

City Council of Peachtree City
Agenda
November 15, 2007
7:00 p.m.

- I. Call to Order
- II. Pledge of Allegiance
- III. Announcements, Awards, Special Recognition
 - Remind Attendees to Turn Off Cell Phones
 - Recognize District & State GRPA Volunteer Award Recipients
 - Recognize McIntosh Girls Volleyball Team – State Champions
- IV. Public Comment
- V. Agenda Changes
- VI. Minutes
 - November 1, 2007, Regular Meeting Minutes
- VII. Consent Agenda
 - 1. Consider 2007 Budget Adjustments
 - 2. Consider 2008 Budget Adjustments
 - 3. Alcohol License – Change in Licensee & License Representative – Smokey Bones
- VIII. Old Agenda Items
 - 10-07-13 Consider Request for Abandonment of Line Creek Circle and a Portion of Line Creek Drive
- IX. New Agenda Items
 - 11-07-14 Airport Authority Update
 - 11-07-15 Certify Election Results
 - 11-07-16 Consider Amendment to Peddlers & Solicitors Ordinance
 - 11-07-17 Request to Address Council Regarding Allowing Segways on the Paths
 - 11-07-18 Concept Approval of Intersection Improvements for Walt Banks/Peachtree Parkway and Crosstown/ Peachtree Parkway
 - 11-07-19 Community Action Day Update
- X. Council/Staff Topics
 - Update on Fayette Community Channel (Comcast 25)
- XI. 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 1, 2007
7:00 p.m.

The City Council of Peachtree City met Thursday, November 1, 2007, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:02 p.m. Other Council Members present: Steve Boone, Mike Harman, and Cyndi Plunkett. Stuart Kourajian arrived at 7:04 p.m.

Announcements, Awards, Special Recognitions

Mayor Logsdon read proclamations for National Hospice Month and the 40th anniversary of the Peachtree City Rotary Club. Bob Dalton of the Peachtree City Running Club presented \$1,000 checks to the Police Department Vest Fun, the Fire Department, and the Recreation Department. Scott Bradshaw and Bill McDonald, co-chairmen for the Rotary Club's Touch the World/Dragonboat Race event held on October 6, thanked the City for its support.

Public Comment

There were no public comments.

Agenda Changes

Plunkett moved to move New Agenda Items 11-07-13 and 11-07-07 to the front of the New Agenda items. Kourajian seconded. Harman asked Plunkett if she intended to include 11-07-12 also. Plunkett amended her motion to include 11-07-12 and 11-07-13, as well as 11-07-07. Kourajian accepted the amendment. The motion carried unanimously.

Minutes

Logsdon noted there was an additional document on the dais, which indicated his proposed changes to the minutes. Plunkett moved to approve the October 18, 2007, regular meeting minutes as corrected. Boone seconded. The motion carried unanimously.

Monthly Reports

Logsdon noted there was an additional document on the dais – the Leisure Services monthly report. There were no comments on the Monthly Reports.

Consent Agenda

1. **Consider Contract with Fayetteville Main Street Tourism Association for Youth Council Concert at Villages Amphitheater**
2. **Consider Proposed Changes to PCTA Board (Agenda Item #10-07-05)(Postponed to December 6 meeting)**

Logsdon noted there was an additional document on the dais – an e-mail from City Attorney Ted Meeker dated November 1, 2007, with the subject, "Fayette Amphitheater Contract."

Boone moved to accept Consent Agenda items 1 and 2, with Item 1 having a correction as stated on page 1 of the contract. Harman seconded. The motion carried unanimously.

Old Agenda Items

08-07-02 Staff Report on Traffic and Cart Path Issues on Peachtree Parkway

City Engineer Dave Borkowski updated Council on the traffic reports for Peachtree Parkway North. (Copies of the reports are included in the official meeting file.) The intersections studied included

Peachtree Parkway/Loring Lane and Tinsley Mill and Peachtree Parkway/Peninsula Drive and Stonington Drive. The intent of the studies was to see if the intersections met the warrants for either a traffic signal or a multi-way stop. The studies were conducted on Thursday, September 13. The counts included vehicles, bicycles, golf carts, and pedestrians. Borkowski's presentation focused primarily on Peachtree Parkway/Peninsula Drive and Stonington Drive. He continued that there were three multi-way stop warrants that had to be met – traffic control signal and interim multi-way stop (if a signal was warranted, then interim stop signs could be placed), crash problem history, and minimum volumes of traffic.

Borkowski continued that the first warrant was broken into eight separate sub-warrants, including eight-hour, four-hour, and peak-hours. One of the warrants was 75 vehicles per hour for eight hours approaching intersection from minor (side street) and was a very complicated procedure. The average for the intersection was 17 and 34 vehicles respectively. No single hour was above 43 vehicles. The intersection did not meet the warrant. The warrant for the crash problem history was five or more correctable crashes in a 12-month period. Correctable crashes were defined as crashes that would be prevented by a multi-way stop such as T-bone crashes. The intersection had no correctable accidents in three years and did not meet the warrant. The minimum volumes warrant required an average of at least 300 vehicles per hour for any eight hours on the main road and an average of at least 200 vehicles, pedestrians, bicyclists or golf carts per the same eight-hour period for the side street. The average for an eight-hour period for Peachtree Parkway was 753 vehicles per hour. The average for the same period for Peninsula and Stonington was 51 vehicles per hour. The intersection did not meet the warrant. The warrant analysis also included an average delay of over 30 seconds per vehicle. The average delay was approximately 14 seconds.

Staff recommendations included marking the crossings with enhanced advanced warning signage according to a new internal policy, currently under internal review, when approved. Borkowski continued that the recommendations also included finishing the feasibility study of a tunnel by the boat docks, investigating the sight distance issue in the consultant's report, looking at potential traffic calming on Peachtree Parkway, and investigating alternative enhanced treatments for this multi-use path crossing.

Harman noted that speed was a problem as well as the traffic volume, but he had not seen any data on speed. Borkowski said the Police Department had collected the speed data, which showed that the 85th percentile traveled at 41 miles per hour or less. The combination of speed with volume could also trip the warrants, but it had not.

Borkowski said if the enhanced signage did not work, then he wanted to look at traffic-calming devices such as medians or curb extensions. Harman asked if rumble strips would help. The speed of the traffic was a safety issue for golf carts crossing the road. Borkowski said that was one of the things he wanted to look at to see if treatments such as flashing beacons warning of the crossings might be warranted. He felt that most people did not realize the mid-block crossings were there. He preferred waiting to look at traffic-calming devices until after the enhanced signage could be installed and evaluated.

Plunkett said traffic-calming devices should be installed to begin with. The City should work with the residents on the choices. Borkowski said he had just received the report and had not had time

to meet with the homeowners' association (HOA) president. Plunkett said she understood, but there were other neighborhoods with concerns as well.

Logsdon asked Borkowski if he was looking for guidance.

Barbara Sussberg, a Peninsula resident, noted that parents were worried about their teens that drove golf carts to school. They had to cross Peachtree Parkway three times before they got to school. There were hills and blind curves on the street. Traffic on the road increased everyday, and she did not want to see a terrible accident. Plunkett reiterated that the neighbors should provide input on whatever was done.

Logsdon directed staff to move forward, keeping in mind what the HOA and parents had said.

10-07-12 Public Hearing – Consider Amendment to Art. X, Sec. 1006(f), GC Commercial District Regarding Maximum Building Heights

City Planner David Rast noted that a large part of the amendments were housekeeping items and an introduction to proposed amendments to the Design Guidelines Ordinance. He said that when the zoning ordinance was adopted in 1977, the GC district set the maximum building height at 10 stories, with buildings over 35 feet having to be approved by the Fire Marshal. The language stayed in the ordinance until the Special Use Permit amendments were made to the GC zoning requirements. The maximum height was now limited to 35 feet, which made many buildings nonconforming. Rast showed photos of some of the more recent buildings now considered nonconforming because they no longer met the maximum height requirement. (A copy of the presentation is included in the official meeting file.) The new hotel developments would have buildings that were 55 to 60 feet tall, which would have been permitted prior to the last ordinance amendments.

Rast continued that the maximum height for the majority of residential zoning districts was 35 feet. There was no limit for the Agricultural Reserve (AR) district. Industrial zoning districts allowed taller buildings because of the nature of the buildings, as long as they were approved by the Fire Marshal, the Building Department, and the Federal Airport Administration (FAA). One zoning district allowed 10 stories; there was no continuity in what was allowed. Eventually, Rast said staff planned to bring to Council recommendations to establish a 60-foot height limit on buildings in GC, OI, and LUC zoning districts, which would keep the new buildings consistent and bring the nonconforming buildings into compliance. Instead of opening the door for taller buildings, there would also be criteria to bring the elevations to the Planning Commission to help design the façade of the building. The proposed amendments would require the Planning Commission to review the architecture as part of the conceptual site plan process. The Planning Commission was also considering amendments dealing specifically with height to the Design Guidelines Ordinance, which was adopted approximately 18 months ago.

Rast said the Planning Commission had a number of workshops on the height restrictions and had two public hearings. The Planning Commission recommended approval, with the understanding that the ordinance amendments to the Design Guidelines would be adopted, so there would be more flexibility in reviewing the buildings and elevations when they came in.

The only resident who spoke during the public hearing was Lynda Wojcik, who said it was very necessary to have height restrictions, especially as the City would be redeveloped and the fact that the City already had 60-foot buildings. The design guidelines proposal should also be looked at.

Kourajian said he did not disagree with much, but he was struggling with 60 feet and wanted to keep the limit at 35 feet. The taller buildings were grandfathered. Builders could come and ask for a variance for any building over 35 feet. He did not see a need for an upper limit of 60 feet, which could encourage some to build taller buildings. Rast said that, until the ordinance changed a year ago, GC zoning allowed 10 stories, with Fire Marshal approval required for buildings over 35 feet tall. No one wanted to see a 10-story building. The 60-foot limit brought what had been approved under the original ordinance into compliance and established a threshold of 60 feet. They had also looked at the average height of the trees. The Planning Commission did not want the buildings to be taller than the canopy of trees around them. Fire Marshal John Dailey said a 60-foot tall building was equal to a six or seven-story building. Any buildings taller than that would be harder for the fire apparatus to reach. Kourajian said that he was hearing the limit should be 60 feet because the tallest building was 60 feet. By changing the limit to 60 feet, they would be inviting builders to come in with 60-foot buildings. Meeker said the maximum height limitation was based on the current fire apparatus and what they could handle. Rast clarified that 10-story buildings were no longer allowed in GC zoning, but 10-story buildings were allowed in OI under the current ordinance.

Plunkett agreed with Kourajian. She was more inclined to keep the building maximum height at 35 feet. If the ordinance had a 60-foot limit, then they would be discussing 70-foot buildings. She liked the design guidelines and tightening up the review standards. She saw no reason to change the limit.

Boone said the amendments would bring current buildings into compliance. Any plan had to go the Planning Commission if it exceeded 35 feet. The proposed amendments tightened the ordinance and gave the City a chance to say yes or no. Plunkett asked why it was a problem to have nonconforming buildings. Meeker pointed out that the City made the buildings nonconforming by the changes made to the ordinance 14 months ago. Rast added that the buildings had complied with the former ordinance when they were built. Boone said the proposed amendment cleaned up the ordinances.

Harman clarified that change required the buildings over 35 feet to be approved by the Fire Marshal and to go to the Planning Commission for the design. Rast said that was correct. Rast said, if the building was over 35 feet, they must also bring in a design element as part of the conceptual site plan review by the Planning Commission. It would prevent buildings with three stories of efis. There would be specific guidelines on how a building should look.

Kourajian asked Rast what the current process was for a building over 35 feet. Rast said that buildings over 35 feet had to get a variance from Council. Kourajian said he liked that. He did not want Council to abdicate its approval authority. Rast said that the Planning Commission was charged to monitor the aesthetics of the City. There were trained architects and engineers on the Planning Commission. He was hesitant to bring buildings to Council for aesthetic review when they were not trained for it. Kourajian said he did not disagree with that. Rast said it was an effort to bring continuity to areas throughout the City. There were very few tracts left that would suit

taller buildings due to the required parking and landscaping. Any building taller than 35 feet would need a much larger site because of the increased parking requirements, which pushed them away from the major thoroughfares. The increased height of a building reduced the developable footprint of the property and increased the stormwater requirements.

Harman agreed that no one currently on Council was a trained architect, but that was only one small part of the decision-making process. The recent Kohl's proposal had been approved unanimously by the Planning Commission, but it would not have been approved by Council. In that situation, the citizens' representatives would not have agreed with what would be presented. The Planning Commission would do the architectural review and put everything in laymen's terms for Council to understand. The plans still needed to come to Council for a variance for the height. Rast said that made sense, but clarified that the Planning Commission had reviewed the Kohl's plan during a workshop, but had not taken a formal vote.

Logsdon asked Rast what would happen if Council did nothing. Rast said there were two sites, the Hilton Garden Inn and the Fairfield Inn, where the Planning Commission had approved the conceptual site plans contingent on Council's approval of the proposed amendments. If the amendments were not approved, those developments would have to start the variance process. Rast said he could bring the original elevations of the Hilton Gardens to the next meeting so Council could see how the proposed amendments and design guidelines had worked on the project.

Plunkett said she did not want Council to be the Planning Commission; however, both needed the opportunity to look at plans and make determinations. She did not support 60 feet. It would raise the threshold, and everyone would want 60 feet. Rast noted that the current building height limit in GC zoning was 35 feet and 10 stories for OI zoning. Plunkett said a 60-foot building could be built, but they should jump through the hoops. Boone said they needed to bring continuity and conformity to the buildings and the ordinances. Plunkett said the nonconforming buildings could be labeled and included in the ordinance. Meeker said the existing buildings were already grandfathered by the operation of law. A nonconforming use could not be expanded, which meant the owners would not be able to expand if they needed to. Meeker said they could bring back another amendment. Boone said they should bring back an amendment with different language.

The proposed amendment died from lack of a motion.

10-07-17(a) Consider Alcohol Ordinance – Additional Alcohol Licenses for Same Location

Acting Administrative Services Director/City Clerk Betsy Tyler said this ordinance established an additional license fee for alcohol license holders with more than one bar at the same address. Plunkett moved to approve the ordinance amendment for additional alcohol licenses for the same location and establish fees. Boone seconded. The motion carried unanimously.

10-07-17(b) Discuss Alcohol Ordinance – Special Events, Brown Bagging, Definition of Premises

Tyler said she wanted to find out if Council wanted to pursue any of the items discussed previously. The items included qualifying locations for special event permits, which would allow locations such as airport hangars to pay a fee to be a qualified location for events. Organizations or individuals that wanted to hold an event at a qualified location could then obtain a one-day license for the event. They had the option now to come to Council, but there was no established procedure or fee.

Plunkett asked if a resident would need the permit to serve alcohol at a Tupperware™ party. Police Chief Jim Murray said that if they were selling a product and a fee was paid to attend the event, then they were selling alcohol. If a resident was having a party, sales were not compulsory and a permit was not required.

Logsdon asked if a permit would be needed for events that took place at a hangar at Falcon Field, such as a barbecue where beer was served. Tyler said a permit would be required if a fee was charged to attend the event, rather than having invited guests for a private party. Kourajian asked if a permit would be needed if everyone chipped in to buy the keg. Tyler said it was illegal if there was any kind of sale associated with the alcohol. Logsdon clarified that subdivision clubhouses that were used for special events that had a cash bar would need to get a permit. Tyler said they would. Meeker said a private party would not require a license.

Logsdon asked Tyler what would be accomplished if the changes were made. Tyler said that, under the current policy, if a non-profit organization wanted to hold a dinner, charge a fee of \$100 a plate, and serve wine, they could not do it because it was technically the sale of alcohol. There was no procedure or established process that allowed it, and they would have to ask Council. However, there were no guidelines in place. Meeker said, with a process approved, they would either qualify for a permit or not. Tyler said that the organization would fill out the individual special event permit, and the permit would go to Council for approval.

The second issue involved brown-bagging. Tyler said that the City was aware of one restaurant without an alcohol license that permitted brown-bagging and charged a corking fee. When the City was not aware of the locations, then it did not know how close the business might be to schools or churches. Logsdon said he wanted to make the practice illegal in the City. Council agreed. Logsdon said to bring an ordinance making brown-bagging illegal in restaurants.

The final issue involved the sale of beer on golf courses. Tyler continued that the City of Newnan's alcohol ordinance had language pertaining to golf courses that allowed beer carts. Logsdon said he wanted to move forward with this and suggested Tyler get with Chief Murray and address issues as the definition of premises, signage, and public streets. Kourajian asked if the City would have any liability. Meeker said the liability would go to the licensee. Plunkett said the golf course owners might not want that, so they needed to have their input.

New Agenda Items

11-07-12 Consider Ordinance Amendment – Water Restrictions

**11-07-13 Consider Resolution – Declaration of Emergency Water Conditions and
Imposition of Additional Restrictions**

Logsdon noted there were additional documents on the dais – a memo to Mayor and Council from the City Manager dated October 31, 2007, with the subject, "Consider Ordinance Amendment – Water Restrictions, Consider Resolution Declaration of Emergency Water Conditions and Imposition of Additional Restrictions."

Meeker said he had two different recommendations. He recommended adopting the ordinance change, which would allow the City to adopt the Fayette County Water System's changes by reference, as well as procedures for emergencies. Meeker recommended that no action be taken on the resolution (agenda item 11-07-13) adopting tougher watering restrictions at this time. There

were still legal questions, as well as questions as to whether the restrictions would serve the intended purpose. Staff would continue to look at whether any restrictions could be placed on private wells, as well as the tougher restrictions on commercial watering. Ultimately, the City and County should coordinate their efforts. Meeker clarified that, by adopting the ordinance amendments, the City was adopting by reference the Fayette County Water System regulations. Anything the water system put into place would be automatically adopted by the City, which allowed the Police Department and Code Enforcement to work in conjunction with the Marshal's Office in terms of citations for violations of the Fayette County Water Systems regulations.

Plunkett asked if there was a good set of voluntary restrictions and what the City could do to educate the residents. Meeker said he had not seen a good set yet, but he was looking for something.

Kourajian asked if the County was asking the City to automatically fall in line with what was adopted. McMullen explained that all the municipalities and the County met recently, and they did not ask anyone to specifically adopt anything. They discussed being uniform in what was being enforced and implemented County-wide in order to support the County's efforts. Kourajian said he understood that enforcement should be the same, but he did not want to blindly follow what the County adopted. While it was unlikely, a great deal of rain could fall over the City, and the City would have plenty of water in the lakes. McMullen noted that the water in the lakes was not the City's. Harman said the County's water system was pressurized, and the City might be getting just as much water from Lake Horton as other municipalities. Tyler said the County had asked the City, in the past, to enforce restrictions, and the City had always done it by a resolution. It was easier for enforcement purposes to have it in ordinance form, especially since the Marshal's Office was actively patrolling the City. Meeker said the amendment would codify the resolution adopted by Council in 2004. Plunkett asked if there were any rules the County currently enforced that the City did not. Tyler said there were none; the County was enforcing the state's Level 4 drought restrictions. McMullen added that it put it in the ordinance and clearly identified the Police Department and Code Enforcement as enforcement agencies. Kourajian said he understood, but Council should make its own decisions instead of blindly following what the County asked.

Several landscaping companies sent representatives to the meeting. Logsdon asked that only few of the representatives speak.

Wayne King, a company owner, past chairman of the Georgia Green Industry Association, and a boardmember of the Urban Ag Council, which was helping to develop statewide comprehensive water plan, told Council that the restrictions in the proposed resolution impacted the landscaping business more than anyone else. There were over 80,000 people in the industry, and 14,000 were currently without jobs, many in the local area. The drought issue was serious and had economic and environmental consequences. He said he, along with others attending the meeting, was a certified landscape professional, and they wanted to be part of the process. Some of them had been working with the state to address the issues. The biggest problem was impervious surface, which landscaping helped offset by mimicking pre-development hydrology. They knew the need to pay attention to the groundwater, which would be addressed in the comprehensive state water plan that would be finalized during the next legislative session. Logsdon noted that the ordinance amendment would not change anything that affected their industry anymore than it was currently impacted. It just followed the County's restrictions. King said that was troublesome, and they

would work with the County. Their lifeline was the 30-day exemption for new professional landscaping, which was being tampered with. Meeker clarified that was in the resolution that he recommended Council not adopt.

Tim Thoms told Council that he had spoken to a Fayette County Water System official that day, and they would speak with the County further. They heard Council was going to consider the resolution at this meeting, which was why they were attending. The entire metro area would be in trouble without water. He had laid people off earlier in the day and would do so again in January. The decisions Council made impacted lives and families. He was involved with the Georgia Water Wise Council, which was looking at avenues for conservation. The industry could not water new landscaping at night during the winter because of the cold temperatures. Elected officials needed to understand the ramifications of their decisions. The industry was a good water steward. Logsdon said Council would not consider the resolution, which contained the restrictions that impacted their jobs. The amendments to the ordinance were no different from what was currently being done.

Harman said the City did not have a say in the water restrictions. It did not own any water. If Fayette County put restrictions in place, then the City had no choice but to follow the restrictions. Meeker said that was correct and added that the ordinance amendments also provided police and code enforcement officers with a code section to reference in the event someone violated the restrictions. Harman asked if Code Enforcement could enforce the restrictions. McMullen said they could once the amendments were approved. Meeker said that any violations cited by the Marshal's Office currently went to the Fayette County Magistrate Court. If Council adopted the amendments to the ordinance, then the violations would be taken to the City's Municipal Court.

Kourajian said that, by approving the ordinance amendments, Council was saying the City would do what the County told them. Council could always hold a special called meeting if it was necessary. With the amendments, there would be no dialogue, and there might need to be dialogue. Harman said the City had to do what the County told it regardless. Kourajian said the City should look at any restrictions on an individual basis as it had done previously. It gave the City the opportunity for dialogue before major changes were made. Logsdon said that, without approving the ordinance amendment, Council would have to hold a special called meeting to pass a resolution before the City could enforce the restrictions. Kourajian said it would not be longer than 24 hours. Plunkett asked Meeker what would happen if the County adopted the resolution, which Council was not going to consider at this meeting, later. Meeker said the City would have to adopt the restrictions as far as what applied to the Water System. The resolution included other water sources. Plunkett asked if the City would be bound to follow any restrictions for wells and other water sources set by the County. Meeker said the City was only bound by the rules applicable to the Fayette County Water System, and the wells were not part of the water system.

Harman moved to approve the ordinance amendment for water restrictions so the City would follow the restrictions as listed by the Fayette County Water System. Boone seconded. The motion carried 4-1 (Kourajian).

11-07-07 Consider Committee Report and Name for the West Village

Former Mayor Fred Brown, chairman of the committee, addressed Council. (A copy of his presentation is included in the official meeting file.) He introduced the members of the committee and went over the process used by the committee. The committee's recommendations included

Wilksmoor as the name for the West Village and adopting Peachtree City Industrial Park as the official name for the industrial area. Brown added that the criteria included Scottish, historical significance, and a combination of names like "glen" and "loch" (Glenloch) and "brae" and "linn" (Braelinn). The committee also decided to avoid Scottish names with prefixes and suffixes already used in village names and preferred names that would be easy to pronounce at first glance. The top three names were Wilksmoor, MacDuff, and Aviemore, which was the name of a pretty town in Scotland. The committee voted unanimously to submit Wilksmoor as the first choice, followed by MacDuff, and Aviemore. Brown noted that Wilks was a property owner on the west side and the Wilks Grove Baptist Church still existed on the west side. A "moor" was a Scottish term for open land, peaty soil with heather and bracken. Brown continued that the committee had much discussion on the industrial area and whether it should be considered as a village. The consensus was it was better for it to be left as an industrial park, and that it should be named the Peachtree City Industrial Park. Brown noted that the industrial area had not been part of the assignment, but they had taken it on any way. He added that the City should consider more signage to let people know what village they were in as they traveled through the City. Dave Lowry, committee member, added that he had done a "Google" and "Wikipedia" search for Wilksmoor and found nothing, which showed that the name was unique.

Logsdon thanked Brown and the committee for their work. Their recommendations would be placed on the website for more public input. Council would make a decision at the December 6 meeting.

11-07-01 Public Hearing – Consider Rezoning, SR 74 South, GI to LUI (SANY)

Rick Lindsey addressed Council for the applicant, SANY America, Inc. He introduced Jack Tang, vice-president of North American operations, and Tony Tong, technical operator. Jerry Peterson worked with SANY and prepared the conceptual site plan. Lindsey continued that SANY had 288 acres near Cooper Lighting that would be the site of the assembly plant and just over 44 acres between Panasonic and Wilden that would be the site of the headquarters and research facilities. The east side of the tract was bordered by the Flat Creek Nature Area, and the west side was bordered by SR 74. The 44-acre tract was currently zoned General Industrial (GI), and the applicant was asking to rezone the tract to Limited Use Industrial (LUI) for the office building, research and development building, and the residential component, which required the rezoning request. He said that the plan for the site included a lot of green space, walking trails, and paths. Only approximately 18% of the tract would be impervious surface. A normal development plan usually encompassed approximately 80% of a tract. The headquarters and the research and development buildings would be approximately 50,000 square feet each. Some of the areas marked for parking would be for the future. The area would be graded, but the impervious surface would be installed until it was needed. A Chinese garden would flow into the natural area, which backed up to the Flat Creek Nature Area. It would not be the typical headquarters development. (A copy of the PowerPoint presentation is included in the official meeting file.) Lindsey noted that SANY celebrated SANY Day in China, which was March 1, the date the company was founded. SANY opened its grounds up to the city in which it was located for food and fireworks. They planned to hold a similar celebration in the City.

Lindsey continued that the residential component included six free-standing residential units and three town home residences in the office building. The residences would house scientists and engineers that came to work for a year or so, and who typically would not speak English or hold a

driver's license. SANY would take care of the workers. The utilities would not be separate. Any children who lived in the residences would be taken to school, so schoolbuses would not pick up any students. There would not be any separate addresses; the residences would be part of the complex. SANY's corporate culture was to bring in specialists to work on specific tasks. SANY had agreed that the residences would never be leased out or be subdivided from the complex. The architecture would mirror the other buildings, and none of the residences would be larger than 4,000 square feet. Lindsey noted that, if SANY were ever to abandon the project, the development would be sold as a whole or the residences would be taken down. SANY was amenable to bringing a cart path onto the campus for access by its employees. There would be a manned gate at SR 74 and a gate to separate the single units from the office park. The units would not be seen from SR 74.

Residents who spoke during the public hearing included Juan Matute, Fred Brown, and Lynda Wojcik. Matute likened the development to a Chinese embassy and expressed concern that others might not be able to accept the cultural differences or politics. Wojcik said the residential and industrial components should not be mixed. She noted that other companies purchased homes in the City for their temporary employees so they became integrated with their neighbors. Brown said the City had been an international city for many years and had organized an International Society. He welcomed SANY.

Rast said that SANY presented a tremendous opportunity for the industrial park and the City. Regarding the questions about having housing in the industrial park, Rast said it became clear after talking with their representatives and understanding their culture. Hospitality and honor were an important part of Chinese culture. The nine units represented the nine members of the company's board of directors, who would occasionally visit the facility. The residences showed the directors an appreciation for their work. The units would also house scientists and scholars. Their society was not an 8 a.m.-5 p.m. society. They did not leave until the work was done, so a comfortable place close to work was needed. The development would also be a showcase to other international companies looking to re-locate in the United States. Rast continued that the Planning Commission had reviewed the project at a workshop and a public hearing, and they had unanimously voted to approve it. It would be the first LUI development in the industrial park. SANY was trying to preserve the trees on the site and blend the development into the topography, as well as create a corporate atmosphere they would be proud of. Staff's recommendation was to approve the rezoning. There were some conditions and an ordinance for the rezoning.

Kourajian asked where the electronic gates were located. Lindsey said there would be a manned gate at the main entrance on SR 74 and a mechanical gate for the residences. Kourajian asked how the gates would affect access by the Fire or Police Departments. Lindsey said the gates would either be "bust-through" or have some kind of access so emergency vehicles could get through. He said they had discussed emergency vehicle access with the Fire Marshal.

Plunkett clarified that, if SANY were to sell the tract, the development must have the same use or the residences would be torn down. Meeker said that was correct. Lindsey added that they were fine with the ordinance and the conditions staff recommended.

Harman asked how difficult it would be for the visiting people to integrate. Lindsey said it could be a problem, especially since most would speak no, or limited, English. It was SANY's obligation to

take care of them. They could be in the City for as little as a few days, and they would be here to work. Each of the residential units was designated for a particular director to use when here.

Boone said the plan was great and was a win/win. It was viable for the industrial park and would be a showcase for other companies looking to come to North America.

Plunkett moved to rezone the SANY tract from GI to LUI with all the restrictions included in the ordinance. Boone seconded. The motion carried unanimously.

11-07-02 Public Hearing – Reaffirm Multi-family Moratorium

Tyler said the moratorium was first adopted in 1999. The ordinance required that Council reaffirm the moratorium each year.

Lynda Wojcik and Richard Spain spoke in favor of the moratorium.

Kourajian moved to reaffirm the multi-family moratorium. Harman seconded. The motion carried unanimously.

11-07-03 Consider Bid for Street Resurfacing – Fall 2007

Public Services Director Tom Corbett addressed Council. The bid went out in September, and one bid was returned. The other company that usually responded to the resurfacing bids was not interested in fall or winter work. It was a good deal for 11 miles of resurfacing.

Kourajian noted that only one company turned in a bid. He asked how it compared to previous bids. Corbett said there were a number of different items included in the bid. Kourajian asked if the resurfacing was budgeted. Corbett said it was in the SPLOST funding. He noted that the largest item in the bid had gone from \$70 to \$73 per unit, and the increase was related to the price of barrel of oil, which had increased.

Kourajian moved to contract with C.W. Matthews, Inc., for street resurfacing of the items listed for the bid price of \$2,060,918.92. Boone seconded. The motion carried unanimously.

11-07-04 Consider Ordinance Amendment – Fireworks on City Property

Dailey addressed Council and said the proposed amendment would prohibit the use of fireworks on City-owned or City-controlled property. Plunkett clarified that fireworks that were legalized in the state could be used on private property. Dailey said yes.

Lynda Wojcik pointed out that a lot of residents shot the fireworks in the City streets that were in front of their homes, which was City property. Dailey said that he had not considered that possibility. Meeker said the wording, "other than City streets," could be added to Section 38-41 after "any city owned or controlled property." Dailey noted that the intent of the amendment was to keep people from using fireworks on July 4th around all the people and blankets. Meeker said they could clarify it as "residential streets."

Harman asked what the motivation was for the amendment. Kourajian said that, down by the docks, kids ran around with sparklers and also set off other fireworks. Dailey said it was also more

likely for accidents and injuries to occur because of the crowds. Kourajian said people should be safe during the event. Harman agreed.

Wojcik suggested that the wording be changed to "any city park or greenspace," which would also cover the cart paths. It would not draw attention to the street. McMullen said that one of the main issues was on July 4th, when the City had large crowds of people and young kids running around with sparklers and fireworks. Currently, it was not illegal for them to do that in a large crowd. City Hall was zoned Open Space (OS), not as a park. It could be park or open space zoning. Meeker recommended adding the wording, "other than City-owned residential streets." Council agreed that the intent was to take care of the people in the parks.

Harman moved to approve the ordinance amendment with the additional verbiage, "other than City-owned residential streets" for fireworks on City property. Boone seconded. The motion carried unanimously.

11-07-05 Consider Reclassification/Additional Positions – Library

Kourajian asked Leisure Services Director Randy Gaddo if the reclassification meant there would be two people for the price of one. Gaddo said yes. Kourajian moved to approve the additional part-time library assistant position at grade 268 and reclassify the library manager at grade 281 to a circulation specialist grade 276 effective November 1. Harman seconded. The motion carried unanimously.

11-07-06 Consider Reclassification of Position – Kedron Fieldhouse

Gaddo explained that the reclassification would replace a management position with a coordinator position, saving \$17,000. There had been personnel changes at the Fieldhouse, so the staffing was reviewed. Under the current conditions, there was more need for a coordinator to coordinate all the programs than for the supervisor. Staff recommended replacing the supervisor position with a coordinator's position. At the same time, staff recommended that the current coordinator's salary be moved up one step because the individual would be designated as the second-in-command at the center and would be in charge when the manager was gone. Kourajian clarified that the proposal was to eliminate one position, create a position, and give a raise to a current employee, who would be designated as the person in charge when the manager was gone. Gaddo said that was correct. Plunkett asked why Council needed to approve the raise. Gaddo said it was not the normal Cost of Living Allowance or merit increase.

Boone moved to replace the Kedron supervisor with a Kedron coordinator position, and to increase the salary one step to grade 277, step 24 with salary of \$51,549 for the existing coordinator. Kourajian seconded.

Plunkett noted that the salary was tied to the employee. Gaddo said it was raising the level of that coordinator's position. Meeker said that person left and another came in, then the new person would start at the beginning level.

The motion carried unanimously.

11-07-08 Discuss RFP Requirements for Residential Sanitation Franchise

Tyler noted that Council had directed staff to come with request for proposal (RFP) requirements. Staff needed final guidance on whether or not to send out the RFP and what elements should be included. Items included services to ask for. Currently, the providers offered twice-weekly, one and two-can, pick-up; back door service, recycling service, some form of yard trimming and some form of bulky waste pick-up. She asked Council to address whether recycling should be City-wide or per customer since there would be a huge price difference. They could ask for both. They would also want to know if the provider would service City dumpsters. Another issue was customer service standards. Missed collections should be resolved in 24 hours. Staff felt there should be a cash performance bond with the forfeiture of \$100 per unresolved legitimate complaint, direct contact separate from customer service so staff could call regarding customer complaints, and keeping customer service records.

Logsdon clarified that staff needed guidance on whether to move forward with the RFP and what should be in it. Tyler said staff needed to know whether to move forward, if the suggested items looked good, and if Council had any additional direction.

Boone said he was totally against a single source. Competition bred quality. The vendors provided the services the customers wanted. Council had gone through this two years ago. He was against an RFP. Plunkett asked Boone whether Council would be doing a disservice by not getting answers if an RFP came back that would benefit the residents. She agreed that she had seen nothing that supported a sole provider to date. Boone said Council could hold a workshop to see what services the vendors could provide. Kourajian said he supported the free market system, but Council should always look at things if there was a better way to do it. He liked the information staff presented. As a City, they should expect more from the providers. Getting input from the companies would help. Council had never met with all the providers. Kourajian said he did not know if the City let the providers know about the complaints the City received. Tyler said that, if a resident had complaints, the only option staff could give was to talk to other providers.

McMullen said the issue for providers was economics. It was more economical for them to pick up the trash from every house on the block since they had to drive past every house on the block. It was the only way to do recycling economically. McMullen said one of his goals was to increase recycling, which could not be done without going to a single provider. There was not enough participation in the City for recycling to be economic for the providers.

Logsdon said that a garbage franchise had to show an overwhelming advantage to the City. Council would not know that until an RFP was done. Kourajian said they were not prepared to do an RFP yet; they needed to talk to the professionals about the information an RFP should contain. Tyler said staff had received sample RFPs from two of the providers, and each was tailored to its company. They had filtered through those, added in information from the last RFP to come up with the key components. Meeker said that Purchasing Agent Angela Egan had also researched it. Tyler said staff could not give out the entire proposal because it had not been released to the proposers, which violated the process.

Harman asked Meeker if Council would be obligated to go with a company that submitted a proposal. Meeker said it would not. Harman said they should get the proposals back. If Council decided to go with a sole source provider, there would be 75% fewer trucks on the road. He said the providers could make a presentation on their proposals.

Doug Sturbaum, who said he was a purchasing agent by trade, suggested Council consider a Request for Information (RFI), which would answer Council's questions. It would also allow Council to offer an RFP to the top candidates that met the City's needs.

Juan Matute said he was in favor of a single provider strictly for the economics. Less diesel fuel would be used, which would benefit the whole economy. The only way the City would find out if it would work or not was to do it.

Eric Langley said that, at first reaction, he agreed with Boone. The only reason to go with a single provider was for 100% recycling. He asked if there was a market for the recycled material, which would be a reason to do it. He was not dissatisfied with his provider.

Leslie Rowell, who said he was a garbage man, said there were advantages to a single provider, but it did not eliminate the free market. The forces of the market came into play when the competitors bid on the RFP. The provider would be able to provide special services for a more economical basis if picking up the entire City and would enhance service quality. He noted that glass was not a recyclable commodity in the current market. There were also safety advantages to one provider. A good RFP and a good contracted provider were the keys to make the situation better.

Kourajian said he preferred Sturbaum's suggestion of an RFI so Council could see what the providers were willing to give. Council directed staff to proceed with an RFI.

11-07-09 Consider Ordinance Amendment – Impact Fee Appeal Process

Harman moved to approve the modification to the appeal process for impact fees. Boone seconded. The motion carried unanimously.

11-07-10 Consider Employee Dental Insurance

Kourajian said he had a problem with how much employees would pay for family coverage. Tyler said the employees had always paid 100% of family coverage. Logsdon noted the increase was \$6. Boone said his dental insurance was not the best, and the cost was very close. McMullen said that the quote also continued the lifetime deductible. Boone asked what the cap was each year. McMullen said \$1,500.

Plunkett moved to approve the employee dental insurance plan with Companion as outlined by the recommendation. Boone seconded. The motion carried unanimously.

10-07-11 Consider Reclassification of Stormwater Positions to Include Crew Leader & Heavy Equipment Operator Positions

Stormwater Manager Mark Caspar addressed Council and noted that the Stormwater Maintenance Technician 3 position and Maintenance Technician 2 position all reported to one crew leader, who was over both streets and stormwater. The reclassification would streamline the process so stormwater had its own crew leader and could function on its own without relying on the street crew.

Harman moved to reclassify the stormwater position to include a crew leader and a heavy equipment operator position. Plunkett asked what the cost would be. Caspar said the cost would be \$8,574, which would be covered in the Stormwater Utility budget. Plunkett seconded.

Kourajian asked if a person would be lost. Caspar said a position would not be lost. Kourajian clarified that the person would be working and crew leading. Caspar said that was correct.

Plunkett asked if the reclassification would just separate the stormwater and street crews, which currently worked together. Caspar explained that, under the current organization chart, the street stormwater supervisor had a crew leader under him. That crew leader was currently running both crews and working. The proposed reclassification reflected how the work was being done now, but clarified the reporting structure.

Plunkett asked if taking the stormwater responsibilities out of the street crew leader's duties would mean there was less work, so fewer people would be needed. Caspar said there was plenty of work. Some of the street crew employees worked with the stormwater crew when help was needed. The two separate crews currently reported to one crew leader. The reclassification would allow the stormwater crew to run their own show and take care of maintenance requests.

Kourajian asked if the salary increase would be the \$8,000. Caspar showed the budget figures and noted that a 5% raise went along with the promotion. The supervisor position was a higher grade. There would also be a change moving from the maintenance technician position to heavy equipment operator. Kourajian noted that the numbers were based on last year's budget, and that a Maintenance Technician 3 was more experienced than a Maintenance Technician 2.

The motion carried unanimously.

Boone moved to extend the meeting past the 11 p.m. deadline if needed. Harman seconded. The motion carried unanimously.

Council/Staff Topics

Library Commission Update

Library Administrator Jill Prouty introduced Library Commission Chairman Kathleen Akins, who gave a PowerPoint presentation (A copy of the presentation is included in the official meeting file.)

The Library staff included three with master's degrees in library/information science and Grade 5B Librarian Certification (5B-master's degree accredited by American Library Association). They were moving towards totally accredited full-time supervisory staff. The Library had approximately 80,000 items in the collection, with 89% in books and 11% in electronic/digital media. The collection would be expandable to 120,000 items in 20 years. There were 27,343 cardholders, and the number increased daily. In FY 2007, the Library had 270,000 visits. The circulation statistics had increased 56% since the Library's re-opening, with 421,834 items in circulation in FY 2007. The self-checkout station had been added, and the Library was a wireless hot spot.

Akins continued that more than 5,500 children attended Story Time in FY 2007, and 1,600 participated in the summer reading program. Also in FY 2007, there were 12,000 reference assist requests, the internet stations were used 43,475 times, and 357 people took staff-taught computer classes in the computer lab. Over 11,000 people attended library programs in FY 2007. The programs included author events, Story Time, Baby Time, Super Science Saturdays, International Film Night, Writer's Circle, Literary Festival, Black History Month, two book clubs, genealogy, and more. The Library participated in the Public Information Network for Electronic Services

(PINES), which was a consortium of 265 public libraries in the state. The pros included the state funded Integrated Library System (ILS), reciprocal borrowing privileges, and intra-PINES lending. The cons included loss of direct input, a one size fits all mentality, and the Library's mandatory adherence to established PINES policies.

Akins continued that the selection of materials was based on published reviews, pre-publication alerts, and user demand. The Library generally had one copy for every five holds for bestsellers, which was the industry standard. The budget breakdown was adult/print, 35%; juvenile/print, 23%; DVDs/music CDs, 23%/ audio books, 9%; digital, 6%; and reference, 4%. Akins estimated that, in FY 2007 based on 270,000 visits, the library patrons would have spent approximately \$6.3 million on their education and entertainment if they had purchased, at \$15 each, the books, audio books and videos they borrowed from the Library. A Library Services Calculator was available on the website so patrons could calculate the value of their monthly use.

Akins noted that the Library Commission had updated the five-year master plan in 2006. The upcoming needs included computer replacements (\$9,000 in FY 2009, 30% replacement cycle to begin in FY 2010 at \$22,000); an increase of \$10,000 per year for the materials budget; replacement of the one remaining HVAC unit in FY 2009 for \$25,000; and the anticipated need for an additional part-time library assistant in FY 2009 or 2010.

Kourajian moved to convene in executive session for threatened or pending litigation and a personnel issue at 10:49 p.m. Harman seconded. The motion carried unanimously.

Harman moved to reconvene in regular session at 12:15 a.m. Boone seconded. The motion carried unanimously.

There being no further business to discuss, Boone moved to adjourn. Harman seconded the motion. The motion carried unanimously. The meeting adjourned at 12:16 a.m.

Betsy Tyler, Acting City Clerk

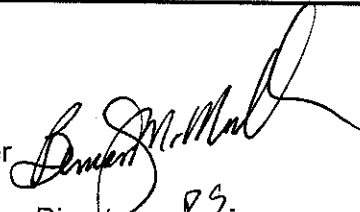
Harold K. Logsdon, Mayor

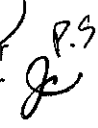
Pamela Dufresne, Recording Secretary

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Bernard J. McMullen, City Manager 

FROM: Paul J. Salvatore, Financial Services Director 
Janet I. Camburn, Assistant Finance Director

DATE: November 7, 2007

SUBJECT: Budget Amendments – Fiscal Year 2007
November 15, 2007, City Council Consent Agenda

Recommendation:

It is Staff's recommendation that City Council approve the attached budget amendments.

Discussion:

Attached please find several budget amendments (07-025 through 07-029) for fiscal year 2007 submitted for your approval. These budget amendments are housekeeping in nature and are necessary to prepare for the annual audit and to issue financial statements for the fiscal year ended September 30, 2007. An explanation of the budget amendment is included on each attached budget amendment form.

Budget Impact:

The proposed budget amendments affect the General Fund, several Special Revenue Funds, and several Capital Projects Funds. A separate report is attached that shows the budget impact on each of these funds.

If you have any questions please do not hesitate to contact either Paul or Janet.

Thank you for your attention to this matter.

Attachments

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 07-025

DATE September 30, 2007

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
231-00-34-7900	xxx	Other Revenue - Fees	1,929	
231-6129-54-1200	xxx	Site Improvements	1,929	
232-00-34-7900	xxx	Other Revenue - Fees	9,935	
232-6129-54-1200	xxx	Site Improvements	9,935	
233-00-34-7901	xxx	Field Account Fees	775	
233-00-34-7902	xxx	Box Account Fees	875	
233-6129-54-1200	xxx	Site Improvements	1,650	
234-00-34-7900	xxx	Other Revenue - Fees	2,041	
234-6129-54-1200	xxx	Site Improvements	2,041	
235-00-34-7900	xxx	Other Revenue - Fees	170	
235-6129-54-1200	xxx	Site Improvements	170	
236-00-34-7900	xxx	Other Revenue - Fees	8,240	
236-6129-54-1200	xxx	Site Improvements	8,240	
237-00-34-7900	xxx	Other Revenue - Fees	1,840	
237-6129-54-1200	xxx	Site Improvements	1,840	
238-00-34-7900	xxx	Other Revenue - Fees	1,480	
238-6129-54-1200	xxx	Site Improvements	1,480	
239-00-34-7901	xxx	Field Account Fees	6,685	
239-00-34-7903	xxx	Rink Account Fees	390	
239-6129-54-1200	xxx	Site Improvements	7,075	
240-00-34-7900	xxx	Other Revenue - Fees	1,950	
240-6129-54-1200	xxx	Site Improvements	1,950	
243-00-34-7900	xxx	Other Revenue - Fees	260	
243-6129-54-1200	xxx	Site Improvements	260	

TOTAL \$ 73,140 \$ -

To adjust budget in Athletic Fee accounts to recognize revenues collected during fiscal year 2007.

ENTERED _____

APPROVED _____

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 07-026

DATE September 30, 2007

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
200-00-37-1010	xxx	Donations	786	
200-6220-53-1175	xxx	Operating Supplies	786	
202-00-37-1000	xxx	Donations	4,400	
202-3210-53-1175	xxx	Operating Supplies	4,400	
203-00-38-1000	xxx	Federal Seizures	1,403	
203-3210-53-1175	xxx	Operating Supplies	1,403	
204-00-34-7901	xxx	Reimbursements	846	
204-3510-53-1175	xxx	Operating Supplies	846	
207-00-34-7900	xxx	Charges for Services	101	
207-00-34-7901	xxx	Ticket Sales	406	
207-6110-53-1175	xxx	Operating Supplies	507	
209-00-34-2101	xxx	Donations	2,576	
209-3210-53-1725	xxx	Uniforms	2,576	

TOTAL \$ 21,036 \$ -

To adjust budget in Special Revenue Fund accounts to recognize revenues collected during fiscal year 2007.

ENTERED _____

APPROVED _____

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 07-027

DATE September 30, 2007

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
100-4100-54-1400	xxx	Cart Path Extensions	175,000	
100-00-38-9025	xxx	Surplus Carryover	175,000	
TOTAL			\$ 350,000	\$ -

To adjust 2007 budget to carryover funds that were designated for cartpath extensions in fiscal year 2007.

ENTERED

APPROVED

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 07-028

DATE September 30, 2007

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
100-1540-51-2600	xxx	Unemployment Insurance - HR	14,000	
100-3510-57-9100	xxx	Fire Contingency		112,780
100-6510-53-1230	xxx	Electricity - Library	6,700	
100-6510-53-1220	xxx	Natural Gas - Library	5,100	
100-6510-53-1400	xxx	Library Books	500	
100-6510-51-1100	xxx	Regular Salaries - Library	19,700	
100-6510-51-1200	xxx	Part-time Salaries - Library	17,900	
100-6510-51-2100	xxx	Group Health Insurance - Library		9,700
100-1552-57-9145	xxx	Contingency - Savings	472,934	
100-3210-51-1100	xxx	Regular Salaries - PD		255,000
100-3210-51-2100	xxx	Group Health Insurance - PD		45,000
100-3510-51-2100	xxx	Group Health Insurance - FD		80,000
100-4100-51-2100	xxx	Group Health Insurance - PW		34,354

TOTAL \$ 536,834 \$ 536,834

To adjust 2007 budget to cover overages and spread the projected budget savings in preparation of the annual audit process.

ENTERED _____

APPROVED _____

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 07-029

DATE September 30, 2007

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
350-00-36-1111	xxx	Interest Earnings	1,701	
350-00-36-1129	xxx	B&M Interest Earnings	14,105	
350-1511-54-0049	049	PIP Contingency	15,806	
375-00-36-1100	xxx	Interest Earnings	26,421	
375-1511-54-0049	049	Contingency	26,421	
355-00-36-1111	xxx	Interest Earnings	20,826	
355-1511-54-0049	049	PIP Contingency	20,826	
356-00-36-1111	xxx	Interest Earnings	17,622	
356-00-36-1129	xxx	B&M Interest	5,736	
356-1511-54-0049	049	PIP Contingency	23,358	

TOTAL \$ 172,822 \$ -

Miscellaneous adjustment to spread unbudgeted interest earnings in Construction Funds to the Contingency in the funds to be retained in reserves for currently budgeted projects (potential overruns).

ENTERED _____

APPROVED _____

CITY OF PEACHTREE CITY

BUDGET AMENDMENTS - FISCAL YEAR 2007

September 30, 2007

General Fund (100)

Budgeted Revenue and Expenditures before amendments	\$ 26,932,971
Budget Amendments:	
Cart Path Extensions	175,000
Miscellaneous Adjustments and Spread of Budgeted Savings	-
Budgeted Revenue and Expenditures after amendments	<u>\$ 27,107,971</u>

Athletic Fee Funds (231 - 243)

Budgeted Revenue and Expenditures before amendments	\$ 62,971
Budget Amendments:	
Recognize 2007 Fees	36,570
Budgeted Revenue and Expenditures after amendments	<u>\$ 99,541</u>

Neighborhood Parks Fund (200)

Budgeted Revenue and Expenditures before amendments	\$ 3,308
Budget Amendments:	
Recognize 2007 Donations	786
Budgeted Revenue and Expenditures after amendments	<u>\$ 4,094</u>

DARE Program Fund (202)

Budgeted Revenue and Expenditures before amendments	\$ 5,811
Budget Amendments:	
Recognize 2007 Donations	4,400
Budgeted Revenue and Expenditures after amendments	<u>\$ 10,211</u>

Federal Seizures Fund (203)

Budgeted Revenue and Expenditures before amendments	\$ 10,484
Budget Amendments:	
Recognize 2007 Seizures	1,403
Budgeted Revenue and Expenditures after amendments	<u>\$ 11,887</u>

HAZMAT Fund (204)

Budgeted Revenue and Expenditures before amendments	\$ 1,405
Budget Amendments:	
Recognize 2007 Donations and Reimbursements	846
Budgeted Revenue and Expenditures after amendments	<u>\$ 2,251</u>

Youth Council Fund (207)

Budgeted Revenue and Expenditures before amendments	\$ 1,155
Budget Amendments:	
Recognize 2007 Ticket Sales and Charges for Services	507
Budgeted Revenue and Expenditures after amendments	<u>\$ 1,662</u>

CITY OF PEACHTREE CITY

BUDGET AMENDMENTS - FISCAL YEAR 2007 *continued*

September 30, 2007

Police Department Grant/Donations Fund (209)

Budgeted Revenue and Expenditures before amendments	\$ 34,918
Budget Amendments:	
Recognize 2007 Donations	2,576
Budgeted Revenue and Expenditures after amendments	<u>\$ 37,494</u>

2004 PIP Fund (350)

Budgeted Revenue and Expenditures before amendments	\$ 1,503,127
Budget Amendments:	
Recognize 2007 Interest Earnings	15,806
Budgeted Revenue and Expenditures after amendments	<u>\$ 1,518,933</u>

2005 PIP Fund (355)

Budgeted Revenue and Expenditures before amendments	\$ 961,189
Budget Amendments:	
Recognize 2007 Interest Earnings	20,826
Budgeted Revenue and Expenditures after amendments	<u>\$ 982,015</u>

2005 PIP Fund (355)

Budgeted Revenue and Expenditures before amendments	\$ 1,249,058
Budget Amendments:	
Recognize 2007 Interest Earnings	23,358
Budgeted Revenue and Expenditures after amendments	<u>\$ 1,272,416</u>

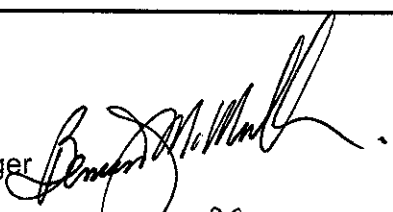
Energy Performance Project Fund (375)

Budgeted Revenue and Expenditures before amendments	\$ 1,279,630
Budget Amendments:	
Economic Development - SANY	26,421
Budgeted Revenue and Expenditures after amendments	<u>\$ 1,306,051</u>

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Bernard J. McMullen, City Manager 

FROM: Paul J. Salvatore, Financial Services Director
Janet I. Camburn, Assistant Finance Director  P.S.

DATE: November 7, 2007

SUBJECT: Budget Amendments – Fiscal Year 2008

November 15, 2007 City Council Consent Agenda

Recommendation:

It is Staff's recommendation that City Council approve the attached fiscal year 2008 budget amendments.

Discussion:

Attached please find five budget amendments (08-005 through 08-009) for fiscal year 2008 submitted for your approval. Budget amendments 08-005 and 08-006 are housekeeping in nature and provide for a carryover of unspent funds in the Special Revenue Funds that were not budgeted for fiscal year 2008. These amendments are based on an analysis of the fund balance in each of the Special Revenue Funds at September 30, 2007.

Budget amendment 08-007 is a request to carry over fiscal year 2007 budget for projects in the General Fund that are incomplete as of September 30, 2007. These items were budgeted in fiscal year 2007, but due to circumstances beyond the control of the departments the funds could not be spent during last fiscal year and are expected to be spent early in fiscal year 2008. The budget amendment also accounts for a transfer from the General Fund to the 2008 PIP Fund in the amount of \$175,000 to cover the costs of cart path extensions originally budgeted in the General Fund in 2006.

Budget amendment 08-008 increases both revenues (donations) and expenditures in the General Fund for the purchase of aluminum tables. This is the result of a recent donation by the PTC Running Club. Finally, budget amendment 08-009 increases both revenues (developer contributions) and expenditures in the 2008 PIP Fund for the construction of Meade Field Restrooms. This is the result of a recent pledge by Dominion-Somerby Properties to partially fund this project.

Additional explanations appear on each budget amendment.

Budget Impact:

The proposed budget amendments affect the General Fund, nearly all the Special Revenue Funds, and the 2008 PIP Fund. A separate report is attached that shows the budget impact on each of these funds.

If you have any questions, please do not hesitate to contact either Paul or Janet.

Thank you for your attention to this matter.

Attachments

JIC/BUDGET AMENDMENTS – FY08 – 11-15-07

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 08-005

DATE November 15, 2007

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
231-6129-54-1200	xxx	Site Improvements	4,061	
231-00-38-9025	xxx	Surplus Carryover	4,061	
232-6129-54-1200	xxx	Site Improvements	10,795	
232-00-38-9025	xxx	Surplus Carryover	10,795	
233-6129-54-1200	xxx	Site Improvements	4,883	
233-00-38-9025	xxx	Surplus Carryover	4,883	
234-6129-54-1200	xxx	Site Improvements	5,250	
234-00-38-9025	xxx	Surplus Carryover	5,250	
235-6129-54-1200	xxx	Site Improvements	653	
235-00-38-9025	xxx	Surplus Carryover	653	
236-6129-54-1200	xxx	Site Improvements	14,309	
236-00-38-9025	xxx	Surplus Carryover	14,309	
237-6129-54-1200	xxx	Site Improvements	6,465	
237-00-38-9025	xxx	Surplus Carryover	6,465	
238-6129-54-1200	xxx	Site Improvements	2,687	
238-00-38-9025	xxx	Surplus Carryover	2,687	
239-6129-54-1200	xxx	Site Improvements	10,653	
239-00-38-9025	xxx	Surplus Carryover	10,653	
240-6129-54-1200	xxx	Site Improvements	4,880	
240-00-38-9025	xxx	Surplus Carryover	4,880	
243-6129-54-1200	xxx	Site Improvements	938	
243-00-38-9025	xxx	Surplus Carryover	938	

TOTAL \$ 131,148 \$ -

To carryover unspent balances in the Athletic Fee Funds from fiscal year 2007 to fiscal year 2008.

ENTERED _____

APPROVED _____

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER

08-006

DATE

November 15, 2007

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
202-00-38-9025	xxx	Surplus Carryover	5,849	
202-3210-53-1175	xxx	Operating Supplies	5,849	
203-00-38-9025	xxx	Surplus Carryover	12,378	
203-3210-53-1175	xxx	Operating Supplies	12,378	
204-00-38-9025	xxx	Surplus Carryover	1,220	
204-3510-53-1175	xxx	Operating Supplies	1,220	
205-00-38-9025	xxx	Surplus Carryover	5,417	
205-6510-52-1330	xxx	Library Programs	5,417	
206-00-38-9025	xxx	Surplus Carryover	4,410	
206-3210-51-2500	xxx	Tuition Reimbursement	4,410	
207-00-38-9025	xxx	Surplus Carryover	1,027	
207-6110-53-1175	xxx	Operating Supplies	1,027	
211-00-38-9025	xxx	Surplus Carryover	588	
211-3210-53-1725	xxx	Uniforms	588	
265-00-38-9025	xxx	Surplus Carryover	1,107	
265-6190-53-1175	xxx	Operating Supplies	1,107	
200-00-38-9025	xxx	Surplus Carryover	3,904	
200-6220-53-1177	xxx	Operating Supplies - GP	475	
200-6220-53-1175	xxx	Operating Supplies	3,429	
209-00-33-4110	xxx	Grant Revenue - CERT	5,011	
209-00-38-9025	xxx	Surplus Carryover	2,487	
209-3210-53-1750	xxx	Promotional Items	4,498	
209-3210-53-1175	xxx	Operating Supplies	2,800	
209-3210-52-3700	xxx	Education & Training	200	

TOTAL

\$ 86,796

\$ -

To carryover unspent balances in other Special Revenue Funds from fiscal year 2007 to fiscal year 2008.

ENTERED

APPROVED

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 08-007

DATE November 15, 2007

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
100-3600-54-2050	xxx	Machinery & Equipment - EMS	10,880	
100-6110-54-1260	xxx	Improvements Other than Bldgs. - Rec	37,400	
100-3510-53-1725	xxx	Uniforms - FD	22,693	
100-4100-53-1110	xxx	Street Supplies - PW	7,240	
100-3210-53-1725	xxx	Uniforms - PD	10,150	
100-1505-61-1358	xxx	Transfer to PIP Fund 358	175,000	
100-00-38-9025	xxx	Surplus Carryover	263,363	
358-00-39-1110	xxx	Transfer from General Fund	175,000	
358-4110-54-		GA 54 East Multi-Use Path #1	60,000	
		(Robinson Road to Carriage Lane)		
358-4110-54-		GA 54 East Multi-Use Path #2	60,000	
		(Carriage Lane to Peachtree East)		
358-4110-54-		Robinson Road North	55,000	
		(Whitfield Farms to Spear Road)		

TOTAL \$ 876,726 \$ -

To carryover funds budgeted in the General Fund for fiscal year 2007 for purchases in fiscal year 2007 that either could not be ordered or were not received as of 9/30/2007 due to circumstances beyond the control of the departments. These projects consist of:

- AEDs for EMS
- Sports Field Shades for Recreation
- Picnic Tables/Park Benches for Recreation
- Resurfacing Tennis Courts for Recreation
- Glenloch Path Extension for Recreation
- Bunker Gear and Nomex Uniforms for Fire Department
- Street Signage Supplies for Public Works
- Uniforms for Police Department
- Funds for Cart Path Extensions for Public Works

To set-up the transfer to the 2008 PIP Fund for three cart path extensions to be funded from the unspent monies in the 2007 General Fund that was allocated specifically for this purpose.

ENTERED _____

APPROVED _____

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 08-008

DATE November 15, 2007

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
100-00-34-2102	xxx	Donations	1,000	
100-6110-53-1650	xxx	Small Tools & Equipment - Recreation	1,000	

TOTAL \$ 2,000 \$ -

To budget donation form PTC Running Club to the Recreation Department to be used for the purchase of aluminum tables.

ENTERED _____

APPROVED _____

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 08-009

DATE November 15, 2007

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
358-00-34-2102	xxx	Developer Contribution	75,000	
358-6110-54-		Meade Field Restrooms	75,000	
TOTAL			\$ 150,000	\$ -

To budget donation pledged from Dominion -Somerby Properties as part of the re-zoning request for their South 74/Rockaway Road development.

ENTERED _____

APPROVED _____

CITY OF PEACHTREE CITY

BUDGET AMENDMENTS - FISCAL YEAR 2008

November 15, 2007

General Fund (100)

Budgeted Revenue and Expenditures before amendments	\$ 27,361,687
Budget Amendments:	
Surplus Carryover - Incomplete Projects	263,363
Donations for Recreation	1,000
Budgeted Revenue and Expenditures after amendments	<u>\$ 27,626,050</u>

Athletic Fee Funds (231 - 243)

Budgeted Revenue and Expenditures before amendments	\$ -
Budget Amendments:	
Surplus Carryover	65,574
Budgeted Revenue and Expenditures after amendments	<u>\$ 65,574</u>

Neighborhood Parks Fund (200)

Budgeted Revenue and Expenditures before amendments	\$ -
Budget Amendments:	
Surplus Carryover	3,904
Budgeted Revenue and Expenditures after amendments	<u>\$ 3,904</u>

DARE Fund (202)

Budgeted Revenue and Expenditures before amendments	\$ -
Budget Amendments:	
Surplus Carryover	5,849
Budgeted Revenue and Expenditures after amendments	<u>\$ 5,849</u>

Federal Seizures Fund (203)

Budgeted Revenue and Expenditures before amendments	\$ -
Budget Amendments:	
Surplus Carryover	12,378
Budgeted Revenue and Expenditures after amendments	<u>\$ 12,378</u>

HAZMAT Fund (204)

Budgeted Revenue and Expenditures before amendments	\$ -
Budget Amendments:	
Surplus Carryover	1,220
Budgeted Revenue and Expenditures after amendments	<u>\$ 1,220</u>

Library Sales Tax Fund (205)

Budgeted Revenue and Expenditures before amendments	\$ -
Budget Amendments:	
Surplus Carryover	5,417
Budgeted Revenue and Expenditures after amendments	<u>\$ 5,417</u>

CITY OF PEACHTREE CITY

BUDGET AMENDMENTS - FISCAL YEAR 2008 *continued*

November 15, 2007

PD Tuition Fund (206)

Budgeted Revenue and Expenditures before amendments	\$ -
Budget Amendments:	
Surplus Carryover	4,410
Budgeted Revenue and Expenditures after amendments	<u>\$ 4,410</u>

Youth Council Fund (207)

Budgeted Revenue and Expenditures before amendments	\$ -
Budget Amendments:	
Surplus Carryover	1,027
Budgeted Revenue and Expenditures after amendments	<u>\$ 1,027</u>

Police Grants/Donations Fund (209)

Budgeted Revenue and Expenditures before amendments	\$ -
Budget Amendments:	
Surplus Carryover	2,487
Grant Revenue	5,011
Budgeted Revenue and Expenditures after amendments	<u>\$ 7,498</u>

Explorer Troop Fund (211)

Budgeted Revenue and Expenditures before amendments	\$ -
Budget Amendments:	
Surplus Carryover	588
Budgeted Revenue and Expenditures after amendments	<u>\$ 588</u>

Special Events Fund (265)

Budgeted Revenue and Expenditures before amendments	\$ -
Budget Amendments:	
Surplus Carryover	1,107
Budgeted Revenue and Expenditures after amendments	<u>\$ 1,107</u>

2008 PIP Fund (358)

Budgeted Revenue and Expenditures before amendments	\$ 1,766,752
Budget Amendments:	
Cart Path Extensions	175,000
Meade Field Restrooms	75,000
Budgeted Revenue and Expenditures after amendments	<u>\$ 2,016,752</u>

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager

FROM: Acting City Clerk

DATE: November 7, 2007

SUBJECT: Alcohol License – Change in Licensee and License Representative –
Smokey Bones Barbeque & Grill
November 15, 2007, Regular Council Meeting

Recommendation:

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

Discussion:

Smokey Bones Barbeque & Grill, a restaurant located at 100 Market Place Boulevard, has submitted an application for change in the alcoholic beverage license. Mr. Mark Stubbs has requested he be appointed as the Licensee and as the License Representative. Mr. Stubbs is unable to attend the November 15 meeting. If Council has any questions and decides to postpone its decision, Mr. Stubbs can attend the December 6 meeting.

Budgetary Impact:

The change will have no impact on the budget.

BT:pd

Attachments



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

Application For Alcoholic Beverage License

Business Name: SMOKEY BONES BARBEQUE & GRILL #7568		Business Location: 100 MARKET PLACE BLVD., PEACHTREE CITY, GA 30269		
Nature of Business: FULL SERVICE RESTAURANT		Mailing Address: ATTN: LICENSING, PO BOX 593330 ORLANDO, FL 32859-3330		Business Phone Number: 678/364-8460
Name of Licensee: MARK CLIFTON STUBBS		Home Address: 3350 HORIZON COURT CUMMING, GA 30041		Home Phone Number: 678/513-6872 770-205-4902
Name of License Representative: SAME AS LICENSEE		Home Address: SAME AS ABOVE		Home Phone Number: SAME AS ABOVE
Please indicate type of licenses applying for:				
Retail Consumption Dealer		Retail Package Dealer		Wholesale Dealer
☒	Malt Beverage	☐	Malt Beverage	☐
☒	Wine	☐	Wine	☐
☒	Distilled Spirits	☐	Distilled Spirits	☐
Please complete information below (use separate sheet if necessary):				
NAME		ADDRESS		PHONE NUMBERS
Individual Owner's Name, Partners' Names, Corporation Name and the name of the name of a Contact Person regarding License Changes, Taxes, etc.		Please provide Home Addresses for the individuals listed:		Please provide Home and Business Phone Numbers for individuals listed:
SEE ATTACHED LIST OF OFFICERS AND DIRECTORS				
Is any person who owns an interest in the license an employee of the City of Peachtree City? YES NO				
If YES, Please Provide Name of Employee: _____				

GMRI, INC.
PRINCIPAL OFFICERS AND DIRECTOR
as of 08/31/07

Address all official correspondence to any of the Corporate Officers below to:

P.O. Box 593330, Orlando, FL 32859-3330

Officers can be reached at 407/245-4000

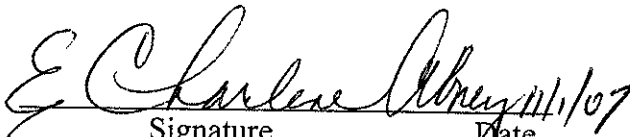
Name	Title	Residence
William R. White, III	President, Treasurer and Director	1524 Anchor Ct. Orlando, FL 32804
E. Charlene Abney	VP/Secretary	245 Golf Course Parkway Davenport, FL 33837

(GMRI, Inc. is a wholly owned subsidiary of Darden Restaurants, Inc., which owns 100% of GMRI, Inc. stock)

AFFIDAVIT

I, E. Charlene Abney, Secretary for GMRI, Inc. do hereby certify that:

- 1) Mark C. Stubbs has been appointed the Registered Agent for GMRI, Inc. d/b/a Smokey Bones Barbeque & Grill #7568 located at 100 Market Place Blvd., Peachtree City, GA 30269.

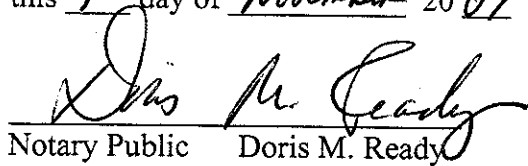

Signature _____ Date 11/1/07
E. Charlene Abney, Secretary

STATE OF FLORIDA

COUNTY OF ORANGE

Sworn to and subscribed before me, on

this 1st day of November 20 07


Notary Public Doris M. Ready

NOTARY PUBLIC-STATE OF FLORIDA
 Doris M. Ready
Commission # DD431626
Expires: JUNE 17, 2009
Bonded Thru Atlantic Bonding Co., Inc.

My Commission Expires: 06/17/2009

State of Georgia

City of Peachtree City:

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

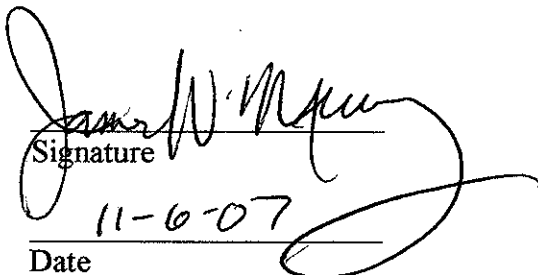
Mark C. Stubbs

Name

3350 Horizon Court Cumming, GA 30041

Address

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


Signature

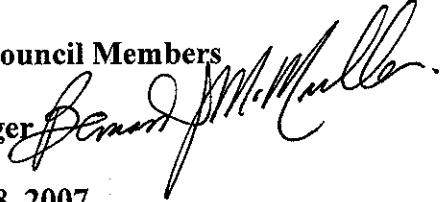
11-6-07
Date

Major R.M. Dubree
Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

FROM: City Manager 

DATE: November 8, 2007

SUBJECT: Consider Request for Abandonment of Line Creek Circle and a portion of
Line Creek Drive
November 15, 2007, City Council Meeting

At the October 18, 2007, City Council Meeting, Doug McMurray of Capital City Development withdrew his request for the abandonment of Line Creek Circle and a portion of Line Creek Drive. Mr. McMurray has asked that this item again be brought before Council at the November 15 meeting. The information originally included in the October 18 agenda packet is attached.

DAVIS & MEEKER, L.L.C.

ATTORNEYS AT LAW

6631 WATSON STREET

UNION CITY, GEORGIA 30291

(770) 964-0228

FAX (770) 964-9730

THEODORE P. MEEKER, III

E-MAIL: tpmeeker@comcast.net

TO: City Council
City of Peachtree City

FROM: Theodore P. Meeker, III
City Attorney

DATE: October 11, 2007

RE: Request for Abandonment of Line Creek Circle and a portion of Line Creek Drive

Capital City Development Peachtree City, LLC, has submitted a Petition for the City to abandon Line Creek Circle and Line Creek Drive. The Petitioner subsequently made an oral modification, and is now requesting that only a portion of Line Creek Drive be abandoned. This is due, in large part, to the fact that Capital City does not own both sides of Line Creek Drive, and therefore withdrew its request for that portion. As a point of reference, the portion to remain as a city street is that portion extending from Highway 54 south to the property line of the Flexxon Development (the old Peachy Clean property). A copy of the Petition is attached hereto.

I have attached the relevant statute which outlines the process that the City must follow to abandon a road or street. The statute, O.C.G.A. § 32-7-2 (c) provides as follows:

When it is determined that a section of the municipal street system has for any reason ceased to be used by the public to the extent that no substantial public purpose is served by it, the municipality, by certification recorded in its minutes, accompanied by a plat or sketch, and after notice to property owners located thereon, may declare that section of the municipal street system abandoned. Thereafter, that section of road shall no longer be a part of the municipal street system and the rights of the public in and to that section of street as a public road shall cease. The property may be disposed of by the municipality as provided in Code Section 32-7-4.

In short, the City Council first has to determine that the road at issue has ceased to be used by the public to the extent that no substantial public purpose is served by it. In English, that means that the road is not being used by the public any more. The test is not whether the road should be abandoned for a private individual. Rather, the city has to have an objective basis for determining that the road is no longer being used. Ultimately, the Petitioner will need to provide a factual basis for the Council to make that determination.

The statute requires that notice has to be given to the owners of property adjacent to the street prior to such action being taken. In this instance, Capital City is the only owner of the adjacent property. As Capital City submitted the Petition for Abandonment, that requirement has been satisfied.

Assuming that the Council votes to abandon the road, the City can proceed with disposing of the property in accordance with O.C.G.A. § 32-7-4. Those procedures are as follows:

1. The City shall notify the current owner of the adjacent property. The notice shall be in writing delivered to the appropriate owner or by publication if his address is unknown; and he shall have the right to acquire the property with respect to which the notice is given. Publication, if necessary, shall be in a newspaper of general circulation in the county where the property is located. Such property shall not be sold at less than its fair market value.

2. If the right of acquisition is not exercised within 60 days after due notice, the city may proceed to sell such property to the bidder submitting the highest of the sealed bids received after public advertisement for such bids for two weeks. The city shall have the right to reject any and all bids, in its discretion, to re-advertise, or to abandon the sale. The public advertisement shall be inserted once a week in such newspapers or other publication, or both, as will ensure adequate publicity, the first insertion to be at least two weeks prior to the opening of bids, the second to follow one week after the first publication. Such advertisement shall include but not be limited to the following items:

- (i) A description sufficient to enable the public to identify the property;
- (ii) The time and place for submission and opening of sealed bids;

(iii) The right of the department or the county or municipality to reject any one or all of the bids;

(iv) All the conditions of sale; and

(v) Such further information as the department or the county or municipality may deem advisable as in the public interest.

3. In the alternative, the sale of such property may be made by the city by listing the property through a licensed real estate broker who has a place of business located in the county where the property is located or outside the county if no such business is located in the county where the property is located. The Property shall be listed for a period of at least three months. Such property shall not be sold at less than its fair market value. All sales shall be approved by the city council at a regular meeting and shall be open to the public at which meeting public comments shall be allowed regarding such sale. The City shall provide for a notice to be inserted once a week for two weeks in the legal organ of the county indicating the names of real estate brokers listing the property for the political subdivision. The city may advertise in magazines relating to the sale of real estate or similar publications. The city shall have the right to reject any and all offers, in its discretion, and to sell such property pursuant to the provisions of paragraph 3 above.

4. Another alternative is that the sale of such property may be made by the city to the highest bidder at a public auction conducted by a licensed auctioneer. Such property shall not be sold at less than its fair market value. The City shall provide for a notice to be inserted once a week for the two weeks immediately preceding the auction in the legal organ of the county including, at a minimum, the following items:

(i) A description sufficient to enable the public to identify the property;

(ii) The time and place of the public auction;

(iii) The right of the department or the county or municipality to reject any one or all of the bids;

(iv) All the conditions of sale; and

(v) Such further information as the department or the county or municipality may deem advisable as in the public interest.

The county or municipality may advertise in magazines relating to the sale of real estate or similar publications. The city shall have the right to reject any and all offers, in its discretion, and to sell such property pursuant to the other options outlined herein.

City Council, City of Peachtree City
October 11, 2007
Page Four

As noted, any sale has to be approved by resolution of the city council to be recorded in the minutes of the council meeting. All proceeds arising from such sale shall be paid into and constitute a part of the funds of the city.

Finally, I have attached a proposed Resolution to be adopted if the Council determines that abandoning the roads at issue is proper, along with a sketch of the portion of such roads to be abandoned.

TPM/jb
Enclosures

*Tree Top Associates, LLC
1400 Buford Highway H-3
Sugar Hill, GA 30518
(678) 714-7893 phone
(678) 714-7894 fax*

October 3, 2007

To: Ted Meeker, Esq.

From: Tree Top Associates, LLC

Re: Proposed Abandonment/Relocation of Line Creek Drive
Plan for Central Park at Line Creek
Prepared for Capital City Development/CCD PTC, LLC

Mr. Meeker:

This letter will advise that, absent an agreement with the developer of Central Park at Line Creek for the conveyance to the undersigned of the property between the current property owned by the undersigned and the right of way of relocated Line Creek Drive, the undersigned, as the property owner contiguous to the existing Line Creek Drive, objects to the abandonment of Line Creek Drive, as now located.

Sincerely yours,

TREE TOP ASSOCIATES, LLC


Harold S. Wenal
Manager

Ga. Code Ann., § 32-7-2

C

West's Code of Georgia Annotated Currentness

Title 32. Highways, Bridges, and Ferries

Chapter 7. Abandonment, Disposal, or Leasing of Property Not Needed for Public Road Purposes (Refs & Annos)

→ § 32-7-2. Procedure for abandonment

(a)(1) Before abandoning any public road on the state highway system, the department shall confer with the governing authority of the counties or municipalities concerned and give due consideration to their wishes in such abandonment; but in case of disagreement the judgment of the department shall prevail.

(2) When it is determined that a section of the state highway system has for any reason ceased to be used by the public to the extent that no substantial public purpose is served by it and after having conferred with the counties and municipalities, the department, by certification signed by the commissioner and accompanied by a plat or sketch, may declare that section of the state highway system abandoned. Thereafter, that section of road shall no longer be a part of the state highway system and the rights of the public in and to the section of road as a public road shall cease.

(3) Prior to certifying the abandonment of a road or section thereof, the department shall give notice of its intentions to the counties or municipalities through which such road passes.

(4) If such county or municipality, by proper resolution, indicates its willingness and desire to take over the road that is proposed to be **abandoned** and to maintain such road, the certificate of **abandonment** shall so state; and thereafter the **abandoned** road shall form part of the county road or municipal **street** system of the particular county or municipality. Whenever the department abandons a road and a county or a municipality takes over the road, the department shall convey, by quitclaim deed executed by the commissioner, such road to the county or municipality. If the appropriate county or municipality is unwilling to take over the road and maintain it, the property may be disposed of by the department as provided in Code Section 32-7-4, provided that, if the county or municipality has not indicated its desire to take over the road within 30 days after receiving notice, it shall be conclusively presumed that the county or municipality is unwilling to take over the road; and provided, further, that before the department disposes of the abandoned road it shall give 15 days' notice to the county or municipality, during which time such county or municipality may reconsider its decision and take over the road.

(b)(1) When it is determined that a section of the county road system has for any reason ceased to be used by the public to the extent that no substantial public purpose is served by it, the county, by certification recorded in its minutes, accompanied by a plat or sketch, and, after

Ga. Code Ann., § 32-7-2

notice to property owners located thereon, after notice of such determination is published in the newspaper in which the sheriff's advertisements for the county are published once a week for a period of two weeks, and after a public hearing on such issue, may declare that section of the county road system abandoned. Thereafter, that section of road shall no longer be part of the county road system and the rights of the public in and to the section of road as a public road shall cease.

(2) Prior to certifying the abandonment of a road or section thereof, the county shall give notice of its intention to the municipality into which or through which any part of such road passes.

(3) If such municipality, by proper resolution, indicates its willingness and desire to take over the road that is proposed to be **abandoned** and to maintain such road, the certification of **abandonment** shall so state; and thereafter that part of the **abandoned** road within the municipality shall form part of the municipal **street** system of the particular municipality. Whenever a county abandons a road and a municipality takes over the road, the county, by quitclaim deed executed by the chairman or presiding officer, shall convey such road to the municipality. If such municipality is unwilling to take over the road and maintain it, the property may be disposed of by the county as provided for in Code Section 32-7-4, provided that, if the municipality has not indicated its desire to take over the road within 30 days after receiving notice, it shall be conclusively presumed the municipality is unwilling to take over the road; and provided, further, that before the county disposes of the abandoned road it shall give 15 days' notice to the municipality during which time such municipality may reconsider its decision and take over the road.

(c) When it is determined that a section of the municipal **street** system has for any reason ceased to be used by the public to the extent that no substantial public purpose is served by it, the municipality, by certification recorded in its minutes, accompanied by a plat or sketch, and after notice to property owners located thereon, may declare that section of the municipal **street** system **abandoned**. Thereafter, that section of road shall no longer be a part of the municipal street system and the rights of the public in and to that section of street as a public road shall cease. The property may be disposed of by the municipality as provided in Code Section 32-7-4.

Laws 1973, p. 947, § 1; Laws 1974, p. 1422, § 16; Laws 1994, p. 294, § 1.

Formerly Code 1933, § 95A-619.

CROSS REFERENCES

Highways and bridges, state highway system, maps and records, see § 32-4-2.

LAW REVIEW AND JOURNAL COMMENTARIES

Real Property. Robert L. Foreman, Jr., T. Daniel Brannan, and Stephen M. LaMastra, 43 Mercer L. Rev. 353 (1991).

Ga. Code Ann., § 32-7-2

LIBRARY REFERENCES

Highways  75 to 78.

Westlaw Key Number Searches: 200k75 to 200k78.

C.J.S. Highways § § 113 to 129.

RESEARCH REFERENCES

Encyclopedias

Ga. Jur. Property § 18:29, Vacating Public Streets.

Forms

1 Pindar's Ga. Real Estate Law & Proc. with Forms § 5-28, Discontinuance of County Roads.

1 Pindar's Ga. Real Estate Law & Proc. with Forms § 5-29, State Highways.

1 Pindar's Ga. Real Estate Law & Proc. with Forms § 5-30, Abandonment of Roadways.

NOTES OF DECISIONS

In general 1

Adverse possession 8

Alteration of road 2

Estoppel 7

Grounds, generally 4

Hearing and determination 11

Injunctions 14

Judgment or order 12

Nonuser 6

Notice and appearance 10

Operation and effect of abandonment 13

Power to vacate 3

Procedure, generally 9

Public purpose 5

Sufficiency of evidence 15

1. In general

Statute providing procedure for abandonment of county road did not apply to relocation of portion of county road that was still in use by public to such extent that substantial public purpose was served by road. Code, § 95A-619(b). Miller v. Lanier County, 1979, 243 Ga. 58, 252 S.E.2d 909. Highways  72(1)

Ga. Code Ann., § 32-7-2

In proceeding to alter a public road begun under Civ.Code 1910, § 640 et seq., the remedy of one whose property is appropriated or injured is that pointed out by section 678. Barnard v. Durrence, 1918, 22 Ga.App. 8, 95 S.E. 372, Eminent Domain ⚡ 167(3)

2. Alteration of road

The alteration of an old road involves the discontinuance of part altered, and provision for alteration or discontinuance may be made in same proceeding and under a citation referring merely to an alteration. Barnard v. Durrence, 1918, 22 Ga.App. 8, 95 S.E. 372, Highways ⚡ 72(2)

Description of proposed alteration of public road stating where alteration was to begin and end, the width of road, whose land it was to run through, and that it was to follow a certain roadway through those lands, was sufficient. Barnard v. Durrence, 1918, 22 Ga.App. 8, 95 S.E. 372, Highways ⚡ 72(2)

Under Civ.Code 1910, § 640, it is not necessary to show that alteration of a public county road is a public necessity; it being sufficient to show that it is a public utility. Barnard v. Durrence, 1918, 22 Ga.App. 8, 95 S.E. 372, Eminent Domain ⚡ 19

Civ.Code 1910, § 645, relating to location of public roads, has no application to a proceeding for alteration of a public county road. Barnard v. Durrence, 1918, 22 Ga.App. 8, 95 S.E. 372, Highways ⚡ 70

The county authorities may alter a public road at their discretion, following the mode pointed out by law and the courts will not interfere with the exercise of that discretion, unless it be manifestly abused. Ponder v. Shannon, 1875, 54 Ga. 187, Highways ⚡ 70; Highways ⚡ 71

The alteration of an old road involves the discontinuance of that part thereof which is altered; and under a citation to alter a road, it is competent to discontinue that part of the old road which is rendered unnecessary by the alteration. Ponder v. Shannon, 1875, 54 Ga. 187, Highways ⚡ 72(1); Highways ⚡ 72(2)

3. Power to vacate

Authority to close public highways is not conferred by statute upon State Highway Board, except as to railroad grade crossings under a specific proceeding had for that purpose. Ga.Code Ann. § 95-1701 et seq., 95-1901 et seq. Southern Ry. Co. v. Wages, 1948, 203 Ga. 502, 47 S.E.2d 501, Highways ⚡ 76

State Legislature has control over closing of roads, and other public highways, and may exercise such power through its own agencies, or delegate it to inferior bodies (Code 1933, § 95-1501

Ga. Code Ann., § 32-7-2

to 95-1725). Calfee v. Jones, 1936, 54 Ga.App. 481, 188 S.E. 307. Highways ⚡ 76

Public highways may be abolished at will by Legislature. Lee County v. City of Smithville, 1922, 154 Ga. 550, 115 S.E. 107. Highways ⚡ 76

It is not indispensable to the exercise of the power of the Inferior Court to "discontinue" an old road, that the Court should have appointed persons to report on the subject of the discontinuance of the road, or that the Court should be sitting in term time. Thomas v. Hawkins, 1856, 20 Ga. 126. Highways ⚡ 76

4. Grounds, generally

Neither General Assembly nor subordinate public corporation can lawfully vacate public street or highway for benefit of private individual, nor unless such action is for public benefit by either relieving public from maintenance of street or highway no longer useful or convenient to public or by laying out new street or road which will be more useful and convenient to public in general. Dunlap v. Tift, 1952, 209 Ga. 201, 71 S.E.2d 237. Highways ⚡ 75.1; Municipal Corporations ⚡ 657(2)

5. Public purpose

Evidence was sufficient to support trial court's finding that, for reasons other than county's failure to repair and maintain unpaved road, road had ceased to be used by public to extent that no "substantial public purpose" was served by it, and thus, county could abandon road; although road was in state of disrepair, other evidence indicated that public had ceased using unpaved road because bridge on road was submerged when it rained and there were alternative routes available. O.C.G.A. § § 32-7-2, 32-7-2(b)(1). Smith v. Board of Com'rs of Athens-Clarke County, 1994, 264 Ga. 316, 444 S.E.2d 775. Highways ⚡ 75.1; Highways ⚡ 79.1

When public has ceased to use road for reason other than its state of disrepair, county is not required to undertake to repair and maintain as prerequisite to abandoning it on ground that it serves no "substantial public purpose." Smith v. Board of Com'rs of Athens-Clarke County, 1994, 264 Ga. 316, 444 S.E.2d 775. Highways ⚡ 75.1; Highways ⚡ 79.1

County was not authorized to abandon deteriorated county road, where fact that no substantial public purpose was being served by road was due to county's failure to comply with its duty to repair and maintain it. O.C.G.A. § § 9-6-21(b), 32-7-2. Cherokee County v. McBride, 1992, 421 S.E.2d 530, 262 Ga. 460. Highways ⚡ 79.1

Under statute permitting closing of public road in county road system, function of county board is to determine whether road serves substantial public purpose; if board determines that road has ceased to be used by public to extent that no substantial public purpose is served by it, board may exercise its discretion to close road. O.C.G.A. § 32-7-2(b)(1). Carnes v. Charlock Investments (USA), Inc., 1988, 373 S.E.2d 742, 258 Ga. 771. Highways ⚡ 75.1

Ga. Code Ann., § 32-7-2

County road was closed for benefit of public rather than private benefit of property owners adjacent to it since uncontroverted evidence of adjacent property owners indicated that road had ceased to be used by public to extent that no substantial purpose was served by it. Peppers v. Elder, 1981, 248 Ga. 136, 281 S.E.2d 582. Highways ⚡ 75.1

Where there was no evidence that county commissioners had declared county road abandoned in order to benefit a private individual, where dispute as to abandonment of road resolved itself into question of whether public interest would be served by continuing to maintain road at public expense, and where there was evidence that abandoned road had ceased to be used by the public to extent that no substantial public purpose was served by it, action of county commissioners in abandoning road could not be declared abuse of discretion on ground that commissioners were in error in their determination that abandoning road would be in the public interest. Code, § § 95A-618, 95A-619, 95A-619(b). McIntosh County v. Fisher, 1978, 242 Ga. 66, 247 S.E.2d 863. Highways ⚡ 79.1

Neither the General Assembly nor a subordinate public corporation acting under its authority can lawfully vacate a public street or highway for benefit of a private individual; a street or highway cannot be vacated unless it is for benefit of public. Griffith v. C & E Builders, Inc., 1973, 231 Ga. 255, 200 S.E.2d 874. Highways ⚡ 75.1; Municipal Corporations ⚡ 657(1)

6. Nonuser

If a **street** or highway is legally laid out and established, the mere fact that the public does not use it to its entire width will not of itself constitute an **abandonment** of any portion thereof. State Highway Dept. v. Strickland, 1958, 105 S.E.2d 299, 214 Ga. 467. Highways ⚡ 79.2; Municipal Corporations ⚡ 657(3)

7. Estoppel

In action by abutting property owners to enjoin the installation of curbs on the right of way interfering with access to plaintiffs' property, allegations that the Highway Department and the city were estopped from asserting a dedication of the property by failure to object to the manner of the construction of the plaintiffs' building, and that the city acquiesced in the construction thereof and the use of the area between the building and the pavement, and that it would be inequitable for the city and the Department to allow petitioners to spend large amounts of money in construction, knowing that the plaintiffs were relying upon using property for parking purposes, failed to state a cause of action. State Highway Dept. v. Strickland, 1958, 105 S.E.2d 299, 214 Ga. 467. Estoppel ⚡ 107

The state can be estopped from asserting its right to its own property only by legislative enactment or resolution. State Highway Dept. v. Strickland, 1958, 105 S.E.2d 299, 214 Ga. 467. Estoppel ⚡ 62.2(1)

Where the doctrine of estoppel is invoked against the state or subdivision thereof, something more than mere possession of a street or part thereof by third persons is required, and in addition,

Ga. Code Ann., § 32-7-2

the third person must have erected structures or improvements on the street of such character that it would entail pecuniary loss on him if the public should assert its right to repossess itself of the premises. State Highway Dept. v. Strickland, 1958, 105 S.E.2d 299, 214 Ga. 467. Estoppel ↪ 62.2(1)

8. Adverse possession

No prescription runs against a municipal corporation in regard to land held for the benefit of the public. State Highway Dept. v. Strickland, 1958, 105 S.E.2d 299, 214 Ga. 467. Adverse Possession ↪ 8(1)

A right of the public in a street cannot be divested by adverse possession for a statutory period. State Highway Dept. v. Strickland, 1958, 105 S.E.2d 299, 214 Ga. 467. Adverse Possession ↪ 8(2)

Where a strip of land is conveyed or dedicated to a city for use as a public street, and the authorities open or use as a street only a part of the land, adverse possession of the remainder by a private individual cannot ripen into a prescriptive title. State Highway Dept. v. Strickland, 1958, 105 S.E.2d 299, 214 Ga. 467. Adverse Possession ↪ 8(2)

Encroachments on a highway continually used cannot be legalized by the mere lapse of time, and the limited use will not lessen the right of the public to use the entire width of the road whenever the increased travel and exigencies of the public render such desirable. State Highway Dept. v. Strickland, 1958, 105 S.E.2d 299, 214 Ga. 467. Adverse Possession ↪ 8(2)

9. Procedure, generally

Counties did not take official action to abandon or close road or otherwise comply with statutory formalities required to officially abandon road, despite several discussion by boards of commissioners of both counties as to whether road should be closed, and, thus, road did not become private property, where road continued to be traveled by public. O.C.G.A. § 32-7-2(b). McDilda v. Board of Com'rs of Bulloch County, 1998, 230 Ga.App. 530, 497 S.E.2d 25. Highways ↪ 77(1)

County authorities cannot lawfully discontinue a public road, either in whole or in part, except in the manner provided by law, after application, notice and registration in the proper office. Code, § § 95-203, 95-207. Northington v. Candler, 1955, 86 S.E.2d 325, 211 Ga. 410. Highways ↪ 77(1)

County authorities cannot lawfully discontinue a public road, either in whole or in part, except in manner provided by law, after application and notice of registration in proper office. Code 1933, § 95-207. Barham v. Grant, 1937, 185 Ga. 601, 196 S.E. 43. Highways ↪ 77(1); Highways ↪ 77(2); Highways ↪ 77(3)

Compliance with statutory provisions relating to discontinuance of old roads by county officials

Ga. Code Ann., § 32-7-2

is not required for discontinuance or abandonment of state-aid road by State Highway Department, since such matter rests solely with State Highway Department (Code 1933, § § 95-201 et seq., 95-207, 95-801 et seq., 95-1504, 95-1708, 95-1721). Calfee v. Jones, 1936, 54 Ga.App. 481, 188 S.E. 307. Highways ⤵ 77(1)

Public road cannot be lawfully discontinued, except in manner prescribed by statute. Civ.Code 1910, § § 636-644. Wellmaker v. Lamar County Advisory Bd., 1931, 160 S.E. 708, 43 Ga.App. 816. Highways ⤵ 77(1)

The abandonment of a public highway by mere nonuser does not work a forfeiture of the right to its use. An existing public road cannot be discontinued without the order of the ordinary or county commissioners, where there are such commissioners, based upon application and notice, and duly registered in the proper office. Jones v. Williams, 1883, 70 Ga. 704. Highways ⤵ 77(1); Highways ⤵ 79.7

10. Notice and appearance

Notice by publication stating county's intent to abandon road does not satisfy the statutory requirement of notice to adjoining property owners; an amendment to the statute added a requirement of notice by publication, but retained the language requiring "notice to property owners located thereon." Talbot County Bd. of Com'rs v. Woodall, 2002, 275 Ga. 281, 565 S.E.2d 465. Highways ⤵ 77(3)

Lack of proper notice to adjoining landowner of county board's intention to consider abandonment of public road was not ground for granting adjoining landowner relief of ordering road reopened, where statute required merely that notice be given before road was declared abandoned; even if order to compel notice had been warranted, judgment ordering road reopened was not. O.C.G.A. § 32-7-2(b)(1). Carnes v. Charlock Investments (USA), Inc., 1988, 373 S.E.2d 742, 258 Ga. 771. Highways ⤵ 77(3)

Citizen-taxpayer of county was not entitled to notice before county closed county road since statutory notice was required for only adjacent property owners. Code, § 95A-619(b). Peppers v. Elder, 1981, 248 Ga. 136, 281 S.E.2d 582. Highways ⤵ 77(3)

Only personal service upon all persons, their overseers or agents residing upon land through which old road runs, and not publication otherwise of citation of notice of application for closing, is requisite in order for Board of Revenues to discontinue an old road in whole or in part. Code, § § 95-203, 95-207. Avery v. Berry Schools, 1955, 211 Ga. 581, 87 S.E.2d 401. Highways ⤵ 77(3)

Where only person residing on land through which particular portions of roads in question ran had waived statutory notice, one who had no interest in roads except that he had been accustomed to using them and who therefore was not entitled by statute to notice of application for closing, had no standing to complain that notice given was insufficient or not in compliance with law. Code, § § 95-203, 95-207. Avery v. Berry Schools, 1955, 211 Ga. 581, 87 S.E.2d

Ga. Code Ann., § 32-7-2

401. Highways ➡ 77(3)

Where Commissioner of Roads did not give notice of closing, as required by law, to owners of property abutting road that he closed, road was illegally closed. Code, § § 95-203, 95-207. Northington v. Candler, 1955, 86 S.E.2d 325, 211 Ga. 410. Highways ➡ 77(3)

11. Hearing and determination

All questions necessary to be determined in order to decide whether a **street** shall be vacated or **abandoned** and the interest of the public therein released are referred to the wisdom and discretion of the lawmaking power. Torbett v. Butts County, 1999, 271 Ga. 521, 520 S.E.2d 684, reconsideration denied. Highways ➡ 75; Highways ➡ 79.1

Chairman of county board of commissioners exceeded his authority in executing resolution that road be closed such that resolution was not binding, as only board as a body had authority to abolish roads, and minutes of board showed only that board had discussed closing the road but had not come to a decision. O.C.G.A. § § 36-5-22.1(a)(3), (b), 45-6-5. McDilda v. Board of Com'rs of Bulloch County, 1998, 230 Ga.App. 530, 497 S.E.2d 25. Highways ➡ 77(5)

County board's decision to close public road which had been used for illegal dumping and hunting and which was winding, steep and hazardous was not gross abuse of discretion, notwithstanding fact that board had earlier included road in bond issue for paving and spent money to build culvert across road. O.C.G.A. § 32-7-2(b)(1). Carnes v. Charlock Investments (USA), Inc., 1988, 373 S.E.2d 742, 258 Ga. 771. Highways ➡ 75.1

The inferior court has power to order the discontinuance of an old road, without appointing persons to report on the subject of the order, and sitting in chambers out of term time. Thomas v. Hawkins, 1856, 20 Ga. 126. Highways ➡ 77(5)

12. Judgment or order

in proceedings to alter road, discontinuance of portion of old road must be by order of county authorities and registration. Civ.Code 1910, § § 636-644. Wellmaker v. Lamar County Advisory Bd., 1931, 160 S.E. 708, 43 Ga.App. 816. Highways ➡ 77(7)

Judgment establishing new road, which amounts only to alteration of old road, is not judgment discontinuing old road. Wellmaker v. Lamar County Advisory Bd., 1931, 160 S.E. 708, 43 Ga.App. 816. Highways ➡ 77(7)

13. Operation and effect of abandonment

Genuine issues of material fact concerning county's notice of intent to abandon road and failure to record abandonment in minutes precluded summary judgment in action by adjoining landowners claiming county's abandonment of road. Talbot County Bd. of Com'rs v. Woodall, 2002, 275 Ga. 281, 565 S.E.2d 465. Judgment ➡ 181(15.1)

Ga. Code Ann., § 32-7-2

After declaring county road abandoned, County Board of Commissioners lacked authority to reopen road. O.C.G.A. § 32-7-2(b)(1). Glass v. Carnes, 1990, 260 Ga. 627, 398 S.E.2d 7. Highways ↪ 79.7

14. Injunctions

Jury finding that road which had been obstructed by property owner was a public road, after trial in which such obstruction was sought to be permanently enjoined by adjoining landowner, authorized the trial court to fashion the verdict so that property owner would be permanently enjoined from obstructing the road; jury's intent was to allow the general public access to the road. Lovell v. Rea, 2006, 278 Ga.App. 740, 629 S.E.2d 459, reconsideration denied, certiorari denied. Highways ↪ 159(2)

Count charging county with closing county road and without complying with statutory notice provisions stated cause of action for temporarily and permanently enjoining county from closing the road. Code, § 95-201 et seq. State Highway Dept. v. MacDonald, 1965, 221 Ga. 312, 144 S.E.2d 363. Highways ↪ 77(8)

In view of undisputed evidence that state highway department and not county had closed county road, county could not be temporarily enjoined from closing the road. State Highway Dept. v. MacDonald, 1965, 221 Ga. 312, 144 S.E.2d 363. Highways ↪ 77(8)

Construing on general demurrer conflicting allegations that county closed county road and that highway department was in process of barricading and closing the road, they alleged that highway department and not county closed the road, and counts in which the allegations were found thus did not state cause of action for injunction against closing of road by county. State Highway Dept. v. MacDonald, 1965, 221 Ga. 312, 144 S.E.2d 363. Highways ↪ 77(8)

Closure of county road by highway department was not enjoined in absence of showing of abuse of department's discretion in closing the road. Code, § § 95-1504, 95-1701 et seq., 95-1705, 95-1708, 95-1715, 95-1724, 95-1728. State Highway Dept. v. MacDonald, 1965, 221 Ga. 312, 144 S.E.2d 363. Highways ↪ 77(8)

In action by abutting property owners to enjoin the installation of curbs on the right of way interfering with access to a portion of plaintiffs' property, public use of a portion of the dedicated strip for highway purposes by paving a portion thereof extended to the entire width of the strip, precluding an assertion of abandonment by the Highway Department and city. State Highway Dept. v. Strickland, 1958, 105 S.E.2d 299, 214 Ga. 467. Dedication ↪ 63(2)

Action by owner of land abutting road to require Commissioner of Roads to reopen road illegally closed, brought three years after closing, was not barred by laches. Code, § § 95-203, 95-207. Northington v. Candler, 1955, 86 S.E.2d 325, 211 Ga. 410. Highways ↪ 77(8)

Residents and taxpayers could not enjoin a municipality from closing and relocating a section of

Ga. Code Ann., § 32-7-2

a state highway for the purpose of extending a municipal airport where they failed to allege or show an arbitrary abuse of powers granted by Uniform Airports Law. Code, § 11-204 et seq. City of Atlanta v. Murphy, 1949, 206 Ga. 21, 55 S.E.2d 573. Highways  77(8)

15. Sufficiency of evidence

Landowner's claim that road was public, in trial as to dispute between adjoining landowners as to interest in such road, which claim was supported by evidence that county did not follow all the statutory requirements to close the road, was sufficient to support jury finding that road was public; county commissioner testified that adjoining landowners were not given notice of county's intention to close the road, and county commissioners could not recall whether a plat was attached to the minutes of the meeting during which commission decided to close the road. Lovell v. Rea, 2006, 278 Ga.App. 740, 629 S.E.2d 459, reconsideration denied, certiorari denied. Highways  17

Ga. Code Ann., § 32-7-2, GA ST § 32-7-2

Current through end of the 2006 Regular Session

© 2007 Thomson/West.

END OF DOCUMENT

RIGHT OF WAY ABANDONMENT PETITION

Date: September 19, 2007

Name of Streets: Line Creek Drive and Line Creek Circle off of Highway 54.
There are no other connecting streets; the roads end in cul-de-sacs.

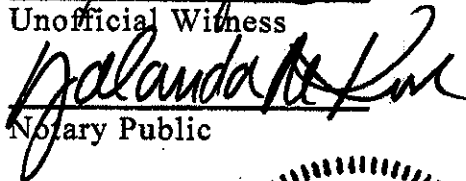
Petitioner's Name and Address: CCD PTC, LLC, a Georgia limited liability company, 1915 Airport Road Suite 2D Atlanta. GA 30341

Agent for Petitioner: Rosemarie McConnell, Esq. Two Midtown Plaza, and Suite 1150
1349 West Peachtree Street NW, Atlanta, Georgia 30309 Telephone: 404 607 9051
Fax 404 892-2824 Email: rosemcconnell@bellsouth.net

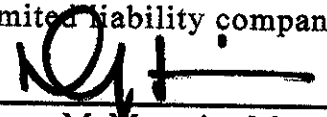
Attachment: A full-sized print of survey of the area to be abandoned.

Certification of Intent: I, Doug McMurrain, the manager of CCD PTC, LLC, the only owner having property abutting the above rights of way, do hereby certify that CCD PTC, LLC does intend to acquire the abandoned street at fair market value as a condition of consideration of abandonment.


Unofficial Witness


Notary Public

CCD PTC, LLC, a Georgia
limited liability company


Doug McMurrain, Manager

[NOTARIAL SEAL]



CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager

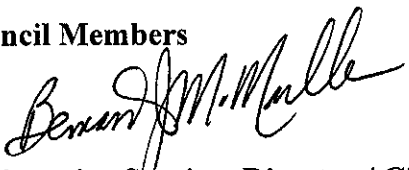
DATE: November 8, 2007

SUBJECT: Airport Authority Update
November 15, 2007, City Council Agenda

Peachtree City Airport Authority Chairman Jerry Cobb will provide an update on the Authority's activities.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members
VIA: City Manager 
FROM: Acting Administrative Services Director / City Clerk 
DATE: November 8, 2007
SUBJECT: Certify Election Results
November 15, 2007, City Council Agenda

Recommendation:

That Council certify the election results.

Discussion:

The municipal election was held on November 6, 2007. Council is required to certify the results. The official results will be available next week and will be placed on the dais for council consideration at the November 17, 2005, meeting.

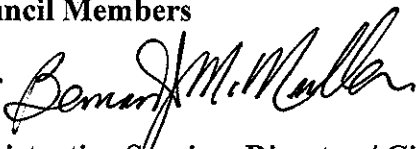
Budget Impact:

None

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 

FROM: Acting Administrative Services Director / City Clerk 

DATE: November 8, 2007

SUBJECT: Consider Amendments to Peddlers and Solicitors Ordinance
November 15, 2007, City Council Meeting

Recommendation:

That Council approve the attached Peddlers and Solicitors Ordinance.

Discussion:

In January of this year, Council adopted a new Peddlers and Solicitors Ordinance (attached). City Hall and the Police Department Staff had been discussing changing the registration requirements from the City Clerk's office to the Police Department due to the growing concern over the backgrounds of people applying for permits. During the holidays, the City also saw an increase in on-street solicitation of donations for charitable groups, which the previous ordinance did not address but was causing safety problems for the major intersections with Highways 54 and 74.

The new ordinance has been in effect since January, with the Police Department issuing the permits. During that time, several issues needing clarification have arisen, and representatives from the City Clerk, Police, Code Enforcement, Planning, and Solicitors office have met with the City Attorney to revise the ordinance and process and make sure there are no conflicts with other ordinances (such as the Parks and Recreation, Sign, and Zoning Ordinances). The revised ordinance is also attached

Budget Impact:

This item should have no budget impact.

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PEACHTREE CITY, GEORGIA, AS AMENDED, SO AS TO PROVIDE FOR THE REGISTRATION OF SOLICITORS AND PEDDLERS; TO ESTABLISH REGISTRATION FEES; TO PROVIDE FOR EXCEPTIONS; 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. Chapter 58 of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is deleted in its entirety and replaced as follows:

Sec. 58-1. Scope of provisions.

Any person soliciting funds, contributions, donations or information or selling items or taking orders door to door, either at businesses or residences, or soliciting or selling to the public from a non-permanent location shall be deemed to be canvassing, soliciting or peddling and shall register and obtain the permits required by this article. Any person who does not have a permanent place of business in the city, and who displays and/or sells goods, foods, meats, wares or merchandise out of any mobile vehicle or from any temporary location shall be deemed a transient merchant or an itinerant vendor or merchant and shall be subject to obtaining the permit and registering as required by this article; provided, however, a transient or itinerant merchant or vendor shall not include:

- (1) A person who sells home-raised agricultural products or who sells food products which can be consumed immediately;
- (2) A traveling salesman representing a business located in the state, taking orders for future delivery;
- (3) A resident of the city holding a garage, rummage, antique or similar sale;
- (4) A person operating out of a permanent location in the city;
- (5) Any officer, employee, or representative of any city, county, state or federal government or the school system or any subdivision thereof and on official business nor members of any local non-profit organization such as boy scouts, civic clubs, school organizations when the membership of the club or organization does the soliciting itself, but it shall apply when the soliciting is done by a paid solicitor or by a solicitor on contract with an individual with only a percentage or portion of any sales or collections to go to the benefit of such non-profit club or organization.

Sec. 58-2. Registration required.

It shall be unlawful for any person to engage in business as a canvasser, solicitor, peddler, transient merchants, itinerant merchant or vendor without first having registered at the Police Department with the police chief or his or her designated representative. Each registrant shall be

Adopted January 2007

required to fill out a registration form giving complete identification, signature, name of employer, products sold, name of manufacturer of products, name of organization he is representing, time of operation in the city and proposed method of operation within the city and to provide such other identification of information as may be required. Any person selling or peddling any objects or goods shall, before being issued a permit, file with the police chief proof that the applicant or their business proposed to be conducted pursuant to the license or permit possess a valid state sales tax number issued by the commissioner of revenue of the state and filed with the city clerk an occupational tax return and pay such tax as required by this chapter.

Sec. 58-3. Registration fee prescribed; application for identification or registration form.

Each registrant shall pay to the police chief of the city a registration fee as set forth in the schedule of fees and charges. Each registrant shall make application with the police chief for authorization to peddle, canvass or solicit and be issued permit which shall show payment of the registration fee and the days that such applicant has registered to peddle, canvas or solicit within the city.

Sec. 58-4. Evidence of good character; issuance of permit, possession, display.

(a) Each applicant for a permit shall show evidence of good character as required by the police chief. If, after proper inquiry and investigation, the police chief shall determine that the applicant is of good character and that the safety of the citizens and property of the city are protected, each applicant shall be issued a permit with his photograph thereon indicating that the registration fee has been paid in full, that he has been duly registered, the name of the solicitor, the organization which he represents, and showing thereon the days for which he has registered to peddle, canvas or solicit.

(b) Each person, while peddling, canvassing or soliciting within the limits of the city, shall have the permit available for inspection by any person being solicited or to the police of the city. Possession of this permit shall not in any way represent an endorsement or approval of any product or project by the city.

(c) It shall be unlawful for any person to peddle, canvass or solicit without having first registered with the police chief in accordance with section 58-2, and obtained a permit from the police chief in accordance with section 58-3, and this section or to peddle, solicit or canvass without having the permit available in accordance with this section. Any person violating this article shall be punished as provided in section 1-11.

Sec. 58-5. Applicability of provisions; exceptions.

Except as set forth in section 58-11 herein, nothing in this article shall apply to officers or employees in the city, county, state or federal governments or the school system, or any subdivisions thereof, when on official business; nor shall it apply to any person holding a regular business license in the city; not to any local non-profit organization such as boy scouts, civic clubs, religious, charitable, political, or educational organizations and the like, when the membership of such club or organization does the soliciting itself; but it shall apply when the soliciting is done by a paid solicitor or by a solicitor on contract with an individual with only a percentage or portion of any sales or collections to go to the benefit of such non-profit club or organization.

Sec. 58-6. Revocation of permit.

Adopted January 2007

Any permit may be revoked by the police chief or his/her designated representative because of any violation by the registrant (or any one of a group of registrants) of these regulations, or of any ordinance of the city, or of any state or federal law, or whenever the registrant shall cease to possess the qualifications and good character required in this article for the original registration.

Sec. 58-7. Transient merchant; operating on public lands or from vehicle.

(a) A transient merchant, itinerant merchant or vendor shall not locate and conduct a business from a mobile vehicle or upon the public sidewalks, streets, alleys, walkways, parks, parking lots, rights-of-way, or other public lands of the city or upon state rights-of-way within the city limits.

(b) It shall be the duty of each transient merchant, itinerant merchant or vendor after having engaged in business in the city, to report to the city clerk the amount of gross sales made within the city during the period that such transient merchant or itinerant merchant or vendor was licensed and permitted to do business in the city and to furnish proof at such time that all sales taxes due through the commissioner of revenue of the state upon such sales, including the local option sales tax, have been filed and remitted to the commissioner of revenue as required by state law.

(c) Any person which shall violate any of the provisions of this section shall be punished as provided by section 1-11.

Sec. 58-8. Applicability of provisions to farm products and food products.

The legal right of the local farmer and producer to sell the products of his own farm, orchard, poultry yard, etc., is recognized; but any other person or persons in the city offering for sale such articles as eggs, meat, chickens, butter, milk, cheese, fruits, vegetables, ice cream or frozen treats, or any other food product not specifically covered in this article, shall be deemed a peddler, and every such peddler selling directly to the consumer, even though the delivery may be on orders previously taken, shall be required to obtain a permit from the police chief, but the restrictions set forth in section 58-11 shall not apply. No permit shall be required from any bona fide farmer who is selling the products of his own farm, orchard, poultry yard, etc.

Sec. 58-9. Exemption of disabled or indigent veterans of armed forces.

(a) *Scope of exemption.* It shall be lawful for any disabled or indigent veteran of the armed forces, such veteran is defined in O.C.G.A. § 43-32-1, to peddle without obtaining a permit for the privilege of so doing, and a certificate from the probate court of the county stating the fact of his being such disabled or indigent veteran shall be sufficient proof thereof; provided, that this section shall not authorize peddling ardent spirits. The privileges hereby granted shall not be transferred to or used by any other person.

(b) *Effect of exemption.* All such persons are authorized to peddle in the city without first obtaining a license therefore from the city and without being subject to any tax therefore.

(c) *Affidavit required.* Before any such person shall avail himself of the privilege conferred by this section, he shall go before the judge of the probate court of the county and make oath in writing that he served as a soldier and that the business which he proposes to carry on (stating what he proposes to peddle) is his own, and that he will not sell or offer to sell any article for another, directly or indirectly.

Adopted January 2007

(d) *Issuance of certificate.* Upon making and filing the affidavit provided for in subsection (a) of this section, the judge of the probate court shall issue a certificate stating that such person has taken the oath prescribed, which certificate shall authorize such person making such affidavit and holding such certificate to peddle in the city without procuring a license or being subject to any tax therefore.

Sec. 58-10. Obstruction of street, highway or sidewalk prohibited.

No canvasser, solicitor, peddler, transient merchant, itinerant merchant or vendor authorized to engage in any business in the city shall, in carrying on such business, obstruct the whole or any part of any sidewalk, street or highway of the city, and any such person peddling in the city or using the streets or sidewalks in the city for the purpose of selling or offering for sale any goods, wares, medicines or merchandise of any kind, shall continually move from place to place in the city, and shall not in the conduct or carrying on of such business obstruct the whole or any part of any sidewalk, street, or highway in the city.

Sec. 58-11. Regulations for canvassing, soliciting, or peddling.

Notwithstanding anything else contained herein to the contrary:

(1) No person shall stand on or adjacent to a street, road, or highway or on rights-of-way within the city limits for the purpose of soliciting employment, business or contributions from the occupant of any vehicle.

(2) Any transient merchants, as the term is defined in section 58-1 of this article, shall comply with the following:

a. No merchandise, goods, or wares shall be sold within fifty feet of any right-of-way, including, but not limited to, any street or sidewalk;

b. In the event that a transient merchant attempts to sell on the premises of a business within the city, the transient merchant must furnish written proof of the property owner's consent for the transient merchant to engage in such sales upon the property;

c. If a transient merchant is going to sell merchandise, goods, foods, meats, or wares on the premises of a business within the city, the property owner must have sufficient parking on said property to accommodate not only the existing businesses on said property, pursuant to the requirements of the Peachtree City Zoning Ordinance, but must also demonstrate that it has eight (8) available parking spaces for the sales of the transient merchant;

d. Any signs utilized by a transient merchant shall comply with the City of Peachtree City Sign Regulations;

e. The hours of operation for any transient merchant on the premises of a business shall be between the hours of 10:00 a.m. until 6:00 p.m., Monday through Saturday. No such sales shall occur on Sundays.

(3) No solicitor, peddler, or transient merchant shall

a. Call at residences, offices or businesses clearly displaying a sign stating "No Solicitors Or Peddlers Invited," "No Solicitation," or using similar language;

b. Engage in door-to-door soliciting at residences on Sundays or between the hours of 8:00 p.m. and 9:00 a.m. from May 1 through September 30, or between the hours of 6:00 p.m. and 9:00 a.m. from October 1 through April 30;

c. Enter any private dwelling without the consent of the owner or occupant, or to remain there after being requested or directed to leave;

Adopted January 2007

- d. Fail to register and carry or produce for inspection a permit when required under this chapter;
 - e. Make any false or deceptive statement on any registration hereunder.
- (4) A person who is soliciting or selling on behalf of a non-profit organization shall be required to verify the nonprofit status of such organization.

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PEACHTREE CITY, GEORGIA, AS AMENDED, SO AS TO PROVIDE FOR THE REGISTRATION OF SOLICITORS AND PEDDLERS; TO ESTABLISH REGISTRATION FEES; TO PROVIDE FOR EXCEPTIONS; 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. Chapter 58 of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is deleted in its entirety and replaced as follows:

Sec. 58-1. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Charitable organization. Any benevolent, philanthropic, patriotic, or eleemosynary (of, relating to, or supported by charity or alms) corporation, partnership, limited liability company, association, joint-stock company, trust, governmental agency or entity, unincorporated organization or individual who solicits or obtains contributions solicited from, or conducts the sale of merchandise to, the general public, which contributions are used for charitable purposes or governmental purposes.

Charitable purpose. Any charitable, benevolent, philanthropic, patriotic, or eleemosynary purpose for religion, health, education, social welfare, arts and humanities, environment, civic or public interest.

Door-to-door salesperson. Any person who shall solicit orders on behalf of a firm, corporation, company, association, partnership or individual of any goods, wares or merchandise, or other things of value from house to house shall be deemed a door-to-door salesperson. Any person who obtains orders for merchandise or other things of value shall be deemed a door-to-door salesperson. Excluded from this definition are persons who solicit orders for goods, wares or merchandise, or other things of value from house to house for charitable organizations or purposes or on behalf of religious organizations, political organizations and political candidates.

Canvasser, Peddler, or Solicitor. Any person who sells or solicits for sale in the city any new or used goods, wares, merchandise, services, produce or other things of value and goes about from place to place within the city selling or offering for sale any of such things to either merchants or customers shall be deemed a peddler or solicitor. Excluded from this definition are persons who sell or solicit for sale goods, wares or merchandise, or other things of value from

house to house for charitable organizations or purposes or on behalf of religious organizations, political organizations and political candidates.

Vehicle. Motorized conveyance fully functioning and moving under its own power. A vehicle shall include a trailer or anything pulled by the vehicle. Vehicles shall not be in excess of 20 feet in length, ten feet in width, and eight feet in height.

Sec. 58-2. Registration required.

It shall be unlawful for any person to engage in business as a canvasser, solicitor, or peddler, without first having registered at the Police Department with the police chief or his or her designated representative. Each registrant shall be required to fill out a registration form giving complete identification, signature, name of employer, products sold, name of manufacturer of products, name of organization he is representing, time of operation in the city and proposed method of operation within the city and to provide such other identification of information as may be required. Any person selling or peddling any objects or goods shall, before being issued a permit, file with the police chief proof that the applicant or their business proposed to be conducted pursuant to the license or permit possess a valid state sales tax number issued by the commissioner of revenue of the state

Sec. 58-3. Registration fee prescribed; application for identification or registration form.

Each registrant shall pay to the police chief of the city a registration fee as set forth in the schedule of fees and charges adopted by the City Council. Each registrant shall make application with the police chief for authorization to peddle, canvass or solicit and be issued permit which shall show payment of the registration fee and the days that such applicant has registered to peddle, canvas or solicit within the city.

Sec. 58-4. Evidence of good character; issuance of permit, possession, display.

(a) No door-to-door salesperson, solicitor, peddler, or transient merchant shall be authorized sell or to solicit orders until he files an application with the Chief of Police and obtains a permit and registers in accordance with the provisions of this Chapter 58. The Chief of Police shall make an investigation, including but not limited to an investigation of the police record of the applicant. No permit shall be given to any applicant who, based on the information obtained by the Police Department, shall have either a pending charge or a conviction for a crime of moral turpitude or an offense involving the elements of assault and battery, or evidence of any other action by the applicant evidencing actions which would constitute fraud and deceit under the laws of the State of Georgia.

(b) Each person, while peddling, canvassing or soliciting within the limits of the city, shall have the permit available for inspection by any person being solicited or to the police of the city. Possession of this permit shall not in any way represent an endorsement or approval of any product or project by the city.

(c) It shall be unlawful for any person to peddle, canvass or solicit without having first registered with the police chief in accordance with section 58-2, and obtained a permit from the police chief in accordance with section 58-3, and this section or to peddle, solicit or canvass

without having the permit available in accordance with this section. Any person violating this article shall be punished as provided in section 1-11.

Sec. 58-5. Applicability of provisions; exceptions.

Except for the regulations set forth in Section 58-7, nothing in this article shall apply to the following:

- (a) Officers or employees in the city, county, state or federal governments or the school system, or any subdivisions thereof, when on official business;
- (b) Any local non-profit organization such as boy scouts, civic clubs, religious, charitable, political, or educational organizations and the like, when the membership of such club or organization does the soliciting itself; but it shall apply when the soliciting is done by a paid solicitor or by a solicitor on contract with an individual with only a percentage or portion of any sales or collections to go to the benefit of such non-profit club or organization.
- (c) Any person selling only agricultural or forestry products or selling food for immediate consumption;
- (d) Any person who conducts business at any industry or association trade show;
- (e) Any person selling items at a rummage, garage, antique or similar sale when such person, firm, corporation or other legal entity is a resident of this state or has a permanent place of business within this state and such sale is not part of the regular business activity of such person, firm, corporation or legal entity or when the net proceeds of such sale are to be used for charitable purposes;
- (f) Any person selling such items at a city-sponsored festival or event, provided that such person has obtained the necessary approvals from the City to operate at said festival or event.

Sec. 58-6. Revocation of permit.

Any permit may be revoked by the police chief or his/her designated representative because of any violation by the registrant (or any one of a group of registrants) of these regulations, or of any ordinance of the city, or of any state or federal law, or whenever the registrant shall cease to possess the qualifications and good character required in this article for the original registration.

Sec. 58-7. Regulations for solicitors and peddlers; operating on public lands or from vehicle.

- (a) No person shall stand on or adjacent to a street, road, or highway or on rights-of-way within the city limits for the purpose of soliciting employment, business or contributions from the occupant of any vehicle.
- (b) No person shall locate and/or conduct a business from a mobile vehicle or upon the public sidewalks, streets, alleys, walkways, parks, parking lots, rights-of-way, or other public lands of the city or upon state rights-of-way within the city limits.
- (c) The provisions of Section 908 of the Peachtree City Zoning Ordinance, pertaining to outside displays, shall be applicable to any solicitor, or peddler.
- (d) No solicitor, peddler, or door-to-door salesperson shall
 1. Call at residences, offices or businesses clearly displaying a sign stating "No Solicitors Or Peddlers Invited," "No Solicitation," or using similar language;

2. Engage in door-to-door soliciting at residences on Sundays or between the hours of 6:00 p.m. and 9:00 a.m. ;
 3. Enter any private dwelling without the consent of the owner or occupant, or to remain there after being requested or directed to leave;
 4. Fail to register and carry or produce for inspection a permit when required under this chapter;
 5. Make any false or deceptive statement on any registration hereunder.
- (e) A person who is soliciting or selling on behalf of a non-profit organization shall be required to verify the nonprofit status of such organization.

Sec. 58-8. Applicability of provisions to farm products and food products.

The legal right of the local farmer and producer to sell the products of his own farm, orchard, poultry yard, etc., is recognized; No permit shall be required from any bona fide farmer who is selling the products of his own farm, orchard, poultry yard, etc.; provided, however, that no such sales shall occur as a door-to-door salesman.

Sec. 58-9. Exemption of disabled or indigent veterans of armed forces.

- (a) *Scope of exemption.* It shall be lawful for any disabled or indigent veteran of the armed forces, such veteran is defined in O.C.G.A. § 43-12-1, to peddle without obtaining a permit for the privilege of so doing, and a certificate from the probate court of the county stating the fact of his being such disabled or indigent veteran shall be sufficient proof thereof; provided, that this section shall not authorize peddling ardent spirits. The privileges hereby granted shall not be transferred to or used by any other person.
- (b) *Effect of exemption.* All such persons are authorized to peddle in the city without first obtaining a license therefore from the city and without being subject to any tax therefore.
- (c) *Affidavit required.* Before any such person shall avail himself of the privilege conferred by this section, he shall go before the judge of the probate court of the county and make oath in writing that he served as a soldier and that the business which he proposes to carry on (stating what he proposes to peddle) is his own, and that he will not sell or offer to sell any article for another, directly or indirectly.
- (d) *Issuance of certificate.* Upon making and filing the affidavit provided for in subsection (a) of this section, the judge of the probate court shall issue a certificate stating that such person has taken the oath prescribed, which certificate shall authorize such person making such affidavit and holding such certificate to peddle in the city without procuring a license or being subject to any tax therefore.
- (e) All restrictions set forth in section 58-11, with the exception of 5-11(3)(d) shall apply

Sec. 58-10. Obstruction of street, highway or sidewalk prohibited.

No canvasser, solicitor, or peddler authorized to engage in any business in the city shall, in carrying on such business, obstruct the whole or any part of any sidewalk, street or highway of the city, and any such person peddling in the city or using the streets or sidewalks in the city for the purpose of selling or offering for sale any goods, wares, medicines or merchandise of any kind, shall continually move from place to place in the city, and shall not in the conduct or

carrying on of such business obstruct the whole or any part of any sidewalk, street, or highway in the city.

Sec. 58-11. Violations; Enforcement

Any violations of the provisions in this chapter shall subject the license or permit to revocation. In addition, any person violating this chapter shall be punished as provided in section 1-11. The provisions of this Chapter may be enforced by the Peachtree City Police Department or the Peachtree City Code Enforcement Staff.

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

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

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

This _____ day of _____, 2007.

Harold K. Logsdon, Mayor

Attest: _____
City Clerk

Pam Dufresne

From: Paul Vereb [segwayga@mac.com]
Sent: Tuesday, October 30, 2007 2:13 PM
To: Betsy Tyler
Cc: Pam Dufresne; Doug McMurrain
Subject: Re: City Council meeting

Thank you! The subject will be "Allowing Segways on the golf cart paths" I will get you the other materials by next Thursday.

On Oct 30, 2007, at 2:09 PM, Betsy Tyler wrote:

Hi, Mr. Voreb - the next agenda is November 15. Can you confirm the subject for me to add to the agenda? We'll need any written materials you'd like included in the packet by next Thursday, November 8 (for color copies, an electronic file such as a pdf is best). Also, if you have a Power Point presentation, we will need that early in the week prior to the meeting (Monday or Tuesday, November 12 or 13). Just let me know.
Thanks,
Betsy

From: Paul Vereb [<mailto:segwayga@mac.com>]
Sent: Saturday, October 27, 2007 2:26 PM
To: Betsy Tyler
Cc: Doug McMurrain
Subject: City Council meeting

Ms Tyler,

I would like to be added to the City Council meeting agenda when possible. Please advise me on the proper protocol to make this happen.

Thank you for your help,

Paul

Segway of Peachtree City

Paul Vereb
Segway of Peachtree City
Stone Mountain Segway
770-487-2320 Office
770-487-2321 Fax
404-396-9916 Cell
segwayga@mac.com

Independent Studies of the Segway PT

The Segway® Personal Transporter (PT) has been evaluated by four independent agencies representing interests from around the world.

Centre for Electric Vehicle Experimentation in Quebec (CEVEQ)

Second Phase – "Pilot Project for Evaluating the Segway HT in Real Conditions"

The Second Phase of the two-phase report detailed use of the Segway PT by 143 participants who rode more than 9,000 total kilometers on sidewalks, paths, and roadway shoulders, in three major city located in the Province of Quebec. The report noted that no incident or serious injury, nor any Segway PT/pedestrian collision or physical interference, was reported during the evaluation. Upon completion the study "Recommendations" indicate that Segway PTs should be allowed to operate on urban pedestrian areas and that such use will have little impact on user safety and still less on the safety of pedestrians, cyclists, motorists and other walkway users.

Publish Date: April 2006 <http://www.tc.gc.ca/tdc/publication/pdf/14500/14567e.pdf>

Centre for Electric Vehicle Experimentation in Quebec (CEVEQ)

First Phase – "Pilot Project for Evaluating Motorized Personal Transportation Devices"

The first phase of the two-phase report detailed information discovered during the evaluation of motorized personal transportation devices (MPTD) specifically, the ergonomic, operational and technical aspects of the devices. Findings included that the Segway PT was very stable and gave users a feeling of being in control. Also, Segway PTs compared favorably to other types of devices and were far superior in the area of stability as compared to bicycles and mopeds. Lastly the report noted that the Segway PT could meet a large number of mobility requirements for a broad market, could facilitate transfers to other forms of transportation, and serve as an alternative to automobiles.

Publish date: May 2004 <http://www.tc.gc.ca/tdc/publication/pdf/14200/14285e.pdf>

German Federal Board for Road Traffic - "Segway in Public Spaces"

The three-month study was conducted by the German government in conjunction with the Ministry of Internal Affairs, Ministry of Commerce of the Saarland, Saarbrücken Police Department, and Municipal Office of Neunkirchen. Results for braking, steering and general handling of the device were very favorable. The study also reports that Segway PTs are best suited for bicycle lanes and pedestrian traffic areas.

Publish Date: March 2006

http://www.segway.com.hk/Documentation/Regulations/gruenereihe67_segway_v5lq.pdf

Victoria Transport Policy Institute

"Managing Personal Mobility Devices (PMDs) On Nonmotorized Facilities"

This study researched the use of various personal mobility devices such as electric scooters, powered wheelchairs and Segway PTs on non-motorized infrastructure including sidewalks and bike lanes/paths. Overall the study found that Segway PTs would have medium impact or risk to others (namely pedestrians), the same which was found true of joggers and runners. As a comparison, bicycles were found to have medium to large impact or risk to others. *Publish Date: October 2005* http://www.vtpi.org/man_nmt_fac.pdf

U.S. Department of Transportation/Federal Highway Administration

"Characteristics of Emerging Road Users & Their Safety"

The study was undertaken to clarify the operational characteristics of both motorized and non-motorized transportation. Data was collected to obtain physical dimensions, turning capabilities, acceleration, speed and stopping distance of these devices. The Segway PT and its rider were found to have the second shortest braking distance, highest sight lines, one of the smallest footprints, and quickest perception-reaction time. The Segway PT met or exceeded all recommendations made by the American Association of State Highway & Transportation Officials (AASHTO) *Guide to the Development of Bicycle Facilities*. *Publish date: October 2004* <http://www.tfhrc.gov/safety/pubs/04103/04103.pdf>

###



A BILL TO BE ENTITLED
AN ACT

To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to regulate the use of electric personal assistive mobility devices; to define certain terms; to change certain provisions relating to powers of local authorities generally; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is amended in Code section 40-1-1, relating to definitions, by inserting a new paragraph (15.6) to read as follows:

"(15.6) 'Electric personal assistive mobility device' or 'EPAMD' means a self-balancing, two nontandem wheeled device designed to transport only one person and having an electric propulsion system with average power of 750 watts (1 horsepower) and a maximum speed of less than 20 miles per hour on a paved level surface when powered solely by such propulsion system and ridden by an operator who weighs 170 pounds."

SECTION 2.

Said title is further amended in said Code Section 40-1-1 by striking paragraph (33) and inserting in lieu thereof the following:

"(33) 'Motor vehicle' means every vehicle which is self-propelled, other than an electric personal assistive mobility device (EPAMD)."

SECTION 3.

Said title is further amended in Article 13 of Chapter 6, relating to special provisions for certain vehicles, by adding a new Part 5 to read as follows:

"Part 5

40-6-360.

(a) Electric personal assistive mobility devices may be operated on sidewalks where a 48 inch clear path is maintained for access for persons with disabilities, and highways, provided that any person operating such a device shall have the same rights and duties as prescribed for pedestrians in Article 5 of this chapter and except as otherwise provided in this part.

(b) No person shall operate any electric personal assistive mobility device on the roadway of any highway unless:

- (1) The maximum speed limit of the roadway is 35 miles per hour or less;
 - (2) The roadway is a municipal street in a residential area lacking serviceable sidewalks; or
 - (3) The roadway has a separately striped bicycle lane and the device is operated within the bicycle lane.
- (c) When traveling in any roadway of a highway, any person operating an electric personal assistive mobility device shall travel in the same direction authorized for motor vehicle traffic on such roadway.

40-6-361.

Any person operating an electric personal assistive mobility device on a sidewalk or roadway shall comply with the requirements of this part or any local ordinance regulating the use of such devices pursuant to Code Section 40-6-371 and shall exercise due care to avoid colliding with, and shall yield the right of way to, persons traveling on foot.

40-6-362.

No person shall operate an electric personal assistive mobility device at a speed greater than 8 miles per hour when traveling on any sidewalk or 15 miles per hour elsewhere; provided, however, that a county or municipal governing authority or the commissioner of transportation may further restrict the speed of such devices in locations where pedestrian traffic is congested and there is a significant speed differential between pedestrians and operators of such devices.

40-6-363.

- (a) An electric personal assistive mobility device may be parked on a sidewalk unless otherwise prohibited or restricted by an official traffic control device or local ordinance.
- (b) An electric personal assistive mobility device shall not be parked on any roadway in such a manner as to prevent the movement of a legally parked motor vehicle.
- (c) Except as otherwise provided in this Code section, any person operating an electric personal assistive mobility device shall be subject to the same parking restrictions as provided for motor vehicles under Part 1 of Article 10 of this chapter. All violations of parking restrictions shall be deemed the responsibility of the owner of such device; and, for purposes of parking restrictions, the owner shall be deemed to be in control of the device at the time of a parking violation involving such device, and no evidence of actual control by such owner need be proven as an element of the offense.

40-6-364.

No person shall carry or transport any hazardous materials on an electric personal assistive mobility device. Oxygen carried for personal medical reasons shall not be deemed a hazardous material for purposes of this Code section.

40-6-365.

(a) Any electric personal assistive mobility device, when operated on any highway or sidewalk, shall be equipped with front, rear, and side reflectors which shall be visible from a distance of 300 feet when directly in front of lawful upper beams of headlights on a motor vehicle; a system that when employed will enable the operator to bring the device to a controlled stop; and, if the device is operated between one-half hour after sunset and one-half hour before sunrise, a lamp emitting a white light which, while the device is in motion, illuminates the area in front of the operator for a distance of 300 feet.

(b) Any person of any age operating an electric personal assistive mobility device on any highway or sidewalk, shall wear protective headgear which meets or exceeds the impact standards for bicycle helmets required by Code Section 40-6-296.

40-6-366.

A person who is under the influence of any intoxicating liquor or any drug to a degree which renders him or her a hazard shall not operate any electric personal assistive mobility device on any highway or sidewalk. Violation of this Code section shall be a misdemeanor, punishable upon conviction by a fine not to exceed \$500.00.

40-6-367.

Any person who violates any provision of this part other than Code Section 40-6-366 shall not be guilty of a criminal offense or a moving traffic violation for purposes of Code Section 40-5-57 but shall be subject to a civil penalty not to exceed \$500.00."

SECTION 4.

Said title is further amended in subsection (a) of Code Section 40-6-371, relating to powers of local authorities generally, by inserting a new paragraph to read as follows:

"(18.1) Regulating the operation of electric personal assistive mobility devices, provided that such regulations are no less restrictive than those imposed by Part 5 of Article 13 of this chapter;"

SECTION 5.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 6.

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

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager *Benjamin M. McMillan*
Developmental Services Director *David*

FROM: City Engineer *David A. Borkowski*

DATE: November 6, 2007

SUBJECT: Concept Plan Approval for Walt Banks and Crosstown Intersections
November 15, 2007 City Council Meeting

Recommendation:

Staff recommends that City Council approve the concept plans for intersection improvements at Crosstown and Peachtree Parkway and Walt Banks and Peachtree Parkway.

Discussion:

Consultants are currently working on the design of intersection improvements at the aforementioned locations. The projects are partially funded by State Transportation Improvement Plan (TIP) funds and require a concept to be approved by the City and the State Department of Transportation before proceeding to design and right-of-way drawings.

The City's consultant, Professional Engineering Consultants, Inc. (PEC), has completed the traffic study and has recommended improvements for the intersections. PEC will finish the concept drawings this week based on the attached recommendations. Staff will forward the concept drawings to Council as soon as they are completed.

In summary, the recommendations are to add right turn lanes on the westbound and northbound approaches, and a left turn lane on the southbound approach for the Walt Banks Road/Peachtree Parkway intersection. A signal is also recommended for the Walt Banks Road/Peachtree Parkway intersection. The addition of right turn lanes are recommended on the northbound and southbound approaches, and left turn and right turn lanes on the eastbound and westbound approaches for the Crosstown/Peachtree Parkway intersection. A signal is also recommended for the Crosstown/Peachtree Parkway intersection.

Budget Impact:

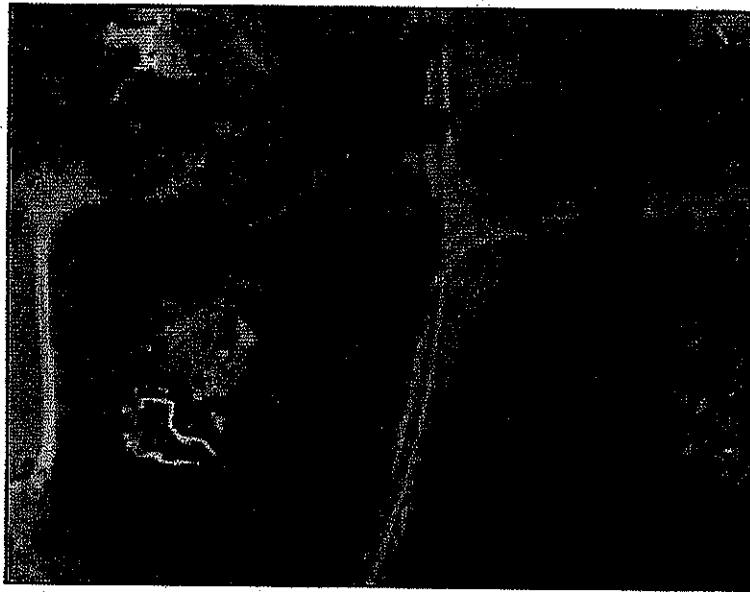
The design of these projects is currently budgeted.

Attachments

cc: City Engineer's File
Public Services Director

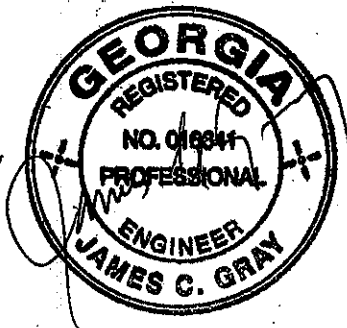
INTERSECTION ANALYSIS

PEACHTREE PARKWAY & WALT BANKS ROAD



GCA

Prepared by:
GCA, Inc.
1800 Peachtree Street, NW
Suite 825
Atlanta, Georgia 30309
404-355-4010



Prepared for:
City of Peachtree City
151 Willowbend Road
Peachtree City, Georgia
30269
770-487-7657

SEPTEMBER 2007

1. EXECUTIVE SUMMARY

Purpose of Study:

The purpose of this study is to evaluate the intersection of Peachtree Parkway and Walt Banks Road in Peachtree City, Georgia to determine what improvements will be needed to improve the present levels of service (LOS) and maintain acceptable LOS in the future.

Major Findings of this Analysis:

Traffic volumes were projected to the years 2012, 2017 and 2027, and LOS analyses were conducted for each of those years. The analyses concluded that the intersection would experience increasing delays and deteriorating LOS as traffic volumes increase in the future.

Mitigation Measures Proposed:

Future conditions were tested for the intersection with the installation of a signal and LOS continued to decline. The intersection was then tested with both a signal and widening on the northbound, southbound and eastbound approaches to provide turn lanes. These measures provided very good LOS and low delays through 2027. Retaining the all-way stop, combined with the widening, provides lower LOS and higher delays, but still within the acceptable range, through 2027.

Prepared by:

GCA, Inc.

1800 Peachtree Street, NW

Suite 825

Atlanta, Georgia 30309

404-355-4010

11. RECOMMENDATIONS

Based upon the findings of this study, it is recommended that the intersection of Walt Banks Road and Peachtree Parkway be widened to provide right turn lanes on the westbound and northbound approaches, and a left turn lane on the southbound approach.

It is further recommended that the golf cart crossing on the south approach be moved closer to the intersection. This would involve moving the ends of the off-street golf paths closer to the intersection, also.

With regard to traffic control, a signal with the widening would provide the best levels of service and lowest delay, and is GCA's first recommendation. A signal would also provide the safest environment for the golf cart crossings. However, retaining an all-way stop, combined with the widening, would provide acceptable levels of service and delay, and is GCA's secondary recommendation.

INTERSECTION ANALYSIS

CROSTOWN DRIVE & PEACHTREE PARKWAY



GCA

Prepared by:
GCA, Inc.
1800 Peachtree Street, NW
Suite 825
Atlanta, Georgia 30309
404-355-4010



Prepared for:
City of Peachtree City
151 Willowbend Road
Peachtree City, Georgia
30269
770-487-7657

OCTOBER 2007

1. EXECUTIVE SUMMARY

Purpose of Study:

The purpose of this study is to evaluate the intersection of Crosstown Drive and Peachtree Parkway in Peachtree City, Georgia to determine if a traffic signal is warranted and what other improvements will be needed to improve the present levels of service (LOS) and maintain acceptable LOS in the future.

Major Findings of this Analysis:

Traffic volumes were projected to the years 2012, 2017 and 2027, and LOS analyses were conducted for each of those years. The analyses concluded that the intersection would experience increasing delays and deteriorating LOS as traffic volumes increase in the future.

Mitigation Measures Proposed:

Future conditions were tested for the intersection with the installation of a signal and LOS continued to decline. The intersection was then tested with both a signal and widening on the northbound and southbound approaches to add right turn lanes, and widening on the eastbound and westbound approaches to add left and right turn lanes. These measures provided acceptable LOS and low delays through 2027.

Prepared by:

GCA, Inc.
1800 Peachtree Street, NW
Suite 825
Atlanta, Georgia 30309
404-355-4010

10. RECOMMENDATIONS

Based upon the findings of this study, it is recommended that the intersection of Crosstown Drive and Peachtree Parkway be signalized, and that widening be done to provide for the addition of right turn lanes on the northbound and southbound approaches, and left turn and right turn lanes on the eastbound and westbound approaches.

It is further recommended that pedestrian facilities, including handicap ramps and other Americans with Disabilities Act (ADA) requirements be included with the signal installation.

Since there are no golf cart paths at this intersection, it is recommended that no special golf cart crossings be created; rather, any golf carts that may occasionally wish to cross can use the pedestrian crossing.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager *Bernard J. McMullen (BT)*
Acting Developmental Services Director/City Planner *David*
Building Official

FROM: Senior Code Enforcement Officer

DATE: November 8, 2007

SUBJECT: Community Action Day Update
November 15, 2007, City Council Meeting

Discussion:

Official Community Action Day projects were held in 2004 and 2005 under the administration of Mayor Steve Brown. Projects completed those two years included a home rebuild, several home repair projects, and landscaping projects at local schools and cemeteries.

The original concept for a Community Action Day was to develop a program that would continue on in the community. Community Action Day in 2004 and 2005 accomplished just that. Numerous churches, civic and private organizations came together to meet the needs of our community. Of the volunteer participants we have been able to identify a list of organizations that are still actively working to assist those in our community who, for various reasons, are not fully capable of helping themselves. The list includes mostly the elderly and the disabled. The list of helping hands continues to grow. Peachtree City Code Enforcement has been able to refer several city property owners to the various organizations for assistance. This fact alone indicates that the original goal for Community Action Day has been accomplished. Community action is not limited to just one day, it continues on daily.

Where do we go from here? Where is the action of our community needed at this time?

Staff recommendation is to promote and support a Peachtree City affiliation with Keep America Beautiful, a nationwide organization. At this time there are no Keep America Beautiful affiliates in Fayette County. There are 67 active Keep America Beautiful affiliates in Georgia.

The Mayor would be able to appoint a strong volunteer to be the Keep Peachtree City Beautiful coordinator. The coordinator would develop a Keep America Beautiful affiliation and secure the

cooperation and support of our business community, the Fayette County Board of Education, and local civic groups. Peachtree City could initially support the Keep Peachtree City Beautiful affiliate with office space and support services until it becomes an independent civic organization. The Keep Peachtree City Beautiful organization would then be able to meet the Governor's Clean Community Challenge that has been presented to our city.

Requirements for participation in the Clean Community Challenge include:

- The designation of a local contact person to implement the condition requirements of the CCC program.
- The development of a Litter prevention strategy plan through a survey process and the identification of partners, resources and strategies to address a litter plan of action.
- Implement a 3-phase litter prevention program through Enforcement, Education, and Eradication.

Staff recognizes and needs to emphasize the importance of an educational program in our community, beginning in the schools, of what litter really costs. In Georgia alone, it is estimated that more than 30 million dollars each year is spent just cleaning up litter. CCC participation includes the possibility of grant awards and other assistance from the State.

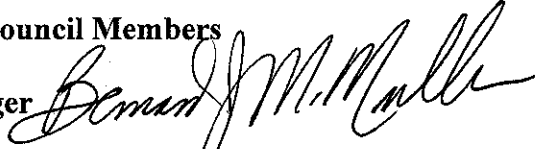
Peachtree City is widely recognized as a beautiful community. There are currently many volunteers working on Adopt-a-Path and Adopt-a-street programs. Their efforts could be coordinated through this initiative.

Staff has compiled much information on the Clean Community Challenge and the Keep America Beautiful organization, which can be made available to you. This project would only prove to be a win-win situation for our community.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 

FROM: Acting Administrative Services Director / City Clerk
System Administrator 

DATE: November 8, 2007

SUBJECT: Update on Comcast Fayette Community Channel 25
November 15, 2007, City Council Meeting

As part of Peachtree City's new Franchise Agreement with Comcast, we have space on the Fayette County Community Channel 25 for our ongoing scrolling bulletin board. Comcast is also developing a platform for local government and community-based programming. Fayetteville, Tyrone, the Fayette County Chamber of Commerce, Fayetteville Main Street, and the Peachtree City Tourism Association have already begun airing programming specific to their organizations.

Plans are underway for Peachtree City programming, including a news magazine style format that will complement the monthly UPDATE Newsletter and web site. Andy Macke, Senior Director of Government & Community Affairs with Comcast, will give an overview of the Fayette Community Channel and an update of this pilot program underway in Fayette County.

Attached is a copy of Andy's presentation and a programming schedule for this month. If you have an opportunity, you may want to check the channel during the week to view some of the general programming that is supplementing the local programming and local government bulletin boards. Andy will also have a demo video showing the concept being developed.

Fayette Community Channel

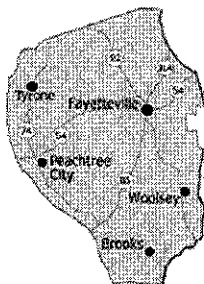
....powered by Comcast

comcast

1

Case Study: Fayette County, Georgia

- 4 Government, 1 Education Channel
- 100% Video Bulletin Boards
- Average of 10 Announcements/Month
- No Dedicated Staff or Budget for Program Development



County/Cities	Population
Fayette County	103,654
City of Fayetteville	13,099
City of Peachtree City	36,156
Town of Tyrone	4,380

2

Comcast Proprietary and Confidential

comcast

Comcast Operational Objectives

- Facilitate launch of additional ***high definition channels***
- Increase “localness” of products to ***grow subscribers***
- Leverage local content to ***drive VOD usage***
- ***Establish PEG consolidation model*** for broader application

3

Comcast Proprietary and Confidential

comcast

Strategic Initiative

Reclaim government channels in Fayette zone in exchange for operation of single, branded community channel and associated investment in the development of local content

4

Comcast Proprietary and Confidential

comcast

Fayette Community Channel

- Branded Community Channel
- Multiplatform distribution (Linear channel, VOD, Web)
- Content development partnerships with community institutions (Chamber of Commerce, Downtown Development Authority, Tourism Association)
- Local advisory board promotes channel and steers product development
- Scalable model for other zones within region

5

Comcast Proprietary and Confidential

comcast

Current Status

- Soft launch May 2007
- Engaged in 3 content development partnerships
- Peachtree City magazine show in design phase
- Expanding content offering in response to community feedback

6

Comcast Proprietary and Confidential

comcast

Next Steps

- Complete development of Peachtree City magazine show
- Produce regional content based on Metrobeat assets
- Explore additional content affiliations
- Relaunch event in 1Q08
- Identify, leverage and expand production capacity within Fayette community

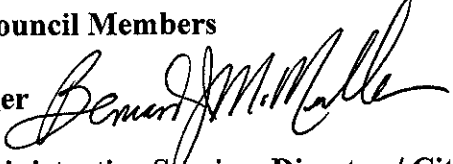
FAYETTE SCHEDULE LINE-UP

NOTE: October schedule, as the Nov/Dec line-up is being programmed for activation, w/o Nov 12th. Bulletin Boards run on breaks and from midnight to noon.

TIME	Monday/Wednesday/Friday	Tuesday/Thursday/Saturday
12:00 PM	BusinessWorks	Our Town: Tyrone
12:30 PM	Tune iN2	Great Georgia Airshow
12:30 PM	Great Georgia Airshow	BusinessWorks
1:00 PM	Metro Atlanta: Growing Green	Dr. Bates: Adventures
1:30 PM	Citizens N2 Safety	Capitol Report
2:00 PM	US Army News	Conversations At The Carter Center
2:30 PM	Great Georgia Airshow	
3:00 PM	BusinessWorks	
3:30 PM	Dr. Bates: Adventures	Bulletin Boards
4:00 PM	KC3 Success Class	KC3 Success Class
4:30 PM	Citizens N2 Safety	Citizens N2 Safety
5:00 PM	US Army News	US Army News
5:30 PM	Tune iN2	Tune iN2
5:35 PM	Great Georgia Airshow	Great Georgia Airshow
6:00 PM	Metro Atlanta: Growing Green	Metro Atlanta: Growing Green
6:30 PM	Capitol Report	Capitol Report
7:00 PM	Dr. Bates: Adventures	Dr. Bates: Adventures
7:30 PM	KC3 Success Class	KC3 Success Class
8:00 PM	BusinessWorks	BusinessWorks
8:30 PM	Our Town: Tyrone	Our Town: Tyrone
9:00 PM	Dr. Bates: Adventures	Conversations At The Carter Center
9:30 PM	Capitol Report	
10:00 PM	KC3 Success Class	
10:30 PM	Citizens N2 Safety	Citizens N2 Safety
11:00 PM	BusinessWorks	BusinessWorks
11:30 PM	US Army News	US Army News
12:00 AM	Great Georgia Airshow	Great Georgia Airshow

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members
VIA: City Manager 
FROM: Acting Administrative Services Director / City Clerk 
DATE: November 15, 2007
SUBJECT: Certify City Election
November 15, 2007, City Council Meeting Agenda

Recommendation:

Certify the attached election results.

Discussion:

A municipal general election was held on November 6, 2007, for City Council Posts 1 and 2, and for two bond questions. Council is required to certify the results of this election. The official results are attached for your review and certification.

Budget Impact:

None

Attachment

STATE OF GEORGIA
COUNTY OF FAYETTE
CITY OF PEACHTREE CITY

A General Election for the City of Peachtree City, Georgia was held on November 6, 2007, pursuant to the Charter of Peachtree City and in accordance with the provisions of the Georgia Municipal Election Code to elect representatives for City Council Posts 1 and 2, and for two bond questions.

The following report is hereby submitted by Betsy Tyler, Acting City Clerk:

There were 21,618 registered voters eligible to vote in the election.

There were 3,141 ballots cast by the electors including 449 absentee ballots and one provisional ballot accepted.

The following votes were cast:

CITY COUNCIL POST 1

Don Haddix	1,712	56.71%
Mike Harman	748	24.78%
Thomas J. O'Toole, Jr.	555	18.38%
Write-in Votes	3	0.13%

QUESTION 1 (Baseball/Soccer Complex)

Yes	892	28.79%
No	2,206	71.21%

CITY COUNCIL POST 2

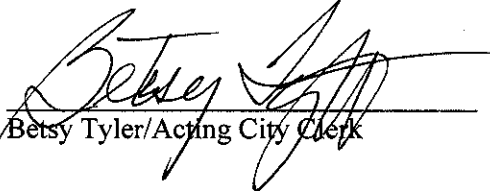
Mark Hollums	510	16.98%
Michael L. King	1,027	34.19%
Doug Sturbaum	934	31.09%
Dar Thompson	524	17.44%
Write-in Votes	9	0.30%

QUESTION 2 (Gathering Place)

Yes	1,294	41.65%
No	1,813	58.35%

A copy of the results is attached.

Submitted to City Council for Certification this 15th day of November 2007.


Betsy Tyler/Acting City Clerk

Election Summary Report
 Fayette County
 State of Georgia General Municipal Election
 November 6th, 2007
 Summary For Jurisdiction Wide, All Counters, All Races
 Official and Complete

Date:11/06/07
 Time:21:28:25
 Page:1 of 2

Registered Voters 34236 - Cards Cast 4745 13.86%

Num. Report Precinct 17 - Num. Reporting 17 100.00%

FAYETTEVILLE MAYOR

	Total	
Number of Precincts	4	
Precincts Reporting	4	100.0 %
Total Votes	493	
KENNETH T STEELE (I)	481	97.57%
Write-in Votes	12	2.43%

FAYETTEVILLE CITY COUNCIL P1

	Total	
Number of Precincts	4	
Precincts Reporting	4	100.0 %
Total Votes	466	
WILSON G. PRICE (I)	462	99.14%
Write-in Votes	4	0.86%

FAYETTEVILLE CITY COUNCIL P2

	Total	
Number of Precincts	4	
Precincts Reporting	4	100.0 %
Total Votes	588	
MICKEY J. EDWARDS	291	49.49%
AL HOVEY-KING	297	50.51%
Write-in Votes	0	0.00%

PTREE CITY CITY COUNCIL P1

	Total	
Number of Precincts	14	
Precincts Reporting	14	100.0 %
Total Votes	3019	
DON HADDIX	1712	56.71%
MIKE HARMAN (I)	748	24.78%
THOMAS J O'TOOLE, JR	555	18.38%
Write-in Votes	4	0.13%

PTREE CITY CITY COUNCIL P2

	Total	
Number of Precincts	14	
Precincts Reporting	14	100.0 %
Total Votes	3004	
MARK HOLLUMS	510	16.98%
MICHAEL L. KING	1027	34.19%
DOUG STURBAUM	934	31.09%
DAR THOMPSON	524	17.44%
Write-in Votes	9	0.30%

Election Summary Report
 Fayette County
 State of Georgia General Municipal Election
 November 6th, 2007
 Summary For Jurisdiction Wide, All Counters, All Races
 Official and Complete

Date:11/06/07
 Time:21:28:25
 Page:2 of 2

Registered Voters 34236 - Cards Cast 4745 13.86%

Num. Report Precinct 17 - Num. Reporting 17 100.00%

PTREE CITY QUESTION 1		Total	
Number of Precincts		14	
Precincts Reporting		14	100.0 %
Total Votes		3098	
YES		892	28.79%
NO		2206	71.21%

PTREE CITY QUESTION 2		Total	
Number of Precincts		14	
Precincts Reporting		14	100.0 %
Total Votes		3107	
YES		1294	41.65%
NO		1813	58.35%

TYRONE MAYOR		Total	
Number of Precincts		3	
Precincts Reporting		3	100.0 %
Total Votes		1004	
DON C. REHWALDT		679	67.63%
MICHAEL J. SMOLA		318	31.67%
Write-in Votes		7	0.70%

TYRONE CITY COUNCIL P1		Total	
Number of Precincts		3	
Precincts Reporting		3	100.0 %
Total Votes		977	
KEN MATTHEWS		396	40.53%
TRACY L. YOUNG		580	59.37%
Write-in Votes		1	0.10%

TYRONE CITY COUNCIL P2		Total	
Number of Precincts		3	
Precincts Reporting		3	100.0 %
Total Votes		1007	
ERIC DIAL		475	47.17%
JESSE NASIANCENO		115	11.42%
GORDON SHENKLE		417	41.41%
Write-in Votes		0	0.00%

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager *Benjamin McManis*
Developmental Services Director *David*

FROM: City Planner/ Zoning Administrator *David*

DATE: November 14, 2007

SUBJECT: Endorsement of Livable Centers Initiative (LCI) grant application for
Huddleston Road Activity Center and commitment to provide matching
funds
November 15, 2007 City Council agenda

Recommendation:

Staff recommends that City Council endorse the LCI Study application for the Huddleston Road Activity Center (Attachment "A") by signing the Resolution of Endorsement (Attachment "B"). Additionally, Staff recommends that Council agree to provide matching funding in the amount not to exceed 20% of the total project cost, not to exceed \$12,000.

Discussion:

As a part of the 2001 LCI Study of the SR 54 West Corridor, the Huddleston Road corridor was identified as an area where further study was needed to establish an overall master plan and design guidelines to promote development and redevelopment activities. The Huddleston Road corridor was also identified as a "character area" within the Community Assessment portion of the update to the city's Comprehensive Plan.

Additionally, City Council identified the Huddleston Road corridor within their 2007 Goals and Objectives and asked Staff to prepare a master plan as well as explore the possibility of extending sanitary sewer to serve existing and proposed businesses within the corridor.

As a part of the Atlanta Regional Commission's 2008 LCI Study Application program, Staff has prepared an application for funding for the Huddleston Road Activity Center. The overall Huddleston Road Activity Center study area encompasses approximately 169.14-acres (Attachment "C"), with the majority of the parcels being less than one acre in size. While there

LCI – Huddleston Road Activity Center

November 14, 2007

Page 2

are a total of 53 individual parcels within the study area, 30 of the individual parcels are controlled by 8 property owners (Attachment "D").

Staff has been working on the application in conjunction with the Development Authority of Peachtree City, who has agreed to fund a portion of the study. Representatives from the Development Authority have been meeting with individual property owners within the corridor to solicit their support and to seek additional funding assistance. Along with the endorsement from City Council, we will also be submitting a letter of endorsement from the Development Authority and individual business owners within the corridor.

It should be noted the application process was formally announced several weeks ago, but Staff was in the midst of comprehensive plan public forums and other tasks and did not have time to devote to working on the application. Through e-mails over the past week, we have been in contact with members of the Development Authority to try and assign tasks in getting the application complete and ready for submittal. A meeting was held Monday morning of this week, where the application and tasks were discussed in detail. In the future, we will work to get these items to you in a timely manner for your review and comment.

Applications must be submitted by 5:00PM on Friday, November 16. Successful applicants will be notified by April 2008, and the studies must be complete by December 19, 2008.

Budget impact:

Should the city be selected to receive funding, a 20% local match will be required. Staff is requesting these funds be designated to come from the Council Contingency Fund (Account 100-1505-57-9100) until such time the Development Authority or individual property owners agree to assist in funding. There is currently \$100,000 in this budget.

Attachments

City of Peachtree City Huddleston Road Activity Center

Mission statement

To work proactively with residents, developers, property owners, and local and regional government officials to develop an innovative and achievable Master Plan for the Huddleston Road Activity Center within the emerging West Village of Peachtree City.

Issue statement - study need and purpose

The Huddleston Road corridor serves as the primary entrance into the city's 2,700-acre industrial park from SR 54. The overall corridor consists of a variety of retail, commercial and light industrial uses, which is reflected in both the current zoning and land use designations. Each parcel within the corridor is served by individual septic systems, as sanitary sewer is not currently available within this portion of the industrial park.

As a part of the city's initial LCI Study of the SR 54 West Corridor, the Huddleston Road corridor was identified as an area where further study was needed to establish an overall master plan and design guidelines to promote development and redevelopment. A portion of Huddleston Road was included within the SR 54 West Corridor Overlay District as identified by the SR 54 West Corridor Study.

The Huddleston Road corridor was also identified as a "character area" within the Community Assessment portion of the update to the city's Comprehensive Plan. While the actual update is not yet complete, Staff has identified the corridor as an area where further study is needed to determine specific uses that should be located within the area and to assist in guiding development and redevelopment opportunities.

The overall Huddleston Road Activity Center study area encompasses approximately 169.14-acres, with the majority of the parcels being less than one acre in size. While there are a total of 53 individual parcels within the study area, 30 of the individual parcels are controlled by 8 property owners. In an effort to solicit support for the LCI study, City Staff and the Development Authority of Peachtree City have been in contact with the majority of the property owners and have found unified support for this project.

The Huddleston Road Activity Center has the potential of developing into a successful mixed-use development because of its proximity to the SR 54 West corridor, the city's industrial park, as well as existing retail and commercial developments. Multi-use path connections are currently being installed within a portion of the corridor as a part of the LCI Construction program and will provide a connection to the city's 90-mile network of multi-use paths. An active CSX rail line also borders the study area, which provides an opportunity for a future rail transit or commuter rail station.

While the goals and objectives of the study will develop as a part of the initial concept meetings with property owners, residents and other stakeholders, Staff has identified the following as potential goals of the LCI study of the Huddleston Road Activity Center:

- Develop an overall master plan connecting the city's industrial park with the SR 54 West Corridor, to include office, retail and commercial as well as light industrial areas.
- Enhance pedestrian and multi-use path connectivity to ensure alternate forms of access are available, which will assist in reducing local automobile trips.
- Study existing street network to determine the possibility of reducing the number of curb cuts and driveways onto Huddleston Road, which will assist in traffic movement between SR 54 West and the industrial park.
- Investigate location and scope of establishing a future rail transit or commuter rail station as identified within the long-range Transportation Improvement Program (TIP).
- Study potential of developing housing opportunities to provide workforce housing for surrounding retail, commercial and industrial tenants.
- Explore feasibility of installing sanitary sewer to serve all developments and to remove existing underground septic tanks.
- Explore possibility of implementing Community Improvement District (CID), Tax Allocation District (TAD) or other funding mechanism to assist in funding infrastructure improvements.
- Develop and implement architectural design guidelines for all developments.
- Explore possibility of replacing above ground utilities underground and establishing overall landscape plan.
- Seek grant funding to implement goals and objectives of the master plan.

Relationship to established LCI program goals

The LCI program was established with ten (10) goals that can be summarized as three (3) general concepts: mixed land use, transportation options, and public involvement.

Following is a summary of how the proposed study will address these concepts:

- 1) *Encourage a diversity of residential neighborhoods, employment, shopping and recreation choices at the activity center and town center level; housing should be given strong focus to create mixed-income neighborhoods and support the concept of "aging in place".*

As a master-planned community, Peachtree City is reaching "build-out" of its available residential, retail, commercial and industrial property. As a part of the update to our Comprehensive Plan, Staff prepared an analysis of the undeveloped property within the city which identified the following:

Residential	420 lots (all single-family detached)
Retail/ commercial	49 acres
Office	30 acres
Industrial	626 acres

As these areas continue to develop and the available property continues to decrease in size, the city will be faced with extensive redevelopment issues and opportunities. The Huddleston Road Activity Center provides an excellent opportunity to be proactive by developing an overall master plan to assist in guiding this redevelopment.

The Huddleston Road corridor connects the SR 54 West Corridor, which has an estimated traffic volume of 36,000 vehicles per day, to the major employment center of Peachtree City and Fayette County. The majority of the employees who work within the industrial park enter Peachtree City from the west via SR 54 and utilize Huddleston Road to enter the industrial park. Existing businesses on Huddleston Road include a variety of small retail and light industrial uses, most of which are not utilized by the employees of the industrial park.

It is envisioned the entire corridor could be redeveloped into a highly successful mixed-use activity center to include retail, restaurants, office and possibly housing opportunities. The

potential of identifying a site within the corridor for a future rail transit or commuter rail station provides an excellent opportunity to enhance the overall activity center concept. It must be noted that, politically, this element will most likely be a challenge but should be explored through this process and then presented as a part of the overall master plan and vision for the corridor.

It is also essential to provide interconnectivity between all parcels within the corridor, the SR 54 West Corridor and the city's industrial park through the use of sidewalks and multi-use paths. Providing these alternate forms of transportation will enhance the viability of the area and reduce local automobile trips.

- 2) *Provide access to a range of travel modes including transit, roadways, walking and biking to enable access to all uses within the study area.*

Incorporation of alternate forms of transportation will be a key element of the Huddleston Road Activity Center. Peachtree City currently owns and maintains over 90-miles of multi-use paths throughout the city interconnecting retail, commercial, office, residential, schools and recreation areas. Out of the 10,500 homes within the city, approximately 7,800 have registered golf carts. This unique form of transportation plays a significant role in reducing the amount of local trips that would typically be driven via automobile.

As a part of the LCI Construction program, the city was awarded funding to extend sidewalks and multi-use paths within SR 54 West Corridor, one of which extends approximately 800' along Huddleston Road to connect with an existing multi-use path. The Huddleston Road Activity Center would include an extension of the multi-use paths as well as sidewalks to encourage walking, biking or other forms of alternate transportation.

It should be noted that, as a part of the SR 54 West Corridor Study, the city worked with GDOT to incorporate multi-use tunnels underneath SR 54 on either side of an active CSX rail line which will interconnect with a multi-use bridge spanning the rail line to create a 'clover leaf' for golf carts, pedestrians, bicyclists, etc. The multi-use paths and sidewalks envisioned within the Huddleston Road Activity Center will connect to this interchange and allow interconnectivity to existing retail, commercial and office development within the SR 54 West Corridor.

As there is an existing rail line bordering the eastern boundary of the study area, we also intend to explore the feasibility of

incorporating a rail transit or commuter rail station within the study area. Not only would this station allow residents of the city and surrounding areas to reach downtown Atlanta, it would provide an opportunity for workers to come into Peachtree City to work within the surrounding retail and commercial businesses as well as the city's industrial park.

- 3) *Develop an outreach process that promotes the involvement of all stakeholders (including those not often involved in such planning efforts).*

As evidenced through our initial LCI study of the SR 54 West Corridor, the city is committed to including property owners, residents, the Planning Commission, the Water and Sewerage Authority, the Development Authority of Peachtree City and elected officials to the greatest extent practicable in the planning process. We have already compiled a preliminary list of stakeholders who would be invited to assist in this process. These stakeholders would work closely with a Staff Advisory Board as well as a Technical Advisory Board as the planning process moves forward.

As a part of our ongoing update to the Comprehensive Plan, the City Staff and the Comprehensive Plan Advisory Board (CPAB) developed an innovative public outreach program that has been highly successful in soliciting input from the citizens of the community. We would envision utilizing a similar process for the study of the Huddleston Road Activity Center.

Some of the elements that would be used to solicit feedback from the public would include Public Hearings, developing a citizen survey, giving monthly updates at Planning Commission and City Council meetings, holding community meetings, open houses and public forums, establishing a speaker's bureau, and developing a project website.

Regional significance

In the 1950's, a group of real estate developers amassed over 12,000 acres in Fayette County to build a planned community. The city was planned to be developed into villages, each with its own village retail center, office and commercial space, recreational facilities and elementary schools. Each village would also have its own complement of housing options, including multi-family and cluster homes adjacent to the village retail centers with lots increasing in size as development moved away from the village core. The City of Peachtree City was chartered on March 9, 1959.

Peachtree City today encompasses approximately 15,503-acres and includes Aberdeen Village, Braelinn Village, Glenloch Village, Kedron Village and the emerging West Village. The city is also home to the 2,063-acre Peachtree City Industrial Park, which serves as the primary employment center for Fayette County.

Our community is bisected by SR 54 and SR 74, both of which provide vital connections to surrounding jurisdictions. Sharpsburg and Newnan, both of which are located within Coweta County, are located approximately 10 miles to the west of Peachtree City, while Fayetteville, which is the County seat of Fayette County, is located approximately 10 miles to the east. SR 74 North provides an integral connection between Peachtree City and Interstate 85, while SR 74 South connects to SR 85 approximately 3 miles south of Peachtree City.

GDOT recently completed the SR 54 West road-widening project, which provides two travel lanes in each direction from Peachtree City into downtown Newnan. GDOT is currently in the midst of Phase One of the SR 74 South road-widening project, with an anticipated completion date of October 2008. Phase Two of this project is expected to be let for construction in March of 2008, which will extend the widening project to SR 85.

The Huddleston Road Activity Center separates SR 54 from the city's industrial park. Located within the emerging West Village, the study area encompasses approximately 169.14-acres and is defined by SR 54 to the north, an active CSX rail line to the east, Paschal Road to the south and the Planterra Ridge subdivision and Peachtree City Tennis Center to the west.

As a part of the Mobility 2030 plan, ARC identified the following goals:

1. *Improve accessibility and mobility options for all people and goods.*
2. *Maintain and improve system performance and preservation.*
3. *Protect and improve the region's environment and quality of life.*
4. *Increase the safety and security of the transportation system.*

Each of these goals will be analyzed to determine how they might be implemented into the recommendations of the master plan. The study will analyze the inclusion of alternate forms of transportation, to include sidewalks, multi-use paths and a potential rail transit or commuter rail station. The study will also analyze existing intersections within the study area and make recommendations for improvement as well as analyze existing driveway and curb cuts to determine if these can be combined and/ or removed to enhance the flow of traffic.

While there are no known environmental issues within the study area, careful analysis will be required to determine if any of the proposed improvements will impact not only the local environment but the environment of the Atlanta-region. Finally, the study will analyze potential improvements to the existing and proposed transportation system to ensure the safety of all users.

The Regional Development Policies identified within the Mobility 2030 plan include:

1. *Provide development strategies and infrastructure investments to accommodate forecast population and employment growth more efficiently.*
2. *Guide an increased share of new development to the Central Business District, transportation corridors, activity centers and town centers.*
3. *Increase opportunities for mixed-use development, infill and redevelopment.*
4. *Increase transportation choices and transit-oriented development (TOD).*
5. *Provide a variety of housing choices throughout the region to ensure housing for individuals and families of diverse incomes and age groups.*
6. *Preserve and enhance existing residential neighborhoods.*
7. *Advance sustainable development.*
8. *Protect environmentally-sensitive areas.*
9. *Create a regional network of green space that connects across jurisdictional boundaries.*

10. *Preserve existing rural character.*
11. *Preserve historic resources.*
12. *Inform and involve the public in planning at regional, local and neighborhood levels.*
13. *Coordinate local policies and regulations to support the RDP.*
14. *Support growth management at the state level.*

Again, as the study progresses, each of these items will be analyzed to determine their impact on the study area and to determine if they might be incorporated within the final plan recommendations. Many of these policies are already being followed at the local level as development occurs within our community.

The Congestion Management Process (CMP) is a federally required process to identify congested locations and facilities within the metropolitan area. ARC has led the CMP effort since the mid-1990s. The Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), passed by U.S. Congress and signed by President Bush in 2005, authorizes ARC to facilitate congestion management.

The Congestion Management Process (CMP) includes the following:

1. *Define Congestion*
2. *Identify Congested Locations*
3. *Evaluate and Rank Congested Locations*
4. *Determine Potential Strategies for Congested Locations*
5. *Implement Congestion-Relieving Solutions*
6. *Monitor the Effectiveness of Improvements*

The City is committed to working with local and regional officials as well as the ARC Transportation Division to ensure each of the proposed improvements identified within the final recommendation are fully analyzed to determine their compliance with this process as well as the Regional Strategic Transportation System (RSTS). It should be noted there are no impacts anticipated resulting from the plan recommendations.

Scope of work

The City of Peachtree City, in conjunction with the Development Authority of Peachtree City, will begin the selection process for a compatible consultant upon selection for funding and Notice to Proceed from ARC. The selected consultant will be responsible for the study process and all deliverables. City Staff and representatives from the Development Authority will assist the selected consultant. A Huddleston Road Advisory Board will be formed to work with the consultant and will consist of stakeholders from the study area, property owners and residents of the community.

The LCI Project Manager will be David E. Rast, ASLA, who serves as the Interim Developmental Services Director and the City Planner for Peachtree City.

The Huddleston Road Activity Center LCI study will include, but not be limited to, the following:

- Develop a community involvement process that promotes input from all stakeholders.
- Perform detailed land use analysis to identify and classify each parcel within the study area.
- Prepare a detailed Transportation Plan.
- Identify locations of sidewalks, multi-use paths and other infrastructure.
- Establish Development Policies and Design Guidelines for the overall development.
- Complete market and housing analysis.
- Identify funding opportunities for project implementation, to include CID, TAD, etc.

A formal Scope of Work will be developed and will include the following tasks:

Task One - Public Involvement

The goal of this task is to develop a local planning outreach process that promotes the involvement of all stakeholders. The City will be responsible for identifying all stakeholders and facilitating their involvement in the study process. These tasks will be documented through meeting notices, meeting summaries and other written communication. Responses and acknowledgements of public comments will be addressed in the study reports.

Task Two – Master Plan

The goal of this task is to study the study area's current land use patterns, transportation patterns and urban design elements. The consultant will be responsible for the inventory and analyzing of existing physical conditions within the overall study area.

At a minimum, this study will address the following:

- Identify neighborhoods related to the study area which must functionally be included in the planning process to achieve integrated planning and design solutions.
- Inventory and analyze existing physical conditions within the study area including aesthetics, spatial relationships, landscaping, open space, signage, lighting and utilities, safety, street furnishings, vehicular and pedestrian circulation, traffic safety and traffic flow, parking, vehicle/pedestrian conflicts, land uses and land use relationships.
- Define a program and location search for a pedestrian-oriented center with an integrated passenger rail depot district.

Task Three - Project Deliverables

The goal of this task is to compile the results of the overall work effort, including key information, the study process, relevant findings and recommendations into summary materials. The City will be responsible for developing a schedule of local actions, a description of transportation improvement projects, and identifying changes to current Ordinances, the Land Use and the Comprehensive Plans necessary to achieve the items identified within this study.

The following deliverables, at a minimum, will be provided as a part of this task:

- An Executive Summary explaining the study methodology, program goals, data analysis and planning recommendations.
- A description of the process used to achieve a community-supported program of activity center improvements.
- Renderings, sketches, drawings, maps or other visualizations to show the character and intended outcome of plan recommendations and design guidelines.
- Identification of specific standards for design elements within the study area, including, but not limited to, architectural

design standards, building material and color selections, vehicular and pedestrian paving, street furniture, lighting fixtures, traffic-calming devices, landscape materials, signage, fencing, walls and retaining walls.

- Identification of standards for building setbacks and massing, public and semi-public open space, their connections and uses, alternative transportation circulation systems and parking standards.
- A detailed description of how the plan addresses the 10 study goals established by ARC.
- A market analysis supporting the plan recommendations.
- A 5-year schedule of local actions that are planned within the study area to implement the study goals, programs and projects. Schedules should include start date, completion date, estimated cost and responsible party.
- A 5-year prioritized description of transportation improvements projects, preliminary budget and programs that will support the study area goals.
- A description of the changes necessary within the locally adopted comprehensive plan or other locally adopted plans to achieve additional study actions

Budget

Estimated budget requirements for the Huddleston Road Activity Center LCI study are based on the project scope and required tasks. Local matching funds in the amount of \$12,000 will be provided by the City of Peachtree City and/ or the Development Authority of Peachtree City.

Estimated budget

Task One - Public Involvement **\$10,000**

- Public involvement
- Publicity and promotion
- Stakeholder meetings

Task Two – Master Plan **\$20,000**

- Site analysis
- Conceptual site plans and renderings
- Design guidelines
- Landscaping and gateway design guidelines
- Identification of alternate transportation linkages

Task Three - Project deliverables **\$30,000**

- Summary report
- Master plan
- Design guidelines
- Landscaping and gateway design guidelines
- Market analysis
- 5-year Short Term Work program
- 5-year transportation program

Total project cost **\$60,000**

LCI grant request	\$48,000
City share	\$12,000

Preliminary stakeholders list

Project Manager

David E. Rast, ASLA

Development Authority of Peachtree City

Steve Fraas, Chairman
Todd Strickland
Tyler Duffy
David Miller
Tom Lacy
Michael Moore
Jay Herzog

Staff Advisory Board

Bernard McMullen	City Manager
David Rast, ASLA	City Planner/ Zoning Administrator
Tony Bernard	Planning Assistant
Dave Borkowski, P.E.	City Engineer
Mark Caspar, E.I.T.	Stormwater Manager
Tom Carty	Building Official
John Dailey	Fire Marshal
Betsy Tyler	Public Information Officer
Cinnamon Mack	Administrative Assistant

Technical Advisory Board

Tom Corbett	Public Services Director
Paul Salvatore	Financial Services Director
Ted Meeker	City Attorney
Larry Turner	Peachtree City Water and Sewerage
Authority	
Robert Kurbes	Fayette County Health Department
Tony Parrott	Fayette County Water Department
Matt Forshee, ASLA	Fayette County Development Authority
	Georgia Department of Transportation
	Georgia Power
	Coweta-Fayette EMC

Project Stakeholders

John Feenaghty
Mike Fitzgerald

Marvin Funk
Tom Gray
Kevin Hannani
Jim Harris
Tom Hildebrand
Frank Kadkhodaian
Jeff Martin
Rodney Moore
Norman Paschall
Tim Powers
John Proffitt, Jr.
Ray Self
Tom Sellmer
Richard Simms
Pete Waldrop

Public involvement

Public involvement will be vital to the success of the LCI study. The project Manager will brief both Planning Commission and City Council on a regular basis on the status of the plan. Stakeholder meetings will be scheduled in advance and properly publicized to ensure the public's awareness of these meetings. Meetings will be held at City Hall and at locations within the study area. A separate web page will be created and will include all elements of the study process, including an area for public comment. It is envisioned the planning process will include several design workshops, charettes, and other efforts to engage public input.

Schedule

The schedule for the Huddleston Road Activity Center LCI study corresponds with the expected Scope of Work identified within this application. Should the city be selected to receive funding in April, 2008, the city will prepare a Request for proposals (RFP) to acquire the services of a professional consulting firm.

The following is an anticipated schedule:

April, 2008	Notification of LCI award Prepare RFP package
May, 2008	Issue RFP
June, 2008	Implement LCI contract with ARC Complete consultant selection Enter into contract with chosen consultant Begin community outreach and advertising of LCI process
July, 2008	Stakeholder/ Advisory Board kick-off meeting Analysis of existing policies and ordinances Begin Market Analysis Begin Site Analysis
August, 2008	Continue Market Analysis and Policy Analysis Stakeholder/ Public workshop Analysis of public involvement Draft LCI goals
September, 2008	Results of Market Analysis and Policy Analysis Stakeholder/ Public meetings workshops Consultant recommendations
October, 2008	Public meeting to discuss recommendation Final draft presentation
November, 2008	Complete final draft Stakeholder meeting to approve final draft Planning Commission/ City Council approval ARC review of final draft
December, 2008	ARC approval of LCI plan Begin plan implementation

Commitment and ability to implement recommendations of study

The City of Peachtree City was one of the first communities within metro-Atlanta selected to receive funding through the LCI program for the study of the SR 54 West Corridor. At the time, GDOT was preparing their final construction plans for the road-widening project and the city has been in discussions with GDOT personnel to try and incorporate several items within the actual road construction plans. These items included but were not limited to, the incorporation of multi-use tunnels underneath the road on either side of the CSX rail line, removal of sidewalks and replacement with wider, multi-use paths, utilization of decorative mast arms at intersections, replacement of the standard bridge railing detail with a more decorative railing, and many other items.

The city had already received funding through the Transportation Enhancement Act (TEA-21) for a multi-use bridge that would span the CSX rail line as well as other grant-related projects, the majority of which have been implemented.

The city's planning efforts and forethought have resulted in several projects being implemented as a part of the road-widening project. These efforts have proved to be beneficial to the city, as we now have the infrastructure in place to allow multi-use path connections throughout the SR 54 West corridor.

The city has also been in discussions with GDOT as they move forward with the SR 74 South road-widening project, and we will now have three (3) additional multi-use tunnels underneath SR 74 South to allow connections to the industrial park and recreational facilities.

Until recently, matching funds for these projects was identified within the city's Capital Improvements Program. While some projects are still funded through this program, we also have designated SPLOST funding for several multi-use path and larger infrastructure projects.

In conjunction with the Development Authority of Peachtree City, the city has identified the need to extend sanitary sewer to the businesses along Huddleston Road. We are currently exploring alternative funding sources including, but not limited to Tax Allocation Districts, Community Improvement Districts, grants through the Georgia Department of Community Affairs, etc. It is our intent to utilize the LCI program to assist us in facilitating these improvements as well.

Appendix

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF PEACHTREE CITY
EXPRESSING SUPPORT OF THE HUDDLESTON ROAD ACTIVITY CENTER
LIVABLE CENTERS INITIATIVE GRANT APPLICATION
AND AUTHORIZING STAFF TO SUBMIT 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's Livable Centers Initiative program was created to provide funding for transportation projects and investment studies; and,

WHEREAS, the City of Peachtree City's location within the Atlanta Metropolitan Planning Organization boundary grants eligibility for Atlanta Regional Commission funding; and,

WHEREAS, said grant would assist in developing a master plan for the emerging Huddleston Road Activity Center; and,

WHEREAS, the City Council of Peachtree City met on November 15, 2007 to vote in support of submitting an application for funding assistance from the Atlanta Regional Commission; and,

WHEREAS, the City Council of Peachtree City further agrees that, should the city be selected to receive funding, the City shall commit to provide twenty percent of the total project cost, not to exceed \$12,000.00.

BE IT THEREFORE RESOLVED, the Mayor and Council of the City of Peachtree City do hereby express their support in submitting the City of Peachtree City Livable Centers Initiative grant application to the Atlanta Regional Commission.

SO RESOLVED, this _____ day of _____, 2007.

Harold Logsdon, Mayor

Attest: _____
City Clerk

Huddleston Road Activity Center LCI Study
Property Owners

PARCEL KEY	Owner 1	description	land use	zoning	acreage
7-33-29	FEENAGHTY JOHN M	Feenaghty Office Bldg. (104 Huddleston)	COM	GC	0.5
7-33-64	FITZGERALD LEASING CO	Fitzgerald Tract	COM	GC	1.87
7-33-2-15	FITZGERALD LEASING CO INC	Fitzgerald Office/Warehouse	IND	GI	1.2
7-33-2-4	FITZGERALD LEASING CO INC	Fitzgerald Office/Warehouse	IND	GI	2.5
6-17-3	FUNK MARVIN	Funk Tract	IND	GI	4
7-33-105	GENERAL LEE PROPERTIES LLC	Fulton Court office/ warehouse	IND	LI	1.01
7-33-79	GENERAL LEE PROPERTIES LLC	Simms office/ warehouse	IND	LI	2.5
7-33-2-3	GOLDTHORPE CHRISTOPHER TRUSTEE	Office/Warehouse (101 Auburn Ct)	IND	GI	1
7-33-10	GRAY THOMAS H	NAPA Auto Repair	COM	GC	0.81
7-32-20	HANNANI KEVIN & KAREN	211 HUDDLESTON RD	IND	GI	1.6
7-33-97	HARRIS JAMES M III	Yard Time	COM	GC	1.32
7-33-47	HILDEBRAND THOMAS J	Hildebrand Tract	IND	GI	1.9
7-33-2-16	IN CODE 6 LLC	Office/Warehouse (251/ 253 Tiger Way)	IND	GI	1.5
7-33-40	JF STORAGE HOLDINGS LLC	54 West Storage Office	IND	LI	1
7-33-69	JF STORAGE HOLDINGS LLC	54 West Self Storage	IND	LI	5
7-33-2-7	KADKHODAIAN FARAHMAND	Kadkhodain Tract (undeveloped)	IND	GI	0.62
7-33-76	KADKHODAIAN FARAHMAND	Kadkhodain Office/ Warehouse	IND	GI	1.33
7-33-2-5	KADKHODAIN FARAHMAND	Kadkhodain Tract (undeveloped)	IND	GI	3.03
7-33-2-9	KADKHODAIN FARAHMAND	Kadkhodain Tract (undeveloped)	IND	GI	1
7-33-50	MARTIN JEFF C	Peachtree Golf Cars	COM	GC	1.01
7-33-2-8	MCWILLIAMS COLLISION INC	McWilliams Collision Center	IND	GI	1
7-33-49	MILLHAND INC	Bull Dog Supply	IND	GI	1.8
7-33-11	MOORE RODNEY K	Fayette Rental	COM	GC	0
7-33-2-1	OLD 74 IND PARK PARTNERS LLP	Huddleston Business Center	IND	GI	2.76
7-33-23	PASCHALL NORMAN W CO	Norman Paschall Complex	IND	GI	30
6-17-6-1	PASCHALL NORMAN W REALTY	OLD HWY 74 30 ACS	IND	GI	30
7-33-111	PEACHTREE CITY	Undeveloped, Peachtree City	OS	OS	0.54
7-33-119	PEACHTREE CITY	Cell Tower	CS	OS	0.1
7-33-4-25	PEACHTREE CITY	City Greenbelt	OS	OS	9.2
7-33-95	PEACHTREE CITY	Undeveloped, Peachtree City	OS	OS	6.86
6-15-00	PEACHTREE CITY	City Greenbelt	OS	OS	10.5
7-32-17	PEACHTREE CITY	Leach Fire Station	CS	OS	4.9
	PEACHTREE CITY	Old Leach Fire Station (park)	OS	OS	1
7-33-81	PEACHTREE CITY KENNELS INC	Peachtree City Kennels	IND	LI	2.7
7-32-22	PEACHTREE PROPERTIES GROUP	297 DIVIDEND DR	IND	GI	3.8
7-32-71	POWERS TIMOTHY E	213 HUDDLESTON RD	IND	LI	2.1
7-33-2-14	PROFFITT JOHN C JR	Undeveloped (Fairburn Ready Mix)	IND	GI	1.9
7-33-14	PROFFITT JOHN C JR	Proffitt Tract	COM	GC	3.04
7-33-21	PROFFITT JOHN C JR	Proffitt Tract	COM	GC	1
7-33-2-2	PROFFITT JOHN C JR	Staines Tract (undeveloped)	IND	GI	1.92
7-33-32	PROFFITT JOHN C JR	Atlanta Market Finds/ Designer Fabrics	COM	GC	1.9
7-33-6	PROFFITT JOHN C JR	Southern Construction, Inc. (storage)	COM	GC	1.59
7-33-63	PROFFITT JOHN C JR	Andy's Auto Repair	COM	GC	1.5
7-33-9	PROFFITT JOHN C JR	Proffitt Tract (Bug Busters)	COM	GC	3
7-33-30A	ROUTINE HOLDINGS LLC	209 HUDDLESTON DR	COM	GC	0.97
7-33-73	SELF E RAY	Self Tract	IND	GI	1.33
7-33-2-6	SFB PROPERTIES LLC	Hybrid Fuels Office/ Warehouse	IND	GI	1.5
7-33-56	SIDHVI INVESTMENT LLC	Peachtree City Self Storage	IND	GI	3.18
7-33-13	T TIME	Golf Rider	COM	GC	0.85
7-33-12	T TIME INC	Golf Rider (office building)	COM	GC	0.5
7-33-2-10	THE POWERS FAMILY LIMITED	Powers Heating & Air	IND	GI	1
7-33-2-11	THOMPSON J F & E H	Frontier Office/ Warehouse	IND	GI	1
7-33-2-12	WALDROP & ASSOCIATES INC	Trinity Air Office/ Warehouse	IND	GI	1

The Role of the Segway® Personal Transporter (PT) in Emissions Reduction and Energy Efficiency

John David Heinzmann and B. Michael Taylor,
Segway Inc.

In December 2001, renowned inventor Dean Kamen unveiled the Segway® Personal Transporter (PT). Since then the way society looks at transportation has changed considerably. Fuel prices have risen, there is a greater awareness of the damage caused by carbon dioxide and other greenhouse gas emissions, and environmental and political forces have de-stabilized the global petroleum supply.

The Segway PT can help reduce dependence on foreign oil, use the existing energy supply more ef-

ficiently, and reduce pollution. Drivers in the United States take approximately 900 million car trips per day. The EPA estimates that half of those trips are less than five miles long and transport only one passenger—trips perfectly suited to the Segway PT. As there are many forms of powered transportation available today, this paper seeks to compare their relative impact on the environment, both in emissions created and energy consumed.

The methods for computation are explained in detail in the following sections, but let us first present a summary of statistics regarding the relative emissions output and energy efficiency of the Segway PT compared to other well-known transportation devices.

The Segway PT does not produce any emissions during operation. Its batteries do consume electricity during recharge, and we have used the emissions created during the generation and delivery as the basis of our analysis. By comparing this to the emissions generated during the refinement, transportation and combustion of automotive fuel, we can compare the Segway PT to traditional internal combustion engines. This analysis also allows us to measure relative source fuel efficiency.

Emissions Output Summary

Operating a Segway PT creates:

- 5.6 times less greenhouse gas per mile than a Toyota Prius (82% reduction)
- 14 times less greenhouse gas than the average American car (93% reduction)
- 20 times less greenhouse gas than a large Sport Utility Vehicle (SUV) (95% reduction)

Energy Consumption Summary

The Segway PT is:

- 4.5 times more energy efficient than a Toyota Prius
- 11 times more energy efficient than the average American car
- 17 times more energy efficient than a large SUV

Note: All computations based on one passenger per vehicle

I. The Segway PT and Emissions Reduction

The Segway PT is powered by custom-designed, phosphate-based lithium-ion batteries, which are safe, stable and appropriate for everyday use. There are no emissions during operation, but since the Segway PT draws energy from the power grid to charge its batteries, this evaluation is based on the emissions created by the production of the electricity consumed during recharge.

For internal combustion and hybrid engines, we must consider the emissions created during operation, as well as during the production and transportation of each vehicle's fuel. The EPA publishes emissions data for all passenger cars and trucks which incorporate all of these emissions, expressed in terms of CO₂ equivalents, which considers CO₂ as well as other greenhouse gases such as methane and nitrous oxide. Emissions for a variety of vehicles can be seen in Figure 1 (trademarks are owned by their respective companies):

Figure 1.

CO₂ Greenhouse Gas Emission Reduction if Substitution is Made with Segway PT

Vehicle	Mileage (MPG)	CO ₂ Equiv. Emitted (lb/mi)	CO ₂ Reduction if Segway PT substituted
Average US Passenger Car	22	1.14 ¹	95%
Cadillac Escalade	15	1.61 ³	95%
Toyota Prius	55	0.45 ⁴	82%
Volkswagen Golf TDI (diesel)	37	0.72 ⁵	89%
Motorcycle	50	0.39 ⁶	81%
Scooter	70	0.28 ⁷	71%
Segway PT	20 miles/charge	0.081	

* Little data exist for motorcycles and scooters for gaseous emissions. In this case we have computed the actual CO₂ created by the combustion of the fuel based on reported MPG. The mass of carbon in one gallon of gasoline is 2,421 grams⁶. The molecular weight of CO₂ is 44, and of carbon is 12. CO₂ emissions from a gallon of gasoline = 2,421 grams/gallon x 0.99⁷ x (44/12) = 8,788 grams/gallon = 19.4 pounds/gallon. Dividing this by the reported fuel mileage (miles/gallon) of the motorcycle/scooter gives us the pounds of CO₂ emitted per mile. This will understate the amount of emissions created by both motorcycles and scooters, as we are not considering emissions from fuel production and delivery or the equivalents for other gasses emitted.

¹ To compute CO₂ equivalents, the relative weight of methane is multiplied by 21 and added to the total, while Nitrous Oxide is multiplied by 301. This is due to their relative impact on climate change, and is widely accepted as a way to quantify multiple greenhouse gases into one number.

² US Environmental Protection Agency

³ <http://www.fueleconomy.gov>

⁴ <http://www.fueleconomy.gov>

⁵ <http://www.fueleconomy.gov>

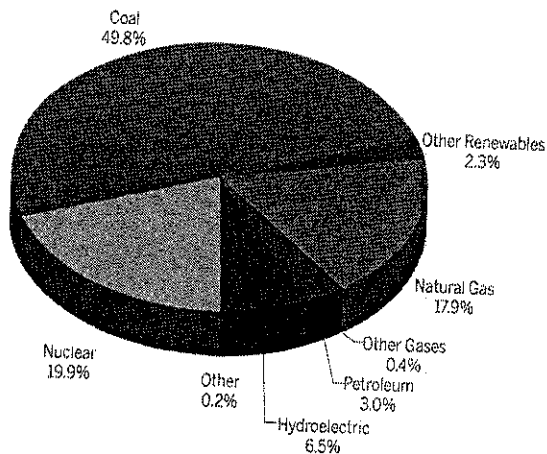
⁶ <http://www.epa.gov/oms/climate/420f05001.htm>

⁷ 0.99 represents the oxidation factor, i.e. 1% of the carbon in the source fuel is not oxidized

Emissions from Electricity Production

Greenhouse gas emissions from the production of electricity vary due to regional differences in source fuel. The average fuel mix for electricity production in the United States (2004 data) is shown in Figure 2.⁸ Many areas where Segway PTs are more prevalent have much cleaner fuel mixes. For example, California's source fuel mix includes much more natural gas (37.6%) and geothermal (8.4%) while using very little coal.⁹

Figure 2.
Fuel Mix for Electricity Production



The average emissions for this fuel mix are 1.55 lbs of CO₂ per kWh¹⁰, which means that a vehicle powered by electric batteries would be responsible for the creation of 1.55 lbs of CO₂ equivalents¹¹ for each kWh it consumed during recharging.

The Segway PT

The Segway PT is powered by two lithium-ion batteries that typically take eight to ten hours to charge and consume 1.04 kWh of energy from a wall outlet for a full battery charge¹². The Segway PT offers its rider 16-24 miles (26-39 km) of range on a single charge. Actual range is dependant on several factors including terrain, payload, and riding style.

Using the middle of this range, the Segway PT consumes 0.052 kWh/mile (1.04 kWh/20 miles). Based on the average U.S. fuel mix for electricity production, those 52 watt-hours create 0.081 lbs of CO₂ emissions per mile (0.052 kWh/mi) x (1.55 lb. of CO₂/kWh) = 0.081 lb. of CO₂. This is fourteen times less greenhouse gases emissions than for the average American car driven the same distance.

II. The Segway PT and Energy Efficiency

What Is True Energy Efficiency?

While reducing emissions is extremely important, so is the efficient use of energy resources. This benefits the user in the form of reduced operating costs, and society as a whole by reducing our total energy demand and dependence on oil.

Energy efficiency is a complex computation, and is often oversimplified into terms like miles per gallon (MPG) or liters per 100km (l/100km). To gain a true understanding of energy efficiency, one must consider the energy consumed during the production and transportation of the fuel, as well as the energy content of the fuel itself. In the case of distributed electricity, one must consider both the electricity consumed during operation and the transfer losses that occur between the power plant and the wall outlet.

⁸ Energy Information Administration, <http://www.eia.doe.gov/fuelelectric.html>

⁹ Speech by Jim Boyd, California Energy Commission, Dec. 7, 2006, San Diego, CA

¹⁰ www.energystar.gov

¹¹ Several other gases are emitted during the combustion of fossil fuels that could contribute to climate change. CO₂ is by far the largest component of the gaseous emissions of electricity production, and any contributions the other gases (methane, nitrous oxide, etc.) have on this number are insignificant.

¹² Segway Inc. internal testing

Energy density can be compared among different fuels using mega-joules of energy per kilogram (MJ/kg). For vehicles and personal transporters, energy efficiency can then be expressed in terms of distance covered per mega-joule of fuel consumed (miles/MJ); a higher number being better.

Gasoline-Powered Vehicles

Pump-delivered gasoline has an energy density of 46.7 MJ/Kg¹³. The production and delivery process is between 83% and 86% efficient depending on the grade and composition¹⁴. Therefore, it takes between 54 and 56 mega joules of crude oil to produce a kilogram of gasoline. Since a gallon of gasoline weighs about 2.72 kilograms¹⁵, it takes about 150 MJ worth of crude oil to deliver one gallon of gas at the pump.

Diesel fuel has an energy density of 45.9 MJ/Kg.¹⁶ The production and delivery process for diesel fuel is 87-89%¹⁷ efficient, and a gallon weighs about 3.23 kg. Therefore it takes about 168 MJ worth of crude oil to deliver one gallon of diesel at the pump.

Energy Efficiency of Battery Powered Vehicles

Electricity is produced by a variety of methods including the burning of fossil fuels, hydroelectric, nuclear, and wind power. The efficiency of the electrical power production process is dependant

on the source fuel, but for the average mix for the United States, the average efficiency is 34.3%¹⁸. In other words, the equivalent of one kWh of source fuel is consumed in order to produce 343 Wh of electricity. In addition, the transfer process along the power grid is 92% efficient¹⁹, making the "well to wall" generation and delivery of energy 31.6% efficient ($.92 \times .343 = .316$).

One kWh is equivalent to 3.6 MJ of energy. Based on 31.6% efficiency, (1 kWh/31.6%) (3.6 MJ/kWh) = 11.4 MJ of source fuel energy are required to deliver one kWh of electrical energy at a residential power outlet. Energy usage efficiency for a battery powered vehicle can then be determined by dividing the range of the vehicle on one charge in miles by the measured electrical consumption during recharge in kWh and then dividing the result by 11.4 MJ/kWh.

Energy Efficiency of Cars and Trucks

The average passenger car in the United States gets 22.4 MPG²⁰. Based on the energy required to produce one gallon of gasoline at the pump (150 MJ), the average car in the United States travels 0.15 miles per mega-joule. It should be noted that some car journeys are multi-passenger, so energy efficiency will be higher in those cases.

The energy efficiency of a variety of vehicles occupied by one person can be seen in Figure 3:

¹³ *Well-to-Wheel Studies, Heating Values, and the Energy Conservation Principle*, 29 October 2003, Ulf Bossel.

¹⁴ *Well-to-Tank Energy Use and Greenhouse Gas Emissions of Transportation Fuels – North American Analysis*, General Motors Corporation Argonne National Laboratory, p. 159

¹⁵ *Fuel From Farms: a Guide to Small Scale Ethanol Production*, U.S. Dept. of Energy, May 1980, Page D-3.

¹⁶ *Well-to-Wheel Studies, Heating Values, and the Energy Conservation Principle*, 29 October 2003, Ulf Bossel.

¹⁷ *Well-to-Tank Energy Use and Greenhouse Gas Emissions of Transportation Fuels – North American Analysis*, General Motors Corporation Argonne National Laboratory, p. 159

¹⁸ Lawrence Livermore National Laboratory, 2001

¹⁹ *Well-to-Tank Energy Use and Greenhouse Gas Emissions of Transportation Fuels – North American Analysis*, General Motors Corporation Argonne National Laboratory, Vol 3, p.33

²⁰ USDOT, Bureau of Transportation Statistics, 2004

Figure 3.

Energy Efficiency by Vehicle Type

Vehicle	Mileage (Low)		Mileage (Average)		Mileage (High)	
	"City" mileage ²¹ , or low end of battery range	Energy Efficiency (miles/MJ)	Combined mileage ²² , or middle of battery range	Energy Efficiency (miles/MJ)	"Highway" mileage ²³ , or high end of battery range	Energy Efficiency (miles/MJ)
Cadillac Escalade	13	0.09	15	0.10	17	0.11
Average U.S. Passenger Car	n/a	n/a	22	0.15	n/a	n/a
Volkswagen Golf TDI	33	0.20	37	0.22	44	0.26
Motorcycle	40	0.27	50	0.33	60	0.40
Toyota Prius	51	0.34	55	0.37	60	0.40
Scooter	60	0.40	70	0.47	80	0.53
Segway PT	16	1.35	20	1.69	24	2.02

For example, The Toyota Prius, one of the most widely recognized "high-mileage" cars, has an average fuel economy of 55 MPG. If 150 MJ are required to produce and deliver one gallon of gasoline to the Prius's tank, this yields an energy efficiency of 0.37 miles/MJ ($55 \div 150$).

Motorcycles

The average motorcycle gets 50.1 MPG²⁴, yielding an energy efficiency of 0.33 miles/MJ. It should be noted that the vast majority of motorcycle and scooter journeys are single-passenger.

Scooters

Gas-powered scooters vary in their mileage, but modern four-stroke scooters generally fall in the 60-80 MPG²⁵ range. Using the upper limit of this range yields an energy efficiency of 0.53 miles/MJ.

Segway PT

Under normal conditions the Segway PT consumes 1.04 kWh²⁶ of electricity in order to fully charge its

lithium-ion batteries. The range of a fully-charged Segway PT is 16 to 24 miles, depending on factors such as terrain and riding style. Using the middle of that range, the Segway PT uses 1040 Wh of electricity from the wall outlet to go 16 miles, which yields an efficiency of $(16 \text{ mi}/1.04 \text{ kWh delivered})/(11.4 \text{ MJ source energy/kWh delivered}) = 1.69 \text{ miles/MJ}$.

Using this range, the Segway PT travels 4.5 times farther per MJ of source fuel than the Toyota Prius, and 3.6 times farther than even the most efficient gas-powered scooters.

Conclusion

When used as intended, the Segway PT can drastically reduce greenhouse gas emissions and substantially increase energy efficiency by replacing short-distance single-occupancy car journeys. Its compact yet robust design makes it suitable for a variety of everyday uses and commercial applications, allowing riders to cover distances which would have previously required the use of a traditional vehicle.

²² <http://www.fueleconomy.gov>

²³ <http://www.fueleconomy.gov>

²⁴ <http://www.fueleconomy.gov>

²⁵ USDOT, Bureau of Transportation Statistics, 2003

²⁶ Claimed mileage from various manufacturers

²⁷ Segway Inc. internal testing

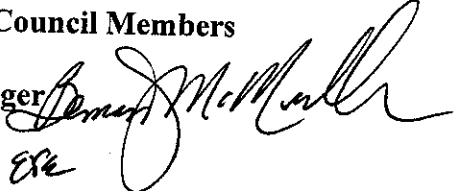
John David Heinzmann, a Propulsion Engineer at Segway, Inc., holds bachelor's and master's degrees in Mechanical Engineering. He began working with DEKA Research and Development Corp in 1995 and moved to the Segway project in 2000. At Segway, he led the development of the power electronics to drive the wheel motors of the Segway Personal Transporter. While at Deka he was involved with the development of power electronics and control algorithms for the Independence™ iBOT™ Mobility System (balancing wheelchair). In a prior role, he was an engineering contractor for the R&D center of Pacific Gas and Electric Company testing and analyzing the performance of advanced energy systems including photovoltaic power generating test facilities and their power conversion electronics, a superconducting magnetic energy storage system, the AC and DC power distribution system for the BART (Bay Area Rapid Transit) trans-bay tube, and a 40 ton "AC Battery" system, and developing a super-capacitor energy storage system for a small uninterruptible power supply.

B. Michael Taylor is a Product Manager at Segway Inc. He has been with Segway since 2001 and has led product marketing efforts for the company's Personal Transporters with a focus on urban commuting. Prior to Segway he led marketing and development for advanced athletic footwear technologies at companies including Reebok International and Puma AG.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 

FROM: Fire Chief 
Acting Administrative Services Director / City Clerk 
Human Resources Manager 

DATE: November 13, 2007

SUBJECT: Consider Position Classification - Firefighter
November 15, 2007, City Council Meeting

Recommendation:

That Council approve a new position classification of Firefighter at Grade 173F, with a pay range of \$30,040 - \$48,374.

Discussion:

To help fill some of the vacancies in the Fire Department, the Fire Chief has requested the hiring of certified Firefighters who must earn their EMT Certification within twelve months. The current approved position classifications are for either Firefighter/EMT (salary range of \$33,158 - \$53,396) or Firefighter/Paramedic (salary range of \$36,602 - \$58,941). The Fire Chief feels that with offering a Firefighter position with the requirement to obtain EMT Certification within the first year, will provide a better selection among the current, trained Volunteer Firefighters who apply for the job but may not yet have EMT Certification. The overall staffing levels in the department now make this option possible because the medic units will be adequately staffed.

The Human Resources Department has worked with the Fire Department and The Mercer Group, our pay plan consulting firm, to finalize a job description and assign a salary range within our pay plan. To finalize the process, staff needs council's authorization to create a new pay classification requested.

Budget Impact:

This item should create a savings of \$3,000 per employee hired under this designation for the first year of service until EMT Certification is obtained. The total number of employees will not change.