved the

Step One application. Aguayo added that there needed to be a better understanding of the properties contiguous to the tract and how annexation would affect them.

Sturbaum said there was already a developed subdivision on one side of SR 74 and the Starr's Mill school complex was on the other. Plunkett pointed out that the property directly across from Tract 1 was in the City. Logsdon added that the City was not interested in annexing the world, but there were a few areas where it would make sense. Council told staff that if the property owner approached the City, then they should work with them. If it was any other property owner, then they should not waste their time.

Plunkett said she was interested in adding to the recreation facility and the buffer to the commercial development. In her opinion, the City would be providing the developer with a substantial service by providing sewer, so serious consideration should be given to size, signage, landscaping, and more. If the City provided sewer service, the buildings should look like they were part of the City. Haddix pointed out that those issues and questions were only resolvable if Council opened the door by approving the Step One application, and he was willing to do that.

Sturbaum moved to approve the Step One annexation application from Southern Pines Plantation (SR 74 South). Plunkett seconded. The motion carried unanimously.



Action Agenda

Board of Commissioners
October 22, 2009
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Thursday, October 22, 2009, at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:

Jack Smith, Chairman
Lee Hearn
Robert Horgan
Eric Maxwell

Commissioner Absent:

Herb Frady, Vice Chairman

Staff Present:

Jack Krakeel, County Administrator
Scott Bennett, County Attorney
Carol Chandler, Executive Assistant
Karen Morley, Chief Deputy Clerk

Chairman Smith called the meeting to order.
Commissioner Hearn offered the Invocation.
Pledge of Allegiance.

ACCEPTANCE OF AGENDA : COMMISSIONER HORGAN MADE A MOTION TO ACCEPT THE AGENDA AS PRESENTED. COMMISSIONER HEARN SECONDED THE MOTION. THE MOTION CARRIED 4-0 WITH COMMISSIONER FRADY BEING ABSENT.

PRESENTATION/RECOGNITION:

- A. Presentation of Proclamation designating November 1, 2009 as "Retired Educators Day in Fayette County".

CHAIRMAN SMITH READ AND THE BOARD PRESENTED A PROCLAMATION DESIGNATING NOVEMBER 1, 2009 AS "RETIRED EDUCATORS DAY IN FAYETTE COUNTY" TO JAMES HAYMANS AND OTHER REPRESENTATIVES OF THE RETIRED EDUCATORS OF FAYETTE COUNTY.

- B. Consideration of Petition No. 1216-09 and Petition No. RP-046-09, John Alan Bell, Owner/Agent, request to rezone Lot 18 of Lakeview Estates consisting of 1.03 acres from R-40 to O-I; and request to Change the Use of Lot 18 from single-family residential to office-institutional. This property is located in Land Lot 127 of the 5th District and fronts on SR 54 West. Due to the lack of a full board at the October 1st Planning Commission meeting, the applicant requested his petitions be tabled until the November 5th Planning Commission meeting. The Board of Commissioners should table its hearing of these petitions until its December 10th meeting.

CHAIRMAN SMITH ANNOUNCED THAT THE APPLICANT HAD REQUESTED THESE PETITIONS BE TABLED UNTIL THE NOVEMBER 5TH PLANNING COMMISSION MEETING AND THE BOARD OF COMMISSIONERS SHOULD TABLE ITS HEARING OF THESE PETITIONS UNTIL ITS DECEMBER 10TH MEETING.

- C. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding: Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-6. Transportation Corridor Overlay, A. SR 54 West Overlay Zone, 4. Architectural Standards, Gasoline Canopy, and C. General State Route Overlay Zone, 4. Architectural Standards, Gasoline Canopy. The Planning Commission unanimously recommended approval 3-0.

COMMISSIONER HORGAN MADE A MOTION TO APPROVE ORDINANCE NO. 2009-04 FOR AMENDING THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE VII. CONDITIONAL USES, EXCEPTIONS, AND MODIFICATIONS, SECTION 7-6. TRANSPORTATION CORRIDOR OVERLAY, A. SR54 WEST OVERLAY ZONE, 4. ARCHITECTURAL STANDARDS, GASOLINE CANOPY, AND C. GENERAL STATE ROUTE OVERLAY ZONE, 4. ARCHITECTURAL STANDARDS, GASOLINE CANOPY. COMMISSIONER HEARN SECONDED THE MOTION. THE MOTION CARRIED 4-0 WITH COMMISSIONER FRADY BEING ABSENT.

PUBLIC COMMENT:

DAVID WORLEY: David Worley commented on item E. on tonight's agenda regarding the proposed de-annexation of a piece of property consisting of 1.17 acres that was previously annexed by the City of Peachtree City. He asked for the Board's consideration to not take the action that was being proposed.

DONNA BLACK: Donna Black remarked that she was with the Firm of Scarborough and Rolader Development. She also commented on the de-annexation request on tonight's agenda. She said the annexation zoning was upheld in court and this was what Mr. Worley was appealing. She noted that the action this Firm was seeking was a lawful remedy to provide for these two parcels to be not considered islands in the County.

KEVIN CARROLL: Kevin Carroll commented on a proposal for a roundabout at Birkdale Drive and Redwine Road and with a proposed cost of \$400,000 to \$500,000. He said he was familiar with roundabouts and felt they contribute to many accidents and he suggested stop signs or a traffic signal be installed. He also commented that he saw nothing on the agenda that would address the salary situation for the teachers in Fayette County.

CONSENT AGENDA: CHAIRMAN SMITH REQUESTED CONSENT ITEM #7 TO BE REMOVED FOR DISCUSSION. COMMISSIONER HORGAN MADE A MOTION TO APPROVE THE CONSENT AGENDA ITEMS 1-6 AS PRESENTED. COMMISSIONER HEARN SECONDED THE MOTION. THE MOTION CARRIED 4-0 WITH COMMISSIONER FRADY BEING ABSENT.

1. Approval of Sheriff's Department request for authorization to dispose of a vehicle seized through the County's participation in the State asset forfeiture program and authorization for the Chairman to execute title paperwork allowing disposal of the vehicle.
2. Approval of Sheriff's Department request to amend revenue and expenditure funds in the Technical Services Budget Account for the Criminal Investigations Division by \$5,000.00 to cover anticipated overages in the cost of providing subpoenaed information. The funds would come from the CID Investigative Services Account.

3. Approval of Sheriff's Department request to amend the Overtime Budget for the Fayette County Sheriff's Office Criminal Investigations Division by \$2,163.86 for reimbursement for employees assigned to work with various Federal Agencies.
4. Approval of Sheriff's Department request to allow Fayette County to be the recipient of a grant from the Wal-Mart Foundation Community Grant Program in an amount up to \$5,000 and to amend the FY 2010 Budget in Grant Revenue and Public Relations Services Accounts to recognize the grant upon receipt.
5. Approval of recommendations by the Tax Assessor's Office regarding requests for tax refunds.
6. Approval of staff's request for permission to dispose of firefighter uniforms and turnout gear that are no longer serviceable.
7. Approval of minutes for Board of Commissioners' meetings held on September 24, 2009 and October 7, 2009.

COMMISSIONER HORGAN MADE A MOTION TO APPROVE THE MINUTES FOR THE BOARD OF COMMISSIONERS' MEETING HELD ON SEPTEMBER 24, 2009. COMMISSIONER HEARN SECONDED THE MOTION. THE MOTION CARRIED 4-0 WITH COMMISSIONER FRADY BEING ABSENT.

CHAIRMAN SMITH REMARKED THAT BOTH COMMISSIONER MAXWELL AND COMMISSIONER HEARN WERE ATTENDING EDUCATIONAL CLASSES ON THAT MEETING DATE AND WOULD NOT BE ABLE TO VOTE ON THIS ITEM AND ALSO NOTED THAT COMMISSIONER FRADY WAS ABSENT TONIGHT. HE SUGGESTED THESE MINUTES BE TABLED FOR A VOTE AT THE NOVEMBER 12TH BOARD MEETING.

OLD BUSINESS:

- D. Consideration of a request from the City of Peachtree City concerning an annexation application from Southern Pines Plantation Commercial Group, LLC for an 18 acre tract located in Land Lot 18 of the 6th District which fronts on S.R. 74 South near Rockaway Road.

THERE WAS A CONSENSUS OF THE BOARD THAT NO ACTION WOULD BE TAKEN ON THIS MATTER.

- E. Consideration of a request from the City of Peachtree City concerning an application from Brent West Village, LLC for the de-annexation of a 1.17 acre tract located in Land Lots 166, 167, 182, 183 and 184 of the 7th District. This property is generally located west of Senoia Road near the boundary between Tyrone and Peachtree City.

COMMISSIONER MAXWELL MADE A MOTION TO APPROVE RESOLUTION NO. 2009-16 STATING THAT THE FAYETTE COUNTY BOARD OF COMMISSIONERS CONSENTS TO THIS DE-ANNEXATION REQUEST FOR THE 1.17 ACRE TRACT AND FOR AUTHORIZATION FOR THE CHAIRMAN TO EXECUTE SAID RESOLUTION. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 4-0 WITH COMMISSIONER FRADY BEING ABSENT.

- F. Consideration of a request from staff for authorization to issue requests for proposals for the replacement of three ambulances.

COMMISSIONER HORGAN MADE A MOTION TO AUTHORIZE THE ISSUANCE OF REQUESTS FOR PROPOSALS FOR THE REPLACEMENT OF THREE AMBULANCES. COMMISSIONER HEARN SECONDED THE MOTION. THE MOTION CARRIED 4-0 WITH COMMISSIONER FRADY BEING ABSENT.

- G. Consideration of Ordinance 2009-05 regarding the use of alcoholic beverages on specified county property.

COMMISSIONER MAXWELL MADE A MOTION TO APPROVE ORDINANCE 2009-05 REGARDING THE USE OF ALCOHOLIC BEVERAGES ON SPECIFIED COUNTY PROPERTY. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 3-1 WITH COMMISSIONER FRADY BEING ABSENT AND COMMISSIONER HEARN VOTING IN OPPOSITION.

NEW BUSINESS:

- H. Consideration of a request for the Chairman to execute a "Qualified Energy Conservation Bond Notice of Intent to Issue."

COMMISSIONER HORGAN MADE A MOTION TO AUTHORIZE THE CHAIRMAN TO EXECUTE A "QUALIFIED ENERGY CONSERVATION BOND NOTICE OF INTENT TO ISSUE." COMMISSIONER HEARN SECONDED THE MOTION. THE MOTION CARRIED 4-0 WITH COMMISSIONER FRADY BEING ABSENT.

ADMINISTRATOR'S REPORT:

NONE.

ATTORNEY'S REPORT:

NONE.

STAFF REPORTS:

NONE.

BOARD REPORTS:

COMMISSIONER HEARN: Commissioner Hearn requested an update on the construction process regarding the West Fayetteville Bypass on the first phase of construction that ties into S.R. 92 at the November 4th Board of Commissioners Workshop meeting. County Administrator Jack Krakeel provided a brief update on the construction of phase I.

EXECUTIVE SESSION: County Attorney Scott Bennett requested an Executive Session to discuss real estate acquisition and litigation matters.

Chairman Smith requested an Executive Session to discuss personnel matters.

COMMISSIONER HEARN MADE A MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS REAL ESTATE ACQUISITION, LITIGATION AND PERSONNEL MATTERS. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 4-0 WITH COMMISSIONER FRADY BEING ABSENT.

Chairman Smith reconvened the meeting at this time.

COMMISSIONER HORGAN MADE A MOTION TO AUTHORIZE THE CHAIRMAN TO EXECUTE AN EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT MATTERS OF REAL ESTATE ACQUISITION, LITIGATION AND PERSONNEL WERE DISCUSSED IN EXECUTIVE SESSION. COMMISSIONER HEARN SECONDED THE MOTION. THE MOTION CARRIED 4-0 WITH COMMISSIONER FRADY BEING ABSENT.

ADJOURNMENT: Hearing no further business to come before the Board, Chairman Smith adjourned the meeting at 8:38 p.m.

Karen Morley, Chief Deputy Clerk

**UNAPPROVED EXCERPT OF MINUTES
PLANNING COMMISSION MEETING
November 9, 2009**

- PH-09-10** **Consider request to annex 18 acres immediately south of and adjacent to the Meade Field Sports Complex. The Applicant is Southern Pines Plantation Commercial Group, LLC.**
- PH-09-11** **Consider request to rezone 18 acres immediately south of and adjacent to the Meade Field Sports Complex. The Applicant is proposing to donate 14.14 acres to the city and rezone this tract OS-P Open Space – Public for the future expansion of the sports complex. The remaining 3.86 acres would be rezoned GC General Commercial for commercial use. The Applicant is Southern Pines Plantation Commercial Group, LLC.**

Mr. Rast gave a brief overview of the location of this proposal. He noted that the Southern Pines property was immediately south of Peachtree City, fronting on SR 74. Overall, the property was a little over 80 acres and was rezoned in 2000 by the Fayette County Board of Commissioners from A-R Agricultural Residential to C-C Community Commercial, and O-I Office Institutional. A remaining portion of the property was left at A-R.

The Applicant was requesting that 18 acres of the overall tract be annexed into Peachtree City. It was requested that 3.86 acres be rezoned for retail/office use and the remaining 14.14 acres be rezoned to OS-P Open Space-Public for a potential expansion of Meade Field. That property would be dedicated to the city.

For some time, the potential of extending sanitary sewer to serve this development had been discussed with the Fayette County Commission, Fayette County and Peachtree City staffs, and the Water and Sewerage Authority (WASA). One of the caveats of the proposed annexation would be that sewer service would be available for the development.

Mr. Jim Wells of Southern Pines Commercial Group gave a brief background of how they had progressed to this point. Subsequent to the rezoning request by Columbia Properties in July of 2007, WASA initiated several meetings with the Columbia Properties and Southern Pines development groups to discuss the need for expansion of the sanitary sewer, mainly to service properties that were already annexed into the city. Through numerous discussions with WASA and City and

County officials, it was agreed that annexing a portion of this Southern Pines property was the best course of action to allow the sanitary sewer to be extended. Doing so would allow a gravity trunk line to be installed as opposed to building numerous pump stations.

Mr. Wells stated that a lot of engineering plans had since been drafted and prepared. He noted that the WASA board had approved the concept of the plans for a sanitary sewer trunk line to be installed, with the costs being shared by Columbia Properties, Southern Pines, and the WASA Board. Mr. Wells thought there were several reasons why the WASA Board approved these plans, (1) the sewer lines would remain in the city, (2) three parties would share in the cost based on a pro rata formula, (3) it would solve a pressing problem with the Meade Field septic system, and (4) it would eliminate the need for multiple lift stations which WASA would have to maintain for a long time.

Mr. Wells stated that as the discussions since August of 2007 had evolved, a lot of issues had been raised:

- Sewer needed to be extended to property that was already in Peachtree City, Meade Field being one of them. An existing multi-story office building across the street from this property was on a temporary septic tank that was not designed to be permanent. Sanitary sewer must be installed before that project could move forward.
- Group VI had properties north and east of the Southern Pines property that required sanitary sewer.
- The property owned by Columbia Properties also required sanitary sewer.

WASA felt they were being proactive by building a trunk line that would help to meet both current and future needs for sewer.

In response to concerns that had been raised about other developments in Fayette County having access to Peachtree City sewer, Mr. Wells stated that they had gone to great lengths to assure the City that sewer would not be within 200' of county property. The reason for the request to annex the 18 acres was to ensure the trunk line was on land that was in the city.

Mr. Wells also mentioned the comments that had been made relative to annexing the entire 80 acres into Peachtree City. Commissioner Eric Maxwell from the

Fayette County Board of Commissioners was in attendance to review Southern Pines' history with the County. Mr. Wells stated that they had a long-standing agreement with the County to dedicate the back 50 acres to them. He did not want to put the County in the position of having to oppose the annexation.

Mr. Wells further addressed the comments that had been made relative to the County's development standards. Although they were not the same as Peachtree City's, he thought they also were pretty strict and sometimes were more strict than the City's. He noted that Southern Pines also wanted a quality development and was willing to abide by the development standards. This was a mixed-use proposal with office and retail.

Mr. Wells felt there were a lot of compelling reasons to annex the property at this time so that the sewer project could move forward. He reiterated that it would be cost prohibitive to provide the sewer needed at Meade Field and that the Animal Shelter and other properties already within the city needed sewer. He said there were a lot of failing septic fields on other commercial properties and Meade Field. He asked the Commission to consider the time that had been spent on this project since discussions began two years ago. He felt "time was of the essence." A joint development agreement was in place, engineering plans had been bid out, and the project was funded and ready to go.

Mr. Wells said that no one wanted a large commercial septic field in the County, himself included; but that was his option. In addition, there would still be a large, failing septic field on Meade Field and it would be necessary for WASA to install multiple lift stations to serve the existing properties within the city at a tremendous cost and long-term maintenance expense. He asked that the Commissioners vote favorably on their request.

Mr. Wade Williams, the Chairman of WASA, and Mr. Stephen Hogan, the new WASA General Manager, were also in attendance. Mr. Williams understood that this was a complex decision. From WASA's perspective, it was operationally and technically feasible. Environmentally, it was far better to have a sewer system rather than a septic system. Until about three years ago, WASA's largest revenue stream was Photocircuits at approximately \$500,000/year. That income had not been replaced since Photocircuits closed. The proposed project would produce an estimated monthly income of \$15,000/month or \$180,000/year plus \$689,000 in

tap and connection fees. There would be approximately \$250,000 shared cost for the implementation of the project.

Mr. Hogan stated that the figures Mr. Williams provided represented approximately 1/5 of the amount lost to Photocircuits. Operationally, WASA preferred to deal with one lift station and multiple gravity lines. Gravity was free, there were no energy costs involved, and it was more reliable. They much preferred installing sewer up front to trying to rescue a failing septic system. Mr. Williams' and Mr. Hogan agreed that from WASA's standpoint, the project would be a plus. They also felt it would be beneficial to the city.

Commissioner Maxwell stated that he was only representing his own position and not that of the Fayette County Board of Commissioners. He made the following comments:

- He was not on the Board of Commissioners at the time the vote was taken to approve this rezoning. Only one of the Commissioners who voted at that time remained on the Commission.
- The 80-acre tract was brought in with certain conditions.
- Fifty acres was dedicated to the County to protect the residents of Brechen Park subdivision.
- The project could be built without this annexation. However, he was concerned about a 50-acre septic system in this part of the county even though they had been assured by the engineer that it could be done.
- Discussions about this plan were initiated by WASA, not by the Board of Commissioners, the Applicant or Peachtree City even though all of those parties had met.
- The Board of Commissioners did not object to the annexation. This would be a win for the County, the Applicant, the City of Peachtree City, WASA, and the residents of Brechen Park.

Mr. Jimmy Pace, a resident of Brechen Park and a property owner on the other side of Highway 74, thought the proposal had been presented very well. He just wanted to express his agreement. He was in favor of more baseball fields at Meade Field but was not in favor of septic fields in that area.

No one else spoke in favor of the proposal.

Ms. Beth Pullias, a resident of Kedron Hills, was hoping for a better explanation as to why a larger portion of this property could not be annexed into the city. She was concerned about this proposal and how it could affect Peachtree City. Even though a development agreement was in place, there was nothing to hinder development of the property at a density that Peachtree City would not want at the gateway to the city. She had not heard anything to change her mind and was still adamantly against the proposal.

No one else spoke in opposition to the proposal.

Mr. Rast presented Staff's position which was that this property not be annexed at this time. Although the City had been involved in a number of meetings with the property owner, County staff, and WASA and there were benefits to extending sewer to this part of the city, there were still a lot of unanswered questions. Mr. Rast was not sure that there was enough information at this point to make an informed decision.

Mr. Rast explained that one of the topics of discussion at a City Council Retreat a couple of years ago related to potential property that could be annexed into the city. The southern gateway into the city involved a lot of different components: the Southern Pines property, the Mills Farm horse property, which when combined totaled 140+ acres; the Meade Field Sports Complex; the realignment of Rockaway Road; Wilshire Village; and Somerby. Staff felt all of these components needed to be planned cohesively.

Mr. Rast further explained that the Southern Pines tract was initially identified on the County's Land Use Plan as Low-Density Residential. However, in 2000 the County Commission rezoned the property. The City objected to the proposed rezoning primarily because it was not consistent with the County's Future Land Use Plan, but also because the City had just rezoned about 15 acres north of this property for a retail center. This had been part of the City's Land Use Plan for a number of years. By rezoning the 80 acres, the County in essence put a competing retail center across the street from the village center that had already been approved in Peachtree City. The combined square footage of all of this retail development exceeded most of the city's other village retail centers.

Mr. Rast also pointed out that if the type of development in the county were to change, e.g., to one or two large boxes, approval at staff level was all that was

required. The plan would not be approved by the Fayette County Planning Commission or the Fayette County Board of Commissioner. There would also be no opportunity for public input. This was a concern.

City Staff was proposing that all of this area be studied by staff, both city and county, in relation to the realignment of Rockaway Road, the widening of Highway 74 South, etc. Mr. Rast said this could be adopted as part of the City's and the County's Comprehensive Plans, both of which were required to be updated by 2012.

Mr. Rast further stated that this property had been zoned since 2000 and, to his knowledge, there had been no interest in developing it to date. He did not see a reason to vote to extend the sewer to the property when all of the ramifications of doing so had not been examined. Staff recommended proceeding with a more in-depth study that would include financial impacts for the city, county and WASA; the provision of emergency services to this area, etc. Would there be benefits or costs to the city?

Mr. Staples said there had been a lot of meetings but some of the parties were missing from those meetings.

Mr. Wells stated that six or seven meetings had been held in the WASA offices since 2007. He thought that all of the officials in the City and the County as well as the Engineering Departments had been involved in the meetings at one time or another but not at the same time.

Ms. Wojcik asked whether Columbia Properties was responsible for the cost of bringing sewer to their property. Mr. Hogan said that typically all of the construction costs were borne by the developer or whoever was seeking sewer service. In an effort to prevent multiple lift stations, these developers had agreed to share those costs.

Ms. Wojcik asked whether there would be a septic system on the Columbia Properties' development. The project had been approved and Mr. Hogan confirmed that they already had the opportunity to bring sewer to their property.

Mr. Sussberg wondered why the County would approve this development on the city's border.

Mr. Rast understood that County Planning staff and the County Planning Commission recommended that the rezoning not be approved, but the Board of Commissioners voted to approve it.

Mr. Frazar said a lot of questions had been answered but he still had a couple of hard questions. He asked Mr. Wells if he still planned to develop this property if the annexation was not approved. Mr. Wells said he absolutely would develop the property. The reason more development had not occurred thus far was because of the cost of the septic field. He said it was very cost prohibitive for small office space and outlots; without an anchor, it did not make sense to spend the money for the septic field. As soon as he had an anchor, though, he would proceed with the development with or without sewer.

Mr. Frazar felt the process needed to slow down so that the area could be master planned. He asked Mr. Wells if he had made a decision to proceed regardless of the city's decision on the annexation. Mr. Wells said that was correct.

Ms. Wojcik thought the County's approval of this development was based on the assumption that Peachtree City would extend sewer to this property. Mr. Wells said they had already been approved for the commercial/professional office development on septic.

Ms. Wojcik did not understand why the City should approve this request to extend sewer when similar requests had been denied. She felt that doing so would set a precedent and would therefore result in more requests in the future.

Mr. Rast explained that the engineers had been very careful in designing the sewer to ensure the manholes were more than 200' from the property line.

Ms. Wojcik pointed out that, even though it was not spelled out in this application, annexing this property would obligate the city to extend sewer to the large commercial development in the county.

Mr. Rast said he did not think anyone was trying to hide the fact that the purpose of annexing this property was to extend sewer to the development in the county.

Mr. Staples noted that WASA had the capacity to extend the sewer. Ms. Wojcik reminded the Commissioners that there were 1700 homes that had been approved for development and they would also need sewer service.

Mr. Staples was concerned that at some point in the future, as a result of an annexation or a de-annexation of property in this area, a parcel might be less than 200' from the sewer. At that point, even though not currently envisioned as a part of this application, the city would be obligated to extend the sewer.

Mr. Staples also noted that this development was not the type of development that would have been approved in Peachtree City. There would have been significant demands for more planning, more design standards, etc. He wondered if master planning the whole area would be beneficial. He did not see the collaboration on this project he felt there should be between the city and the county. He understood that there were financial benefits for Fayette County and for WASA but he did not think this proposal benefited Peachtree City's development, mainly because communication between the County and the City had been strained. This was an opportunity for collaboration to get the best solution for everyone.

Mr. Rast thought it was important to keep in mind that there had been conversations and meetings for quite some time. This application was for 18 acres and technically the City could not impose conditions on the remaining acreage in the county.

Ms. Wojcik wondered if it would be possible to approve the proposed annexation but instead of approving the sewer line to be within 200' of the property in the county, locating it somewhere else on the annexed property so the City could help with designing the development. She did not feel there was anything special about the design of this development.

Mr. Sussberg thought the Commission should vote on this proposal based on what was best for Peachtree City and our Comprehensive Land Use Plan. Whatever the outcome, hopefully, there would be better communication for better planning in the future.

Mr. Williams stated that from a financial standpoint, this was definitely a benefit and would keep down rate hikes in the future. He also felt the environment was an

issue and that putting in septic fields in a city that had been highly rated by *Money Magazine* was a step backward.

Mr. Scott said that was not the Planning Commission's purpose. He stated that City and County design standards were "miles apart." There were issues with setbacks, sign ordinances, etc. This was not what they wanted at the southern gateway to Peachtree City.

Mr. Pace felt it would be a win for Peachtree City and the gateway because the developer still planned to move forward with the development. If the proposal was denied, septic fields would be installed. He thought the City would have more leverage with the development if the annexation were approved.

Ms. Wojcik disagreed. If the property was annexed, the City would be obligated to provide sewer to the development that had already been approved in Fayette County.

The Chairman closed the public hearing at 8:20 p.m.

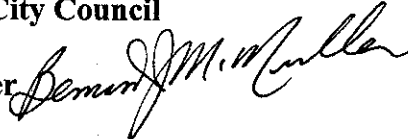
A motion was made by Mr. Scott, seconded by Ms. Wojcik, and unanimously adopted that PH-09-10 and PH-09-11, the annexation and rezoning proposed by Southern Pines Plantation Commercial Group, be forwarded to City Council with a recommendation that it be denied. Mr. Staples asked for a roll call vote.

- Ms. Wojcik agreed with the factors outlined in the position paper prepared by City Staff.
- Mr. Scott also agreed with Staff's recommendation and the reasons given to deny the proposed annexation and rezoning.
- Mr. Frazar voted to deny. He liked the plan and felt it had potential but thought it was short sighted. There was no commitment on the part of the developer to try to work this out. Approval would be a contradiction to the City's master plan.
- Mr. Sussberg agreed with Staff's recommendation and voted to deny the proposal. Fayette County was a beautiful place to live, and he hated to see it developed in a haphazard way. Unless the County, the Towns, and the Cities got together and developed an updated Comprehensive Plan, Fayette County was at risk of turning into Gwinnett, Cobb or Clayton Counties.

- Mr. Staples also recommended denial. It concerned him that there had not been more collaboration and that an unfortunate consequence of this could be that we would get a septic field. He hoped that some of the parties would get together to see if this area could be master planned in an expeditious manner. He did not think there were that many property owners who would need to be involved and it could result in something very special for the City and the County. The meetings that had been held had not considered the Comprehensive Plan or the impact on the village centers.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council
VIA: City Manager 
FROM: Financial Services Director *P.S.*
DATE: November 20, 2009
SUBJECT: Public Hearing – Consider Sale/Lease Back of Weber Station 83 and Satterthwaite Station 84

December 3, 2009 City Council Meeting

Recommendation:

Hold a public hearing to gain input from the public regarding the use of Fire Stations 83 and 84 to secure debt needed to finance various capital improvement projects.

Discussion:

This public hearing is required by Georgia law due to the fact that the properties will legally be sold, albeit they will be bought back over time. The properties will essentially be collateral for a capital improvements loan to be provided by the financing bank.

Budgetary Impact:

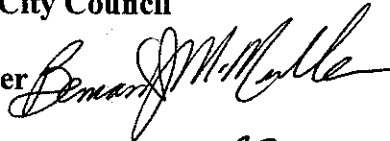
N/A

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager



FROM: Financial Services Director *P.S.*

DATE: November 20, 2009

SUBJECT: 2009 Bricks & Mortar Loan

December 3, 2009 City Council Meeting

Recommendation:

Approve the attached resolution authorizing the Mayor and City Clerk to sign all necessary documents for the 2009 Bricks & Mortar loan.

Discussion:

According to Georgia law regarding installment sale agreements of this nature, a third-party legal entity must hold title to the property being financed during the term of the lease. In effect, the City will be selling Fire Stations 83 and 84 to the Peachtree City Governmental Finance Corporation and will be buying the properties back over a 15-year period. The rights to receive all of the installment payments on the lease will be assigned to the bank that provides the financing for the sale. The PCGFC will hold title to the property during the term of the lease and title will revert back to the city at the conclusion of the lease. In short, the fire stations will effectively be used as collateral for a loan from the financing bank. The financing bank will be identified as soon as possible after the bids are received on December 1, 2009. Due to constantly changing interest rates, the bids are usually only viable for a short period of time. Closing on the loan is tentatively scheduled for Tuesday December 15, 2009.

The resolution authorizes execution of the Warranty Deed, the Installment Sale Agreement, the Deed to Secure Debt and Security Agreement, the Assignment and Transfer Agreement, and the Environmental Agreement. Council only needs to approve the resolution.

Budgetary Impact:

The loan will provide funding in the amount of \$2,554,009 and annual debt service payments are estimated at \$235,069. Sufficient funds have been budgeted in the FY 2010 Debt Service Fund budget to cover the amount that will be due this fiscal year.

CITY OF PEACHTREE CITY

Interoffice Memo

TO: Mayor and Council Members
City Manager 
Fire Chief 

FROM: John Dailey, Fire Marshal 

DATE: November 24, 2009

SUBJECT: Citizen Request to Address Council concerning Ban or Limitations
on Outdoor Burning
December 3, 2009, City Council Meeting

This memo will serve to provide Council with information on Peachtree City's current procedures and statistics on complaints relating to outdoor burning. Outdoor burning is allowed during the period beginning October 1 through April 30 each year. The total number of days that burning may be allowed is 212. Information is readily available for the period of October 1, 2008, through April 30, 2009, and October 1, 2009, through November 24, 2009. Totals for these periods are for 268 days of burning season, 88 of which were approved for burning and 74 were not. Based on this information, outdoor burning is allowed only slightly more often than not.

<u>October 1, 2008 through April 30, 2009</u>	
Total number of days burning allowed	60
Total number of days burning not allowed	63
Number of days without official documentation	89
<u>October 1, 2009 through November 23, 2009</u>	
Total number of days burning allowed	28
Total number of days burning not allowed	11

The allowances for outdoor burning are made on a daily basis in accordance with the City Ordinance, Section 42-45. The specific rules adopted by the fire department include:

- Only normal combustible materials are permitted
- No use of combustible or flammable liquids is permitted
- Burning must be kept a safe distance from any structure
- Constant attendance of fires is required
- Burning must be completed by dark

- Fires must be kept small

In the most recent ordinance amendment included the following additional requirement

- Outdoor burning is not allowed to continue if determined to be causing a health hazard or a public nuisance.

Each burn day or non burn day is determined by the officer in charge based on forecasted conditions. Any time a citizen contacts the Fire Department with a complaint or concern relative to outdoor burning, a crew is dispatched to the address noted. There are times when all that a caller will give us is a specific geographical area (street or subdivision). Once a crew has determined that smoke may be intrusive, the person doing the burning is ordered to extinguish the fire.

Referencing the dates above there have been approximately 47 responses to burning complaints. At present time, a total of six (6) records are on file where an individual sent a written complaint either to the Fire Department or City Hall. Each time a letter or email was received, it was responded to accordingly. Three of the complaints required site visits and/or personal visits by the Fire Marshall and, on occasion, a representative of the Code Enforcement office.

Pam Dufresne

From: Wojcik, Lynda [Lynda.Wojcik@Simonandschuster.com]
Sent: Tuesday, November 24, 2009 12:18 PM
To: Bernard McMullen; Cyndi Plunkett
Cc: CITY COUNCIL; Pam Dufresne
Subject: RE: yard burning

Thanks,

Lynda

Lynda Wojcik
National Account Manager
770 486 8741
fax 770 486 8367
cell 404 435 5482

www.simonandschuster.com

I'm currently reading..."All the Queen's Players" March 2010 on sale and have just finished " Hazel" by Julie Hearn),

-----Original Message-----

From: Bernard McMullen [mailto:citymgr@peachtree-city.org]
Sent: Tuesday, November 24, 2009 11:49 AM
To: Cyndi Plunkett; Wojcik, Lynda
Cc: CITY COUNCIL; Pam Dufresne
Subject: RE: yard burning

Cyndi, I have put this on the agenda. Staff is putting together a memo with information on current procedures and statistics on burn permit requests, etc. I will forward a copy to Linda tomorrow of staff's memo when we send out the council package..

-----Original Message-----

From: Cyndi Plunkett
Sent: Tuesday, November 24, 2009 11:31 AM
To: Wojcik, Lynda; CITY COUNCIL
Cc: Bernard McMullen
Subject: RE: yard burning

Lynda,

Looking forward to seeing you. By copy of this e-mail I am requesting that Bernie contact you regarding putting this item on the agenda for discussion. Also prior to the meeting I am requesting he let both of us know what restrictions are already in place. I know we have a ban from May-October but I don't know about times. Have a Happy Thanksgiving.
Cyndi Plunkett

-----Original Message-----

From: Wojcik, Lynda [mailto:Lynda.Wojcik@Simonandschuster.com]
Sent: Sat 11/21/2009 2:34 PM
To: CITY COUNCIL
Subject: yard burning

Would you please have placed on the city agenda for Dec 3 a discussion to either totally ban outdoor burning of yard waste or a limiting of

hours in the day when it will be allowed...I will be in attendance to present to council the request.

Thanks,

Lynda

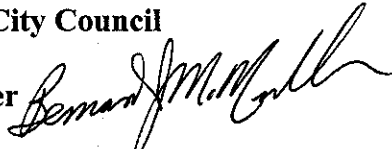
Lynda Wojcik
770 486 8741
fax 770 486 8367
cell 404 435 5482

I'm currently reading..."All the Queen's Players" March 2010 on sale and have just finished " Hazel" by Julie Hearn),

-
This message (including any attachments) contains information that may be confidential. Unless you are the intended recipient (or authorized to receive for the intended recipient), you may not read, print, retain, use, copy, distribute or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply e-mail, and destroy all copies of the original message (including any attachments).

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council
VIA: City Manager 
FROM: Financial Services Director P.S.
DATE: October 9, 2009
SUBJECT: Equipment Lease Agreement

December 3, 2009 City Council Meeting

Recommendation:

Approve the attached Equipment Lease Agreement with the bank that submits the most favorable proposal on December 1, 2009.

Discussion:

Attached is a lease agreement for equipment that was prepared by city bond counsel and reviewed by the city attorney. This agreement was sent out to numerous banks along with the attached Request for Bids and equipment list. The equipment listed was identified for lease-purchase funding in the city budget, and staff is now seeking a suitable lender. Most bids submitted by prospective lenders are only good for a very short period of time due to constantly changing interest rates. Therefore, staff will send out a separate memo to Council to identify which lender was selected as soon as possible after the bids are received on December 1. The lenders have been asked to use the city's form of lease agreement, so if there are any changes to the attached document prior to the Council meeting, they will also be sent out to Council at that time. Closing for this loan is tentatively scheduled for Wednesday December 16.

Budgetary Impact:

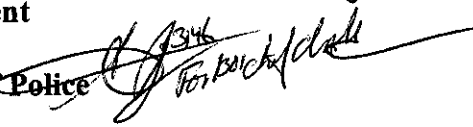
The loan amount is approximately \$1,017,122 and sufficient funds have been budgeted in the FY 2010 Debt Service Fund to cover the payments due this fiscal year.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: Bernard McMullen, City Manager 
Paul Salvatore, Financial Services Director
Janet Camburn, Assistant Financial Services Director 
Angela Egan, Purchasing Agent

FROM: H.C."Skip" Clark II, Chief of Police 

DATE: November 13, 2009

SUBJECT: Police Vehicles
November 19, 2009, City Council Meeting

Recommendation:

Staff recommends the purchase of six (6) Patrol Crown Victoria cars (5 replacements and 1 new position) from Legacy Ford for the bid price of \$128,730.00. Staff recommends the purchase of three (3) CID Ford Explorers (2 replacements and 1 new approved position) from Wade Ford for the bid price of \$55,464.00. Staff recommends the purchase of aftermarket accessories for the six (6) Ford Crown Victorias and the three (3) CID Ford Explorers from Adamson Industries for the bid prices of \$80,370.00 and \$18,825.00, respectively. These bid prices do not include the purchase of the 800 MHZ patrol radios, patrol graphics, or the Coban Technologies in-car video systems. These will be purchased separately.

Discussion:

Bid packages were mailed to a number of Ford distributors and aftermarket accessories installers. Bids were received from five (5) of the Ford dealers for the patrol Crown Victoria vehicles and five (5) of the Ford dealers for the CID Explorers. Additionally, bids were received from four (4) aftermarket accessories installers for both the Ford Crown Victoria patrol vehicles and the CID Explorers.

Patrol Crown Victoria vehicles (QTY 6):

Dealer:	price per vehicle:	extended price:
Legacy Ford	\$21,455.00	\$128,730.00
Peach County Ford	\$21,509.00	\$129,054.00
Wade Ford	\$21,529.00	\$129,174.00
Allan Vigil Ford – Morrow	\$21,624.00	\$129,744.00
Allan Vigil Ford – Fayetteville	\$21,948.00	\$131,691.36

Accessories for Patrol Crown Victoria (QTY 6):

Dealer:	price per vehicle:	extended price:
Adamson Industries	\$13,395.00	\$80,370.00
Diversified Electronics	\$13,800.00	\$82,800.00
Trans Comm	\$14,056.50	\$84,339.00
Interceptor	\$12,796.00*	\$76,776.00*

*non-conforming bid. Interceptor failed to include required accessories in bid.

CID – Explorers (QTY 3):

Dealer:	price per vehicle:	extended price:
Wade Ford	\$18,488.00	\$55,464.00
Legacy Ford	\$18,489.00	\$55,467.00
Allan Vigil Ford – Morrow	\$18,563.00	\$55,689.00
Peach County Ford	\$18,575.00	\$55,725.00
Allan Vigil Ford – Fayetteville	\$18,911.20	\$56,733.60

Accessories for CID Explorers (QTY 3):

Dealer:	price per vehicle:	extended price:
Adamson Industries	\$6,275.00	\$18,825.00
Trans Comm	\$6,945.00	\$20,835.00
Interceptor	\$7110.67	\$21,332.00
Diversified Electronics	\$12,403.00	\$37,209.00

These patrol and CID vehicles are necessary in order to maintain a sufficient fleet of vehicles that have not exceeded 100,000 miles as well as outfit the newly approved patrol and CID positions. The department expects to retire five (5) 2003 patrol Crown Victoria vehicles that will be in excess of 100,000.00 at time of delivery of the 2010 patrol Crown Victorias. Additionally, the department expects to retire two (2) 1999 Ford Taurus' that have been in use by CID. These vehicles are in poor repair and do not reflect the best image of the City. The five (5) Patrol Crown Victoria vehicles and two (2) CID Explorers being replaced are as follows:

<u>Asset #</u>	<u>year/make/model</u>	<u>projected mileage Mar 2010</u>	<u>assignment</u>
2008	2003 Ford Crown Vic	105,818	Public Works
2013	2003 Ford Crown Vic	111,653	Public Works
2031	2003 Ford Crown Vic	110,428	Public Works
2016	2003 Ford Crown Vic	104,099	Public Works
2020	2003 Ford Crown Vic	111,224	Public Works
2041	1999 Ford Taurus	110,668	Public Works
2042	1999 Ford Taurus	115,128	Public Works

City Asset # 2008, #2013, #2016, #2020, #2031, #2041, and #2042 will be turned over to Public Works for evaluation and distribution to other departments or auctioned as needed.

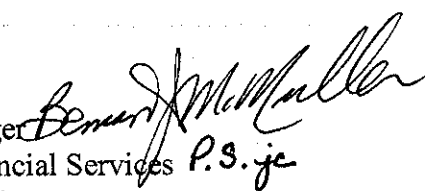
Budget Impact:

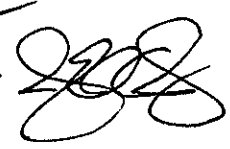
These vehicles have been budgeted to be financed through a lease/purchase program. Adequate funds for the debt service payments have been budgeted in the City's Debt Service Fund and in the Police Department's 2010 contingency line item. Once this request for vehicle purchases has been approved, the contingency funds will be transferred to the Debt Service Fund.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor Harold Logdson
Peachtree City Council

VIA: Bernard McMullen, City Manager 
Paul Salvatore, Director of Financial Services *P.S. jc*
Ed Eiswerth, Fire Chief 

FROM: Joe O'Connor, Assistant Chief 
Operations Division

DATE: November 24, 2009

SUBJECT: Raising Cap for Volunteer Firefighter Stipend Program

Recommendation:

Increase the yearly ceiling of compensation for volunteer firefighters in the Peachtree City Volunteer Stipend Program from the current \$ 3,000 to \$ 6,000 per year.

Background:

The Volunteer Firefighter Stipend Program has proven to be a valuable retention tool to maintain our current level of volunteer firefighters available to respond to emergencies as part of our combination fire department. As you are familiar, by maintaining an active corps of certified volunteer firefighters, our department is able to staff our apparatus and function on fire scenes with levels of personnel above the 19 career firefighters per 24 hour shift. Our recent Insurance Services Organization (ISO) evaluation credited Peachtree City with an additional 3.8 firefighters on each 24 hour shift because of their dedication and commitment of their time to our community. Without this effort by the volunteers the City would have needed to hire nearly 12 full time firefighters at a cost of almost \$ 600,000 per year to yield the same result.

The Volunteer Firefighter Stipend Program is available to offset the cost to the volunteer for such expenses as gasoline and meals during those times they are training, responding or performing station duty within Peachtree City. The original program placed a ceiling on each volunteer of \$ 3,000 per year. As with most new programs, it was uncertain what success the

Stipend program would have at improving retention. I am proud to report that our retention continues to improve as does our overall number of volunteers performing station time.

With the great success of this program, we find a growing number of volunteers hitting the \$3,000 ceiling. During the first half of FY 2009 only five personnel met the total amount allowable for that period; however during the second half of the same year, thirteen hit the cap. The volunteer firefighters that dedicate thousands of hours to training and respond within Peachtree City are a valuable resource that should not be required to incur expenses for their volunteer service beyond the donation of their valuable time. We request this change to show our continuing commitment to the firefighters for their loyalty and commitment to Peachtree City.

Budget Impact:

Currently \$ 50,000 is budgeted for Volunteer Firefighter Stipends in FY 2010. This request will have no immediate budget impact since paying of the stipend will be curtailed once existing budgeted funds are exhausted.

City Council of Peachtree City
REVISED AGENDA
December 3, 2009
7:00 p.m.

- I. Call to Order
- II. Pledge of Allegiance
- III. Announcements, Awards, Special Recognition
- IV. Public Comment
- V. Agenda Changes
- VI. Minutes
November 19, 2009, Regular Meeting Minutes
- VII. Monthly Reports
- VIII. Consent Agenda
 - 1. Consider Approval of the Revised City Emergency Operation's Plan (Disaster Plan)
 - 2. Consider Amendment to Sec. 2-336 Commission, Authority and Association Appointments, Attendance
 - 3. Consider Intergovernmental Agreement with PCAA and Fayette County Commissioners for Funding of Dam Access Road
 - 4. Consider Bid for Fuel Pumping System
- IX. Old Agenda Items
 - 11-09-11 Public Hearing – Consider Amendment to Development Impact Fee Ordinance Establishing Criteria for Exemptions (2nd public hearing)
- X. New Agenda Items
 - 12-09-01 Public Hearing – Consider Annexation Request, Southern Pines
 - 12-09-02 Public Hearing – Consider Zoning, Southern Pines
 - 12-09-03 Public Hearing – Consider Sale/Lease Back of Weber Station 83 & Satterthwaite Station 84 – Collateral for Bricks & Mortar Loan
 - 12-09-04 Consider Bricks & Mortar Loan Agreement
 - 12-09-05 Citizen Request to Address Council Concerning Ban or Limitation on Outdoor Burning
 - 12-09-06 Consider Equipment Lease Agreement
 - 12-09-07 Consider Bids – Ford Crown Vics (6), Ford Explorers (3), and Aftermarket Accessories
 - 12-09-08 Consider Raising the Volunteer Firefighter Stipend Program's Annual Cap
 - 12-09-09 Consider Resolution in Support of 2009 Recreational Trails Grant Application for Flat Creek Multi-use Trail
 - 12-09-10 Consider Resolution in Support of 2009 CREATE Community Application for The Bridge Community Center
- XI. Council/Staff Topics
Review of 2005 SPLOST Projects
- XII. Executive Session

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

CITY OF PEACHTREE CITY
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
TEL: (770) 631-7657
Internet Web Site: www.peachtree-city.org

LETTER OF PROMULGATION

TO: See Distribution List
FROM: Harold Logsdon, Mayor
DATE: December 3, 2009
SUBJECT: Peachtree City Emergency Operations Plan

The Peachtree City Emergency Operations Plan is attached. It is effective for planning, mitigation and preparation purposes upon receipt. It may be activated by the City Fire Chief or directed by the City Manager or his designated representative or a higher authority.

This Emergency Operations Plan supplements existing City, County, Regional, State and Federal Emergency Operations and special event plans. The focus of this plan is on public education; individual, neighborhood, business and industry, and community preparation; and contingency planning for emergency and critical functions that may be degraded by various natural, technological or human events. The City of Peachtree City is committed to exercising due diligence to identify and mitigate susceptible equipment, processes, functions and systems. It will implement reasonable measures to maintain normal operations and will use all available resources to maintain emergency and critical functions and operations.

We recommend that citizens implement modest preparation to provide essential supplies, food and water for themselves and their families to "weather the storm" or "go camping at home" for a period of four (4) days. We recommend using the family contingency preparation guidelines of the American Red Cross. These guidelines are available at the American Red Cross web site (www.redcross.org). We urge persons who are dependent on medical devices or medications to check their on hand supplies and equipment, and we urge any persons with special needs to notify us so that we can better plan.

Questions regarding preparation may be addressed to the City Manager (E-mail citymgr@peachtree-city.org), phone: #(770)-487-7657, Public Information Officer (Ms. Betsy Tyler, E-mail info@peachtree-city.org) at (770) 631-7657, or the Fire Department at Chief Eiswerth (E-mail Eiswerth@peachtree-city.org) at (770) 631-2526.

City of Peachtree City _____
Peachtree City Mayor

Date

City of Peachtree City _____
City Manager

Date

City of Peachtree City _____
Chief, City of Peachtree City Fire & Rescue

Date 12/2/09

Stakeholder	Emergency Support Functions																						
	ESF – 1a	ESF – 1b	ESF – 2	ESF – 3	ESF – 4	ESF – 5	ESF – 6	ESF – 7	ESF – 8a	ESF – 8b	ESF – 8c	ESF – 8d	ESF – 9	ESF – 10	ESF – 11	ESF – 12	ESF – 13a	ESF – 13b	ESF – 14a	ESF – 14b	ESF – 15a	ESF – 15b	
	Transportation – People	Transportation – Material	Communications and IT	Public Works & Engineering	Firefighting	Emergency Management	Mass Care & Assistance	Logistics & Resource Support	EMS & Hospitals	Public Health & Environment	Mental Health/Pastoral Care	Fatalities Management	Search & Rescue	Hazardous Material	Animal Welfare	Utilities and Commercial Services	Public Safety – Law Enforcement	Public Safety – Evacuation	Recovery – Damage Assessment	Recovery – Mitigation	External Affairs – Public Info	External Affairs–Warning	
City of Peachtree City AGENCIES																							
Mayor						A														A			
City Council						A														A			
City Manager			E			E	E									E		E		E			
City Attorney						E	E													E			
Finance			E			E	E													E			
IT Admin			U			S																	
Purchasing	S	S	S	S	S	S	S	L	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
Administration	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
City Clerk			S			S																	
Pub Info Officer			S			S	S									S		S		U	S		
Personnel							S																
Community Devel				U		S										U			L				
Engineer				U															L				
Planner				S			S									S			S				
Bldg Dept						S										U			S				
Public Services	S	L		U	S	S	S	S								S		S	S	U			
Fleet Maint						S		S										S	S	U			
Facilities Maint						S		S															
Public Works	L	L	S	U	S	S	S	S		S				S				S		S			
Leisure Services		S					L	S													U	S	
Fire Department	S	S	U	S	L	L	S	S	L	S	S	S	U	L	S	S	S	S	S	S	U	U	
Police Department	S	S	S	S	S	S	S	S	S	S	S	S	U	S	S	S	L	L	S	S	U	U	
Airport Authority	S	S					S											S					
Water & Sewer Authority				S			S		S														

Stakeholder	Emergency Support Functions														
	ESF – 1a	ESF – 1b	ESF – 2	ESF – 3	ESF – 4	ESF – 5	ESF – 6	ESF – 7	ESF – 8a	ESF – 8b	ESF – 8c	ESF – 8d	ESF – 9	ESF – 10	ESF – 11
	Transportation – People	Transportation – Material	Communications	Public Works & Engineering	Firefighting	Emergency Management	Mass Care & Assistance	Logistics & Resource Support	EMS & Hospitals	Public Health & Environment	Mental Health/Pastoral Care	Fatalities Management	Search & Rescue	Hazardous Material	Animal Welfare
	ESF – 12	ESF – 13a	ESF – 13b	ESF – 14a	ESF – 14b	ESF – 15a	ESF – 15b	Utilities and Commercial Services	Public Safety – Law Enforcement	Public Safety – Evacuation	Recovery – Damage Assessment	Recovery – Mitigation	External Affairs – Public Info	External Affairs – Warning	
MUTUAL AID, SERVICE AND VOLUNTER AGENCIES															
American Red Cross						U			U						
Atlanta Gas Light													S		S
AT&T/Newnan Utilities		S											S		S
Civil Air Patrol										S					S
Churches						S	S		U						
Community Businesses		S					S								S
Fayette County Amateur Radio Emergency Service (ARES)		S			S		S					S			S S
Fayette County Board of Education		S				S	S								
FayetteEMC/GA Power													S		S
Fayette Multi-Jurisdictional Hazmat Team													S		
Private Ambulances								S							
PTC Community Emergency Response Team (CERT)												S		S	

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: Bernard McMullen, City Manager 
Paul Salvatore, Financial Services Director 
Janet Camburn, Assistant Financial Services Director 
Angela Egan, Purchasing Agent 

FROM: Scott Hicks, Acting Public Works Director 

DATE: November 24, 2009

SUBJECT: Fuel Pumping System
December 3, 2009 City Council Meeting

Recommendation: Staff recommends contracting for equipment purchase and installation of a new fuel pumping system for the Public Works Department with APEC, for the bid price of \$97,400.00.

Discussion: The City advertised for bids for this new fuel pumping system both in the City's legal organ and on the City's website. Bids were mailed and emailed to all known potential contractors. Eight firms were represented at the mandatory pre-bid meeting with City Staff. Three (3) bids were received as follows:

\$ 97,400.00	APEC
\$ 100,738.00	Jones and Frank
\$ 105,065.00	Meco of Atlanta

References for APEC all provided positive feedback.

Budget Impact: There are sufficient funds available in the PIP fund – 330.4110.54.1481 to cover the cost of this contract.

Attachment

**FUEL PUMPING SYSTEM
BID TABULATION**

<u>FIRM</u>	<u>LUMP SUM</u>	<u>EXT WARRANTY</u>	<u>GRAND TOTAL</u>
APEC	\$ 92,900.00	\$ 4,500.00	\$ 97,400.00
Jones & Frank	\$ 98,760.00	\$ 1,978.00	\$ 100,738.00
Meco of Atlanta	\$ 105,065.00	\$ -	\$ 105,065.00

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager *James McMillan*
Financial Services Director *PS.*

FROM: Interim Community Development Director *David*

DATE: December 2, 2009

SUBJECT: Consider Resolution for 2009 Georgia Recreational Trails Program grant application for Flat Creek Multi-Use Trail
December 3, 2009 City Council agenda

Recommendation:

Authorize Staff to submit the 2009 Georgia Recreational Trails grant application to the Georgia Department of Natural Resources for funding consideration, which includes the attached Resolution.

Discussion:

City Staff has worked with ECOS Environmental Design, Inc. to develop a grant application for the proposed Flat Creek multi-use trail. This trail/ path is identified within the city's Multi-Use Path Master Plan and would extend from the Flat Creek multi-use bridge north to Crosstown Drive on the eastern side of Flat Creek. Once completed, the path would provide access from several businesses within the industrial park to the city's multi-use path system via the Flat Creek multi-use bridge, the Crosstown Drive retail and commercial areas, and the South 74 Baseball and Soccer complex. The path would be constructed within an existing, cleared sanitary sewer easement.

Funding for the path would be through the Federal Highway Administration, which is administered at the state level by the Georgia Department of Natural Resources Division of Parks, Recreation and Historic Sites. The purpose of the Recreational Trails Program is to provide and maintain recreational trails and trail-related facilities identified in, or that further a specific goal of the Statewide Comprehensive Outdoor Recreation Plan (SCORP).

Budget impact:

The grant program requires a local match of 20%. Design and construction of the 2.7 mile trail is estimated at \$894,020.00, which would require a local match of \$319,020.00. The city anticipates utilizing in-house labor for the trail's construction, with the exception of any boardwalks. Labor for grading and construction of the asphalt trail, putting in place all erosion

Consider Resolution for 2009 Georgia Recreational Trails Program

December 2, 2009

Page 2

and sediment control measures, and installation of final grassing/ seeding/ straw will be supplied through the Public Works Division. Additional funding from the City's 2007 Bricks & Mortar loan surplus will be allocated as a cash match for design and engineering, erosion and sediment control, and landscaping.

Attachment

CITY OF PEACHTREE CITY
STATE OF GEORGIA

RESOLUTION No. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEACHTREE CITY
ENDORING A GRANT APPLICATION REQUESTING FUNDING THROUGH THE 2009
RECREATIONAL TRAILS PROGRAM FOR THE FLAT CREEK MULTI-USE TRAIL AND
AUTHORIZING STAFF TO FORWARD THIS APPLICATION TO THE GEORGIA
DEPARTMENT OF NATURAL RESOURCES FOR CONSIDERATION.**

WHEREAS, the City Council of the City of Peachtree City supports the efforts to enhance the quality of life for the citizens of Peachtree City; and

WHEREAS, the Georgia Department of Natural Resources has established goals within the Statewide Comprehensive Outdoor Recreation Plan to outline trends, priorities and elements for success in providing outdoor recreation for future generations of Georgians; and,

WHEREAS, the Recreational Trails Program was established to encourage local governments to plan for and implement recreational trails within their community; and

WHEREAS, the City Council of Peachtree met on December 3, 2009 to vote in support of submitting a request for funding as a part of the 2009 Recreational Trails Program; and,

WHEREAS, the City Council of Peachtree City further pledges to provide the local match as required by the grant program, and to provide Staff support and resources to assist with developing construction documents for the proposed Flat Creek Multi-Use Trail.

THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Peachtree City do hereby authorize Staff to apply for funding as a part of the 2009 Recreational Trails Program to the Georgia Department of Natural Resources.

Approved and adopted this _____ day of December, 2009.

Harold Logsdon, Mayor

ATTEST:

Betsy Tyler, City Clerk
(City Seal)

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager 
Leisure Services Director

FROM: Interim Community Development Director *David*

DATE: December 2, 2009

SUBJECT: Consider Resolution for CREATE Community Local Government
Innovations Award for The Bridge Community Center
December 3, 2009 City Council agenda

Recommendation:

Authorize Staff to submit an application for consideration as a part of the 2009 CREATE Community Local Government Innovations Award for the Bridge Community Center, which includes the attached Resolution.

Discussion:

The Atlanta Regional Commission (ARC) has developed the CREATE Community Local Government Innovations Awards to honor local governments for the creative efforts to improve efficiency and services to citizens of the Atlanta region. The city is applying for recognition for its collaboration with The Bridge Community Center under the "community involvement and collaboration" category, which "recognizes active community involvement and collaboration projects and initiatives that demonstrate new and innovative ways of working together with residents, community and neighborhood groups, neighboring cities and counties, the school system and/ or other partners to support collective goals and attain a shared vision and high quality of life for the greater community."

Since its inception, representatives of First Baptist Church and the city's Leisure Services Department have worked closely to coordinate and initiate programming at The Bridge to include a variety of classes, events and the Teen Activities at The Bridge after-school program. Staffing at The Bridge is provided by over 350 volunteers, and the facility is open to the entire community regardless of their religious affiliation.

Budget impact:

There are no budgetary impacts associated with this request.

Attachment

CITY OF PEACHTREE CITY
STATE OF GEORGIA

RESOLUTION No. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEACHTREE CITY
ENDORING THE 2009 CREATE COMMUNITY LOCAL GOVERNMENT INNOVATIONS
AWARD APPLICATION FOR THE BRIDGE COMMUNITY CENTER IN PEACHTREE CITY
AND AUTHORIZING STAFF TO FORWARD THIS APPLICATION TO THE ATLANTA
REGIONAL COMMISSION FOR CONSIDERATION.**

WHEREAS, the City Council of the City of Peachtree City supports the efforts to enhance the quality of life for the citizens of Peachtree City; and

WHEREAS, the Atlanta Regional Commission (ARC) established the CREATE Community Local Government Innovations Award program to honor local governments for the creative efforts to improve efficiency and services to citizens of the Atlanta region; and,

WHEREAS, the First Baptist Church of Peachtree City has funded construction of The Bridge Community Center and is providing staffing for the facility with roughly 350 volunteers to minister to the community's needs; and

WHEREAS, the city's Leisure Services Program is coordinating with The Bridge to offer programs at The Bridge to serve the residents of Peachtree City as well as the Teen Activities at The Bridge program, which is an after school program for middle school-age children; and,

WHEREAS, the City Council of Peachtree City further pledges to provide staff support and resources to assist with developing additional programming for the residents of Peachtree City at The Bridge.

THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Peachtree City do hereby support and authorize Staff to submit an award application for consideration as a part of the 2009 CREATE Community Local Government Innovations Award.

Approved and adopted this _____ day of December, 2009.

Harold Logsdon, Mayor

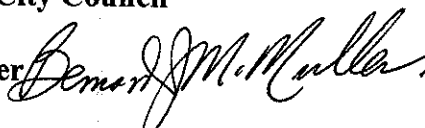
ATTEST:

Betsy Tyler, City Clerk
(City Seal)

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager 

FROM: Financial Services Director (J).

DATE: December 2, 2009

SUBJECT: Consider bid for Bricks & Mortar Loan (installment sale agreement)

December 3, 2009 City Council Meeting

Recommendation:

Approve Option 1 of the attached bid submitted by RBC Bank to provide funding for the Bricks and Mortar Loan, aka Installment Sale Agreement.

Discussion:

The city enlisted the aid of our financial advisor, Todd Barnes of R.W. Baird, to assist with the process of finding a suitable lender for the city's Bricks and Mortar Loan. Mr. Barnes contacted financial institutions that are known to be competitive on such transactions and sent requests for bids out to all six of the institutions that indicated that they would be interested in bidding. RBC Bank submitted a bid for the lowest rate that was guaranteed for the life of the loan. RBC offered a fixed annual rate of 4.04% for a 15-year term. A copy of RBC's bid form is attached, along with the bid tabulation form.

Budgetary Impact:

The city's debt service budget for the Bricks and Mortar loan was based on a projected annual interest rate of 4.50%. Therefore a budget savings will be realized by accepting this rate (approx. \$7,200 during the first 12 months, and declining thereafter as principal declines).



RBC Bank™

RBC Bank
Public & Institutional Banking
301 Fayetteville Street
Suite 1100
Raleigh, NC 27601
Toll Free: (888) 680-5064
Fax: (919) 788-5515

December 1, 2009

Paul Salvatore
Director of Finance
City of Peachtree City
151 Willowbend Road
Peachtree City, GA 30269

Re: Installment Sale Agreement

Dear Paul:

RBC Bank is pleased to offer the City of Peachtree City, Georgia a commitment for the following Obligation. The terms and conditions of our proposal are as follows:

Borrowing Entity:	City of Peachtree City, Georgia (the "City")
Purchaser:	RBC Bank or its nominee (the "Bank")
Purpose:	To (i) reimburse the city for costs associated with the Phase II renovations of the Police Department Headquarters and the installation of a Proximity Card Security System at City Hall, (ii) fund renovations and improvements to City Hall, (iii) fund repairs and improvements to four fire stations, and (iv) fund miscellaneous capital improvements (the "Obligation")
Anticipated Funding:	On or before December 15, 2009
Maturity Date:	December 31, 2019
Amount:	Not to exceed \$2,554,009.00
Payment:	Level principal and interest paid quarterly on March 31, June 30, September 30 and December 31, beginning March 31, 2010
☐ Option 1:	Bank Qualified, Tax-Exempt
Interest Rate:	4.04%
Bank Qualification:	The City will represent that this agreement is designated as a "qualified tax-exempt obligation" under the \$30,000,000 small issue exemption as described within Section 265 of the Internal Revenue Code of 1986, as amended.

☐ **Option 2:**

Build America Bonds Program, Taxable

Program Description:

Under the Build America Bonds Program, the City will receive a rebate from the Federal Government in an amount equal to 35% of the interest paid on the Bond.

Interest Rate:

4.88%

Effective Rate:

3.172%

Takes into consideration the Federal Rebate of the Build America Bonds Program.

Prepayment Terms:

Prepayment of the loan will be subject to a yield maintenance fee equal to the present value of the daily lost cash flow to RBC Bank based upon the difference between the interest rate under the Installment Finance Agreement and the rate on a new loan of similar amount with the same remaining maturity to a similar borrower. The discount rate for calculating the present value will be the current rate offered by RBC Bank for a new loan of the similar amount with the same remaining maturity to a similar borrower, as determined by RBC Bank in its reasonable discretion, which discretion shall be conclusive absent a showing of bad faith or manifest error. Any prepayment of the Installment Financing Agreement will be subject to a minimum fee of one-half percent (.5%). **In the event that the Federal Government terminates the Build America Bonds Program and discontinues interest rebate payments to the City, the Bank will allow prepayment of the Bond at a penalty of 1% of the outstanding principal balance (if applicable).**

Escrow Fund:

In the event the City chooses to use an Escrow Account, RBC Bank will set up and administer an Escrow Fund under an Escrow Deposit Agreement and invest it in RBC Bank's Public Funds Account for the City's benefit until needed to make payments to vendors for the project costs. Interest earnings accrued as a result of investment of the funds will be added to the balance of the Escrow Account and will be available to pay Project costs. There will be no charge for the initial set-up of this account.

Security Interest:

The Obligations are being issued pursuant to O.C.G.A. Section 36-60-13 to finance the lease purchase by the Peachtree City Governmental Finance Corporation (the "Corporation"). The rights of the Corporation, including its right to receive payments under the Installment Sale Agreement will be assigned to the Bank. Additionally, the Bank will receive a first priority secured interest via a Deed to Secure Debt and Security Agreement in the Webber Fire Station #83 and the Satterthwaite Fire Station #84.

Tax Status:

The proposal is subject to the City being qualified as a governmental entity or "political subdivision" within the meaning of the appropriate sections of the Internal Revenue Code. The City agrees to cooperate with the Bank in providing evidence as deemed necessary or desirable by the Bank to substantiate such tax status.

Non-Appropriation:

The City will agree that an appropriation sufficient to satisfy the debt service will be included in its budgeting proposal process.

Covenants of the City:

A. Payments:

The City will make timely payments of all principal and interest on the Obligations on or before the due date by wire transfer to the Bank.

B. Financial Statements:

Not later than 180 days following the end of each Fiscal Year, beginning with the 2009 Fiscal Year, the City will provide the Bank a copy of the Audited Financial Statements of the City for such Fiscal Year.

C. Annual Budget and Other Information:

The City will prepare the annual budget in accordance with Georgia law, and will provide to the Bank (i) a copy of its final annual budget within 30 days of adoption thereof by the Council and (ii) such other public information as the Bank may reasonably request.

D. Tax Compliance:

The City will take all actions necessary to maintain its tax-exempt status.

E. Standard Covenants:

Standard covenants for a multi-year lease contract pursuant to O.C.G.A. Section 36-60-13 will apply.

Representations And Warranties:

Representations and Warranties; No Default:

The City represents and warrants to the Bank that:

The representations and warranties made by the City herein shall be true and correct in all material respects on and as of the Disbursement Date, as if made on and as of such date; no Default shall have occurred and be continuing as of the Disbursement Date or will result from the consummation of the Obligations; and the Bank shall have received a certificate from the City to the foregoing effect.

Conditions Precedent:

The requirement of the Bank to make the Obligations are subject to the satisfaction of each of the following conditions precedent on or before the Disbursement Date:

A. Opinion of City's Attorney:

The Bank shall have received a written opinion of the City's Attorney as to (1) the corporate existence of the City and the Corporation; (2) the due adoption of the Resolution; (3) the due authorization, execution, validity, and enforceability of the Obligations and the related financing documents; (4) the absence of litigation against the City and the Corporation relating to its existence or powers, or the proceedings for the authorization and issuance of the Obligations, in form and substance satisfactory to the Bank; and (5) such other matters as the Bank may reasonably request, in form and substance satisfactory of the Bank.

B. Approving Opinion of Bond Counsel:

Standard approving opinion of qualified Bond Counsel, and if Option A is chosen its opinion that the interest is excluded from gross income for federal income tax purposes to the Bank shall be provided with all associated costs to be paid by the City.

C. Fees:

Total Bank fee will be \$5,000.00

D. Additional Fees:

The City shall be responsible for any costs incurred to meet the attached Real Property Requirements listed as Addendum A to this proposal.

E. Documentation:

All financing documentation will be subject to final satisfactory review and approval by the Bank and Bank's Counsel. Drafts of the proposed documents will be provided by the Bank once award of the bid has taken place.

If the terms are mutually satisfactory, they will be incorporated into an Obligation that will be executed by the City and the Bank.

December 2, 2009 **Proposal Expiration:** The Bank must be notified by 5:00 p.m. that our bid will be recommended to the governing body for approval.

December 4, 2009 **Proposal Acceptance:** The governing body must accept the proposal by this date. Upon acceptance, please return a signed copy of this letter to RBC Bank.

December 15, 2009 **Funding Date:** The interest rate and payments will be valid for funding through this date. If this Obligation is not closed by the funding date, the quote and interest rate and payments are subject to change based on current market conditions, unless extended by RBC Bank.

RBC Bank, as a wholly-owned subsidiary of RBC Financial Group, is a member of one of the strongest and safest financial institutions in North America. In today's market, utilization of the Bank's Balance Sheet to support the capital needs of our clients requires the use of our capital and liquidity. For this reason, it is important for those who borrow from the Bank to support our liquidity needs by maintaining deposits with the Bank. We can offer a creative and non-invasive approach to facilitate this requirement through a Money Market Account or an Operating Account. Your support of the Bank with liquidity helps strengthen our financial institution, allowing us to maintain a strong position to support the future capital needs of the City and the community in general.

If this proposal is accepted by the governing body, please indicate which option you choose, sign below and return this letter to RBC Bank. Upon receipt of acceptance, the Bank and its Counsel will promptly upon receipt review the Obligations documentation prepared by the Bond Counsel. If the anticipated transaction does not close through no fault of the Bank, the City shall be responsible for legal fees and other costs incurred.

If you have any questions, please feel free to contact Rene O'Day (407) 428-3008 and rene.oday@rbc.com.

RBC Bank



Rene O'Day

Director

RBC Bank Public & Institutional Banking

Accepted this ____ day of _____, 2009

By: _____

Title: _____

Addendum A
Real Property Requirements

If the Financing Proposal is committed by the Bank, the City understands and agrees that the Bank shall require in form and content satisfactory to the Bank and its counsel the items marked in the following list and that the City will be responsible for all fees associated with the below listed real estate requirements:

- ☒ 1. **Deed to Secured Debt** – The Obligation shall be secured by a first lien deed to secured debt (“the Deed to Secured Debt”) on the Project. The description of the Project contained in or attached to the Deed to Secured Debt shall conform to the survey referred to in paragraph 6 below (if required). The Deed to Secured Debt shall specify, among other things, that the Bank shall have the right to inspect the premises on reasonable notice at reasonable times.
- ☒ 2. **UCC Financing Statements** – UCC financing Statements, properly recorded, providing a first lien on improvements, ☒ fixtures, ☒ equipment and other items and types of personal property now owned or hereafter acquired and located upon the Project and used or useable in the operation and maintenance of the improvements;
- ☒ 3. **Title Insurance** – A title insurance policy in an amount and issued by a company acceptable to the Bank insuring the Bank’s first lien position. The policy shall contain standard endorsements and shall contain no matters objectionable to the Bank, including, without limitation, exceptions with respect to mechanics’ and materialmen’s liens, prior years’ taxes, matters of survey, deed restrictions, etc.
- ☒ 4. **Surveys** – ☒ **Boundary Survey.** Prior to closing and upon completion of the foundation, a survey showing the location of said foundation and also containing all setback and side lines, all existing or proposed buildings, and all streets, roads, rights-of-way, easements, encroachments, etc. ☒ The Bank at its option may require at the time of the final disbursement and upon completion of all improvements, a final up-to-date survey showing the location of the completed improvements.
- ☒ 5. **Hazard Insurance** – A hazard insurance policy to include fire, vandalism and malicious mischief, and extended coverage. The insurance policy must be in an amount sufficient to avoid co-insurance liability and equal to at least the amount of the Obligation. The insurance policy shall be issued by a company licensed to do business in Georgia and shall contain a standard mortgagee clause designating the Bank as loss payee. As soon as construction of the improvements is completed, the policy shall be converted to a permanent fire and hazard insurance policy and shall be in an amount sufficient to avoid co-insurance liability and equal to the total replacement value or the amount of the Obligation, whichever is greater.
- ☒ 6. **Flood Insurance** – A flood insurance policy if the Project is located in a “special flood, mudslide, or erosion hazard area.” The flood insurance policy shall be in the amount of the Obligation or the maximum amount of coverage available, whichever is less, and shall contain a standard mortgagee clause designating the Bank as loss payee.
- ☒ 7. **Access** – Evidence of reasonable means of ingress and egress to and from the Project
- ☒ 8. **Zoning** – Written evidence from the appropriate authority(ies) that the Project and its intended use are in compliance with all applicable zoning ordinances and land use laws and regulations
- ☒ 9. **Utilities** – Written evidence from the appropriate authorities that all utilities listed on this application are available to the Project in adequate supply.
- ☒ 10. **Environmental Protection** – As a condition precedent to any obligation of the Bank to close or fund the Obligation pursuant to this Application, the City shall have demonstrated to the Bank’s satisfaction, in Bank’s sole judgment, that the Obligation does not present environmental risks or liabilities that are unacceptable to the Bank with regard to environmental matters. A Phase I Environmental Survey may be required with all associated costs to be paid by the City.

- ☒ 11. **Project Funds** - Disbursement of Obligation funds subject to Bank review and approval.
- ☒ 12. **Other** - Such other requirements as Bank and Bank Counsel may deem necessary to perfect and protect its security interest.



City of Peachtree City, Georgia
Installment Sale Agreement
Summary of Bids Received

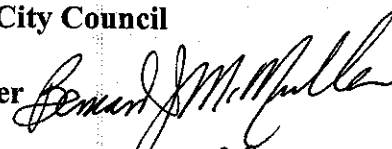
December 1, 2009

Tax Exempt Fixed Rates								
Firm Name	Contact Information	Rate	Structure	Terms	Maximum Funding	Other Requirements	Option Redemption	Specified Costs
RBC Bank (Option I)	Rene O'Day 420 S. Orange Avenue Orlando, FL 32801 407-428-3008 rene.oday@rbc.com	4.04%	Bank Qualified	15 Years, Quarterly in Arrears	\$2,554,009	Provide financial statements and budgets when finished; obtain counsel opinion; bank fee \$5,000; require deposits; Provide deed to secured debt, UCC financing statements, title insurance, survey, hazard insurance, flood insurance, access, zoning, utilities, Phase I Environmental Survey	Yield Maintenance Fee = PV of the daily lost cash flow to RBC; Minimum of .5%	\$5,000 Bank Fee
Bank of America	Charles T. McGuire Mail Code: VA2-300-18-02 1111 East Main Street, 19th Floor Richmond, VA 23219-3500 804-788-3345 charles.mcguire@bankofamerica.com	4.1551%	Bank Qualified	15 Years, Quarterly in Arrears	\$2,554,009	May need to provide casualty insurance; Will need to provide flood insurance, title reports, lien searches, ALTA Policy, Phase I Environmental Inspection, certification property not in flood plain; obtain Performance Bond from Contractor; pay for Trustee and own legal expenses	Non-prepayment clause for 7.5 years, then 1% of penalty of amount prepaid multiplied by # of years or fraction remaining under loan	
Branch Banking & Trust Co.	Veverly C. Hicks P.O. Box 31273 Charlotte, NC 28231 704-954-1710 vhicks@bbandt.com	4.49%	Bank Qualified	15 Years, Quarterly in Arrears	\$2,554,000	Applicable costs of counsel and other costs will be City's responsibility; will require an unqualified legal opinion	1% prepayment premium on any scheduled payment date	
SunTrust Leasing Corporation	Dennis M. McDermott Mail Code GA Atlanta 130 303 Peachtree Street, NE, 15th Floor Atlanta, GA 30308 404-658-4751 dennis.mcdermott@suntrust.com	4.5400%	Bank Qualified	15 Years, Quarterly in Arrears	\$2,554,009	Pay for SunTrust Legal Counsel, not to exceed \$5,000; Will serve as Escrow Agent; Late fees will be charged; Will provide a GMP Contract, Performance & Payment bonds, detailed insurance, Environmental Audit Phase I and valuation assessment, Certified Survey, Certification property not in flood plain; \$2,000 document/origination/processing fee; must maintain a non-exclusive depository/investment relationship with Bank of 20% of the lease amount so long as lease is outstanding	Prepayment premium of 1% for entire term of the Lease	\$5,000 Legal Fee; \$2,000 Document Processing Fee
RBC Bank (Option II)	Rene O'Day 420 S. Orange Avenue Orlando, FL 32801 407-428-3008 rene.oday@rbc.com	4.88%; 3.172% (Effective Rate)	Build America Bonds	15 Years, Quarterly in Arrears	\$2,554,009	Provide financial statements and budgets when finished; obtain counsel opinion; bank fee \$5,000; require deposits; Provide deed to secured debt, UCC financing statements, title insurance, survey, hazard insurance, flood insurance, access, zoning, utilities, Phase I Environmental Survey	Yield Maintenance Fee = PV of the daily lost cash flow to RBC; Minimum of .5%; If Federal Government terminates program, then prepayment is 1% of outstanding principal balance	\$5,000 Bank Fee
Regions Bank	Rick Cornejo Public, Institutional and Non-Profit Group One Glenlake Parkway, Suite 400 Atlanta, GA 30328 77-206-5793 ricardo.cornejo@regions.com	Declined	Declined	Declined	Declined	Declined	Declined	

BAIRD

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council
VIA: City Manager 
FROM: Financial Services Director 
DATE: December 2, 2009
SUBJECT: Consider bid for equipment lease agreement financing

December 3, 2009 City Council Meeting

Recommendation:

Approve Option 1 of the attached bid submitted by SunTrust Equipment Finance and Leasing Corporation to provide funding for the Equipment Lease Agreement.

Discussion:

The city enlisted the aid of our financial advisor, Todd Barnes of R.W. Baird, to assist with the process of finding a suitable lender for the city's Equipment Lease Agreement. Mr. Barnes contacted 11 different financial institutions known to be competitive on such transactions to determine interest in bidding on the lease. Requests for bids were sent out to all five financial institutions that responded and indicated that they would be interested in bidding. SunTrust Equipment Finance and Leasing Corporation submitted a bid for the lowest interest rate that was guaranteed for the life of the loan. SunTrust offered a fixed annual rate of 2.785% for a 5-year term. A copy of SunTrust's bid form is attached, along with the bid tabulation form.

Budgetary Impact:

The city's debt service budget for the equipment lease was based on a projected annual interest rate of 5.0%. Therefore a budget savings will be realized by accepting this rate (approx. \$14K for the first 12 months, then declining thereafter as principal declines).

SunTrust Equipment Finance & Leasing Corporation
303 Peachtree Street, N.E., 15th Floor, Mail Code GA Atlanta 130
Atlanta, GA 30308
Tel 404.658.4751
Fax 404.827.6695
dennis.mcdermott@suntrust.com

Dennis M. McDermott
Vice President



December 1, 2009

Paul Salvatore
Director of Finance
City of Peachtree City
c/o Todd Barnes
Managing Director
Robert W. Baird & Co.
2382 Northside Parkway, Ste. 225
Atlanta, GA 30327

Dear Mr. Barnes:

SunTrust Equipment Finance & Leasing Corporation is pleased to provide the following proposal to finance the acquisition of various equipment by the City of Peachtree City.

**General
Structure:**

Listed below is an outline of some of the significant terms and conditions of the financing.

Borrower:

City of Peachtree City, GA ("City")

Amount:

\$1,017,122

Facility:

Tax Exempt, Bank Qualified Installment Financing Contract (the "Contract").

Purpose:

To provide financing for the acquisition of various equipment (the "Equipment")

Security:

- A security interest in the Equipment financed.
- Annual appropriation of funds by the City.

Term:

Five (5) years

Interest Rate:

Tax Exempt, Bank Qualified Rate

	Current Rate
Option 1: Fixed Rate (prepayment at 103% of Par)	2.785%
Option 2: Fixed Rate (prepayment allowed on any payment date with no penalty)	2.985%
Upfront Costs: If SunTrust documents are used the documentation fees will be:	\$500 plus UCC fees
If the City provides the documentation, the documentation review fees will be:	\$1,500

Optional Redemption:

Option 1: The City will have the ability to prepay the Contract on any payment date at 103% of Par
Option 2: Prepayment will be allowed on any payment date at par

Funding:

The Contract will be fully funded at closing.

Escrow of Funds:

Lessor has assumed that no escrow will be required in connection with this financing.

If the City elects to escrow any funds, the Escrow Agent is assumed to be SunTrust Bank. Lessor will review and approve escrow disbursements prior to Escrow Agent disbursing funds. It is assumed that **all interest earnings will accrue for benefit of Lessee**. This proposal also does not take into consideration the application of any interest earnings from the escrow fund of the account. An escrow set up fee of \$250 will be assessed.

The interest rate is firm for a funding by December 31, 2009, if this proposal is selected by December 2, 2009, subject to final approval by the governing body of the City. If the financing is not selected and closed within the above described timeframe, the interest rate will be subject to change based on the three (3) year swap rate. The financing is subject to final credit approval by the Credit/Investment Committee of SunTrust Bank and approval of the lease documents in SunTrust Equipment Finance & Leasing Corporation's sole discretion.

Very truly yours,



Dennis M. McDermott
Vice President

BID FORM

To: **Mr. Paul Salvatore, Director of Finance**
Peachtree City, Georgia
c/o Mr. Todd Barnes, Managing Director
Robert W. Baird & Co.
Fax: 404-264-2231
call 404-264-2230 to confirm receipt

We propose to enter into a Lease Purchase Agreement with the City, subject to the provisions set forth in the City's Request for Bids, at the interest rate set forth below:

Tax-Exempt Fixed Rate

- 60-Month Lease: 7 %

See attached proposal

Submitted by:

Company:

Sentinel Equipment Finance & Leasing
Corp

By:

[Signature]

Title:

James McQuinn
Vice President

Phone:

404.625.5847

Fax:

404.829.6695

City of Peachtree City, GA

Assumed Funding Date: 12/18/2009
 Financing Amount: \$ 1,017,122.00
 Interest Rate: 2.785%
 Number of Periods 20
 Payments per Period 4
 Payment Amount \$ 54,706.05

Date	Payment	Interest	Principal	Balance	Prepayment Price
3/31/2010	\$ 54,706.05	\$ 8,025.94	\$ 46,680.11	\$ 970,441.89	\$ 999,555.15
6/30/2010	54,706.05	6,756.70	47,949.35	922,492.55	950,167.33
9/30/2010	54,706.05	6,422.86	48,283.19	874,209.36	900,435.64
12/31/2010	54,706.05	6,086.69	48,619.36	825,589.99	850,357.69
3/31/2011	54,706.05	5,748.17	48,957.88	776,632.11	799,931.08
6/30/2011	54,706.05	5,407.30	49,298.75	727,333.37	749,153.37
9/30/2011	54,706.05	5,064.06	49,641.99	677,691.38	698,022.12
12/31/2011	54,706.05	4,718.43	49,987.62	627,703.76	646,534.87
3/31/2012	54,706.05	4,370.39	50,335.66	577,368.10	594,689.14
6/30/2012	54,706.05	4,019.93	50,686.12	526,681.97	542,482.43
9/30/2012	54,706.05	3,667.03	51,039.02	475,642.95	489,912.24
12/31/2012	54,706.05	3,311.67	51,394.38	424,248.57	436,976.02
3/31/2013	54,706.05	2,953.83	51,752.22	372,496.35	383,671.24
6/30/2013	54,706.05	2,593.51	52,112.54	320,383.80	329,995.32
9/30/2013	54,706.05	2,230.67	52,475.38	267,908.43	275,945.68
12/31/2013	54,706.05	1,865.31	52,840.74	215,067.69	221,519.72
3/31/2014	54,706.05	1,497.41	53,208.64	161,859.05	166,714.82
6/30/2014	54,706.05	1,126.94	53,579.11	108,279.95	111,528.34
9/30/2014	54,706.05	753.90	53,952.15	54,327.79	55,957.63
12/31/2014	54,706.05	378.26	54,327.79	0.00	0.00
	\$ 1,094,121.00	\$ 76,999.00	\$ 1,017,122.00		



City of Peachtree City, Georgia
Lease Purchase Agreement
Summary of Bids Received

December 1, 2009

Tax/Exempt Fixed Rates								
Firm Name	Contact Information	Rate	Structure	Term	Maximum Funding	Other Requirements	Option Redemption	Specified Costs
SunTrust Leasing Corporation	Dennis M. McDermott Mail Code GA Atlanta 130 303 Peachtree Street, NE, 15th Floor Atlanta, GA 30308 404-658-4751 dennis.mcdermott@suntrust.com	2.785% (Option 1) 2.985% (Option 2)	Bank Qualified	5 Years, Quarterly in Arrears	\$1,017,122	If Bank's docs used \$500 + UCC Fees; If City's docs used \$1,500; If Escrow Fund set up, then \$250 fee	Option 1: 103% of Par on any payment date Option 2: 100% of Par on any payment date	If Bank's docs used \$500 + UCC Fees; If City's docs used \$1,500; If Escrow Fund set up, then \$250 fee
RBC Bank (Option I)	Rene O'Day 420 S. Orange Avenue Orlando, FL 32801 407-428-3008 rene.oday@rbc.com	2.96%	Bank Qualified	5 Years, Quarterly in Arrears	\$1,017,122	Provide financial statements and budgets when finished; obtain opinion of city attorney and approving opinion of bond counsel; bank fee \$2,500; require deposits	Yield Maintenance Fee = PV of the daily lost cash flow to RBC; Minimum of .5%	\$2,500 Bank Fee
Branch Banking & Trust Co.	Veverly C. Hicks P.O. Box 31273 Charlotte, NC 28231 704-954-1710 vhicks@bbandt.com	3.27%	Bank Qualified	5 Years, Quarterly in Arrears	\$1,017,122	Applicable costs of counsel and other costs will be City's responsibility	1% prepayment premium on any scheduled payment date	
RBC Bank (Option II)	Rene O'Day 420 S. Orange Avenue Orlando, FL 32801 407-428-3008 rene.oday@rbc.com	3.68%; 2.392% (Effective Rate)	Build America Bonds	5 Years, Quarterly in Arrears	\$1,017,122	Provide financial statements and budgets when finished; obtain opinion of city attorney and approving opinion of bond counsel; bank fee \$2,500; require deposits	Yield Maintenance Fee = PV of the daily lost cash flow to RBC; Minimum of .5%; If Federal Government terminates program, then prepayment is 1% of outstanding principal balance	\$2,500 Bank Fee

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council
VIA: City Manager 
FROM: Financial Services Director P.G.
DATE: December 3, 2009
SUBJECT: Consider bid for Bricks & Mortar Loan (installment sale agreement)

December 3, 2009 City Council Meeting

Recommendation:

Approve the attached bid submitted by Bank of America Public Capital Corporation to provide funding for the Bricks and Mortar Loan, aka Installment Sale Agreement.

Discussion:

The city enlisted the aid of our financial advisor, Todd Barnes of R.W. Baird, to assist with the process of finding a suitable lender for the city's Bricks and Mortar Loan. Mr. Barnes contacted financial institutions that are known to be competitive on such transactions and sent requests for bids out to all six of the institutions that indicated that they would be interested in bidding. Bank of America submitted a bid for the lowest rate that was guaranteed for the life of the loan. Bank of America offered a fixed annual rate of 4.1551% for a 15-year term. A copy of Bank of America's bid form is attached, along with the bid tabulation form.

Staff has retracted our recommendation to accept the bid submitted by RBC Bank due to the fact that the bid they submitted did not comply with the specifications of our bid request. The 4.04% annual rate that they quoted us was for a term of 10-years, as opposed to the 15-year term we are seeking and have budgeted for.

Budgetary Impact:

The city's debt service budget for the Bricks and Mortar loan was based on a projected annual interest rate of 4.50%. The net effect of the delay in closing and the lower interest rate will result in an estimated budget savings of \$103,842.



Charles T. Maguire
Senior Vice President
Government Equipment Finance

Banc of America Public Capital Corp
VA2-300-18-02
1111 E. Main Street, 18th Floor
Richmond, VA 23219
Email: charles.maguire@bankofamerica.com
Tel: (804) 788-3345
Fax: (804) 262-8344

November 30, 2009

Todd L. Barnes
Managing Director
Robert W. Baird & Co.

Dear Mr. Barnes,

Banc of America Public Capital Corporation ("BAPCC") on behalf of Bank of America, N.A. is pleased to submit to you ("Lessee") the lease financing proposal (the "Proposed Transaction") described in the attached Summary of Terms and Conditions (the "Term Sheet").

This letter and the Term Sheet (collectively, the "Proposal" or "Proposal Letter") include only a brief description of the principal terms of the Proposed Transaction, and are intended for discussion purposes only. This Proposal Letter is not intended to and does not create any binding legal obligation on the part of either party. THIS PROPOSAL LETTER IS NOT, AND IS NOT TO BE CONSTRUED AS, A COMMITMENT OR OFFER BY BAPCC OR ANY RELATED ENTITY TO ENTER INTO THE PROPOSED TRANSACTION. BAPCC will not be obligated to provide any financing until the satisfactory completion of its credit, legal and investment approval process. The terms and conditions of this Proposal Letter shall be superseded by and shall no longer be effective upon the execution and delivery of final legal documentation with respect to this Proposed Transaction.

This Proposal must be accepted on or before **December 14, 2009** in order for BAPCC to proceed with its consideration of the Proposed Transaction. To accept this proposal, please sign the enclosed copy of this letter and return it, by no later than December 14, 2009 to:

**Banc of America Public Capital Corp
1111 E. Main Street, 18th Floor
Richmond, VA 23832
804-788-3345**

We appreciate this opportunity to present Bank of America.

Very truly yours,

BANC OF AMERICA PUBLIC CAPITAL CORP

Charles T. Maguire
Senior Vice President

**Peachtree City**
Page 2

The undersigned, by its authorized representative below, accepts the above proposal, agrees to furnish Lessor, its successors and assigns, any information relating to the business or financial condition of Lessee or its affiliates, and authorizes Lessor, Bank of America N.A. and their affiliates to disclose to, discuss with and distribute such information (and any information they may already have) to any other affiliates or proposed assignees or successors of Lessor.

Peachtree City

By: _____

Title: _____

Date: _____

Please provide Federal ID No.: _____

Insurance Information:

Carrier: _____

Contact: _____

Telephone No. _____

SUMMARY OF TERMS AND CONDITIONS

Date: November 30, 2009

Lessee: Peachtree City ("the City")

Lessor: Banc of America Public Capital Corp or its designee ("Lessor")

Asset: Renovations of the Police Department, installation of a Proximity Card Security System at City Hall, renovations and improvements to City Hall, repairs to four fire stations, and miscellaneous capital improvements.

Lease Structure: This Lease is a lease intended as a **BANK QUALIFIED** security transaction.

All tax benefits will remain with Lessee; the lease will be a net financial lease, and all expenses, including (but not limited to) insurance, maintenance, and taxes, will be for the account of Lessee.

Security Interest: BAPCC will have a security interest in Sire Station 83 & 84.

Term: Fifteen (15) years; **quarterly** payments, in arrears. See amortization schedule for details.

Maximum Funding: \$2,554,009.

Rates: 4.1551% - **Fixed until December 30, 2009 only.**

RATES: The current rate is locked for 30 days from the date of this Term Sheet until December 30, 2009 and will be honored so long as the transaction is funded before such date. After December 30, 2009, Lender may adjust the rate upward depending on changes in interest rates between December 30, 2009 and the date the final pricing is determined.

Market Disruption: Notwithstanding anything contained herein to the contrary, in the event any material change shall occur in the financial markets after the date of this proposal letter, including but not limited to any governmental action or other event which materially adversely affects the extension of credit by banks, leasing companies or other lending institutions, Lessor/Lender may modify the indicative pricing described above.

BQ Qualification: Bank-qualified Representation of Lessee (tax exempt). In order to qualify the Lease and each schedule as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Code, Lessee further represents, warrants and covenants the following for the benefit of Lessor:

- (i) the obligations evidenced by the Lease and this Schedule are not "private activity bonds" as defined in Section 141 of the Code;
- (ii) Lessee hereby designates the principal payments on the Lease and this Schedule as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code;
- (iii) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds, treating qualified 501(c)(3) bonds as not being private activity bonds) which will be issued by Lessee (and all entities treated as one issuer with Lessee, and all subordinate entities whose obligations are treated as issued by Lessee) during the current calendar year will not exceed \$30,000,000; and

- (iv) not more than \$30,000,000 of obligations issued by Lessee during the current calendar year will be designated for purposes of Section 265(b)(3) of the Code.

Insurance: Lessee may be required to provide, at its expense, casualty insurance (with such deductibles as Lessor may approve) Lessor has the ability, if necessary, to obtain and provide any insurance certificate required.

Prepayment: The financing will contain a non-prepayment clause for the first half of each funding, then the outstanding principal balance of the lease may be prepaid in whole or in part at any time, together with all interest and late charges accrued through the date of prepayment and a prepayment charge calculated as follows: one percent (1%) of the amount prepaid multiplied by the number of years or fraction thereof remaining under the term of the loan documentation. Partial prepayments shall be applied against principal installments in their inverse order of maturity. Except as provided in the loan documentation, the lease may not be prepaid.

Governmental

Entity Lease: The Base Rent installments are calculated on the assumptions, and Lessee will represent, that Lessee is a state or political subdivision of a state within the meaning of Section 103(c) of the Internal Revenue Code (the "Code"), that this transaction will constitute an obligation of Lessee within the meaning of Section 103(a) of the Code, notwithstanding Section 103(b) of the Code. Lessee shall provide Lessor with such evidence as Lessor may request to substantiate and maintain such tax status. Lessee will indemnify Lessor, on an after-tax basis, against any loss of Federal income tax exemption of the interest portion of the rentals and against any penalties and interest imposed by the Internal Revenue Service on Lessor in connection therewith on a lump-sum basis.

Non-Appropriation

Termination: Lessee affirms that funds are available for the current fiscal year and reasonably believes that sufficient funds can be obtained to make all rental payments during each subsequent fiscal year. Lessee will regularly budget for and otherwise use its best efforts to obtain funds for the continuation of the rentals in this transaction.

Expenses: Lessee and Lessor will each be responsible for its own legal expenses incurred in connection with the preparation, negotiation and closing of the lease documentation. Lessee will be further responsible for any costs required to obtain Flood Insurance, Title Reports, lien searches, an ALTA Policy and a Phase I Environmental Inspection or Questionnaire if Lessor so requires. Additionally, Lessee will ensure that it obtains a Performance Bond from the Contractor of the project satisfactory to Lessor. Lessee will also bear any costs of the Trustee, if required for the Ground Lease. Lessee will bear any other reasonable costs of satisfactory documentation completion.

Escrow

Account: If Lessee so desires, subject to compliance with applicable regulations under the Internal Revenue Code, including, but not limited to arbitrage regulations, the proceeds of the Lease may be deposited in an escrow acceptable to Lessor, and disbursements made therefrom to pay for Equipment upon the execution and delivery of an acceptance certificate (and related documents) by Lessee and approved by Lessor.

Documents: Lease documents in form and substance satisfactory to Lessor and its local counsel must be executed and delivered. If Lessor requests, Lessee will also furnish duly executed landlord and mortgage waivers and supporting information. Lessee will also provide board resolutions, incumbency certificates and other documentation required by Lessor.

Credit Due

Diligence: In order to complete its credit due diligence, Banc of America Public Capital Corp Credit Administration will need you to provide:

- Three years of most recent audited financial statements;
- Most recent fiscal year's Budget;
- Insurance Certificate
- Certification the Property is not in a Flood Plain



**Amortization
Schedule:**

date	funding	payment	interest	principal	balance
Dec-15-09	\$2,554,009.00				\$2,554,009.00
Mar-30-10		\$57,513.16	\$30,951.97	\$26,561.19	\$2,527,447.81
Jun-30-10		\$57,513.16	\$26,254.35	\$31,258.81	\$2,496,189.00
Sep-30-10		\$57,513.16	\$25,929.64	\$31,583.52	\$2,464,605.48
Dec-30-10		\$57,513.16	\$25,601.56	\$31,911.60	\$2,432,693.89
Mar-30-11		\$57,513.16	\$25,270.07	\$32,243.08	\$2,400,450.80
Jun-30-11		\$57,513.16	\$24,935.14	\$32,578.02	\$2,367,872.79
Sep-30-11		\$57,513.16	\$24,596.73	\$32,916.43	\$2,334,956.36
Dec-30-11		\$57,513.16	\$24,254.81	\$33,258.35	\$2,301,698.01
Mar-30-12		\$57,513.16	\$23,909.33	\$33,603.83	\$2,268,094.18
Jun-30-12		\$57,513.16	\$23,560.26	\$33,952.90	\$2,234,141.29
Sep-30-12		\$57,513.16	\$23,207.57	\$34,305.59	\$2,199,835.70
Dec-30-12		\$57,513.16	\$22,851.22	\$34,661.94	\$2,165,173.76
Mar-30-13		\$57,513.16	\$22,491.16	\$35,022.00	\$2,130,151.75
Jun-30-13		\$57,513.16	\$22,127.36	\$35,385.80	\$2,094,765.96
Sep-30-13		\$57,513.16	\$21,759.78	\$35,753.38	\$2,059,012.58
Dec-30-13		\$57,513.16	\$21,388.39	\$36,124.77	\$2,022,887.81
Mar-30-14		\$57,513.16	\$21,013.14	\$36,500.02	\$1,986,387.79
Jun-30-14		\$57,513.16	\$20,633.98	\$36,879.17	\$1,949,508.61
Sep-30-14		\$57,513.16	\$20,250.90	\$37,262.26	\$1,912,246.35
Dec-30-14		\$57,513.16	\$19,863.83	\$37,649.33	\$1,874,597.01
Mar-30-15		\$57,513.16	\$19,472.74	\$38,040.42	\$1,836,556.59
Jun-30-15		\$57,513.16	\$19,077.58	\$38,435.57	\$1,798,121.02
Sep-30-15		\$57,513.16	\$18,678.33	\$38,834.83	\$1,759,286.19
Dec-30-15		\$57,513.16	\$18,274.92	\$39,238.24	\$1,720,047.95
Mar-30-16		\$57,513.16	\$17,867.33	\$39,645.83	\$1,680,402.12
Jun-30-16		\$57,513.16	\$17,455.50	\$40,057.66	\$1,640,344.46
Sep-30-16		\$57,513.16	\$17,039.39	\$40,473.77	\$1,599,870.69
Dec-30-16		\$57,513.16	\$16,618.96	\$40,894.20	\$1,558,976.50
Mar-30-17		\$57,513.16	\$16,194.17	\$41,318.99	\$1,517,657.51
Jun-30-17		\$57,513.16	\$15,764.96	\$41,748.20	\$1,475,909.31
Sep-30-17		\$57,513.16	\$15,331.29	\$42,181.87	\$1,433,727.44
Dec-30-17		\$57,513.16	\$14,893.12	\$42,620.04	\$1,391,107.40
Mar-30-18		\$57,513.16	\$14,450.40	\$43,062.76	\$1,348,044.64
Jun-30-18		\$57,513.16	\$14,003.07	\$43,510.09	\$1,304,534.55
Sep-30-18		\$57,513.16	\$13,551.10	\$43,962.06	\$1,260,572.49
Dec-30-18		\$57,513.16	\$13,094.44	\$44,418.72	\$1,216,153.77
Mar-30-19		\$57,513.16	\$12,633.03	\$44,880.13	\$1,171,273.64
Jun-30-19		\$57,513.16	\$12,166.83	\$45,346.33	\$1,125,927.32
Sep-30-19		\$57,513.16	\$11,695.79	\$45,817.37	\$1,080,109.94
Dec-30-19		\$57,513.16	\$11,219.85	\$46,293.31	\$1,033,816.63
Mar-30-20		\$57,513.16	\$10,738.97	\$46,774.19	\$987,042.44
Jun-30-20		\$57,513.16	\$10,253.09	\$47,260.07	\$939,782.38
Sep-30-20		\$57,513.16	\$9,762.17	\$47,750.99	\$892,031.39
Dec-30-20		\$57,513.16	\$9,266.15	\$48,247.01	\$843,784.38
Mar-30-21		\$57,513.16	\$8,764.97	\$48,748.19	\$795,036.19

Jun-30-21	\$57,513.16	\$8,258.59	\$49,254.57	\$745,781.62
Sep-30-21	\$57,513.16	\$7,746.95	\$49,766.21	\$696,015.41
Dec-30-21	\$57,513.16	\$7,229.99	\$50,283.17	\$645,732.25
Mar-30-22	\$57,513.16	\$6,707.67	\$50,805.49	\$594,926.75
Jun-30-22	\$57,513.16	\$6,179.92	\$51,333.24	\$543,593.51
Sep-30-22	\$57,513.16	\$5,646.68	\$51,866.48	\$491,727.03
Dec-30-22	\$57,513.16	\$5,107.91	\$52,405.25	\$439,321.78
Mar-30-23	\$57,513.16	\$4,563.54	\$52,949.62	\$386,372.16
Jun-30-23	\$57,513.16	\$4,013.52	\$53,499.64	\$332,872.52
Sep-30-23	\$57,513.16	\$3,457.78	\$54,055.38	\$278,817.14
Dec-30-23	\$57,513.16	\$2,896.27	\$54,616.89	\$224,200.25
Mar-30-24	\$57,513.16	\$2,328.92	\$55,184.24	\$169,016.01
Jun-30-24	\$57,513.16	\$1,755.69	\$55,757.47	\$113,258.54
Sep-30-24	\$57,513.16	\$1,176.49	\$56,336.66	\$56,921.87
Dec-30-24	\$57,513.16	\$591.29	\$56,921.87	\$0.00
	<u>\$2,554,009.00</u>	<u>\$3,450,789.55</u>	<u>\$896,780.55</u>	<u>\$2,554,009.00</u>



City of Peachtree City, Georgia
Installment Sale Agreement
Summary of Bids Received

December 1, 2009

Tax Exempt Fixed Rates								
Firm Name	Contact Information	Rate	Signature	Term	Maximum Funding	Other Requirements	Option Redemption	Specified Costs
Bank of America	Charles T. McGuire Mail Code: VA2-300-18-02 1111 East Main Street, 19th Floor Richmond, VA 23219-3500 804-788-3345 charles.mcguire@bankofamerica.com	4.1551%	Bank Qualified	15 Years, Quarterly in Arrears	\$2,554,009	May need to provide casualty insurance; Will need to provide flood insurance, title reports, lien searches, ALTA Policy, Phase I Environmental Inspection, certification property not in flood plain; obtain Performance Bond from Contractor, pay for Trustee and own legal expenses	Non-prepayment clause for 7.5 years, then 1% of penalty of amount prepaid multiplied by # of years or fraction remaining under loan	
Branch Banking & Trust Co.	Veverly C. Hicks P.O. Box 31273 Charlotte, NC 28231 704-954-1710 vhicks@bbandt.com	4.49%	Bank Qualified	15 Years, Quarterly in Arrears	\$2,554,000	Applicable costs of counsel and other costs will be City's responsibility; will require an unqualified legal opinion	1% prepayment premium on any scheduled payment date	
SunTrust Leasing Corporation	Dennis M. McDermott Mail Code GA Atlanta 130 303 Peachtree Street, NE, 15th Floor Atlanta, GA 30308 404-658-4751 dennis.mcdermott@sunttrust.com	4.5400%	Bank Qualified	15 Years, Quarterly in Arrears	\$2,554,009	Pay for SunTrust Legal Counsel, not to exceed \$5,000; Will serve as Escrow Agent; Late fees will be charged; Will provide a GMP Contract, Performance & Payment bonds, detailed insurance, Environmental Audit Phase I and valuation assessment, Certified Survey, Certification property not in flood plain; \$2,000 document/origination/processing fee; must maintain a non-exclusive depository/investment relationship with Bank of 20% of the lease amount so long as lease is outstanding	Prepayment premium of 1% for entire term of the Lease	\$5,000 Legal Fee; \$2,000 Document Processing Fee
RBC Bank (Option I)	Rene O'Day 420 S. Orange Avenue Orlando, FL 32801 407-428-3008 rene.oday@rbc.com	Non-Responsive	Non-Responsive	Non-Responsive	Non-Responsive	Non-Responsive	Non-Responsive	Non-Responsive
RBC Bank (Option II)	Rene O'Day 420 S. Orange Avenue Orlando, FL 32801 407-428-3008 rene.oday@rbc.com	Non-Responsive	Non-Responsive	Non-Responsive	Non-Responsive	Non-Responsive	Non-Responsive	Non-Responsive
Regions Bank	Rick Cornejo Public, Institutional and Non-Profit Group One Glenlake Parkway, Suite 400 Atlanta, GA 30328 77-206-5793 ricardo.cornejo@regions.com	Declined	Declined	Declined	Declined	Declined	Declined	