

**City Council of Peachtree City
Agenda
October 20, 2016
7:00 p.m.**

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Announcements, Awards, Special Recognition**
Recognition – Stephen McDuffee, Umpire, Recreation Department
TEAM Award – Police Department (Akins/Harris)
- IV. Public Comment**
- V. Agenda Changes**
- VI. Minutes**
October 6, 2016, Regular Meeting Minutes
- VII. Monthly Reports**
- VIII. Consent Agenda**
 - 1. Consider Alcohol License – NEW – Willie Jewel's Old School BBQ, 2015 East SR 54, Ste. 101
 - 2. Consider Elimination/Replacement of Position – Code Enforcement
 - 3. Consider Extension of Pipeline TV Pipe Cleaning and CCTV Services Contract
- IX. Old Agenda Items**
 - 06-16-05 Consider Revisions to 2017 SPLOST Projects Manual
- X. New Agenda Items**
 - 10-16-04 Public Hearing – Consider Variance, Stormwater Runoff Requirements, Midwest Food Bank
Staff requests this agenda item be continued to November 3
 - 10-16-05 Consider Extension of Step One Annexation Request – Heritage Assisted Living, SR 54 East
 - 10-16-06 Consider Amendments to Peachtree City Convention & Visitors Bureau (CVB) Articles of Incorporation and Bylaws
 - 10-16-07 Consider Peachtree City Jobs Grants
- XI. Council/Staff Topics**
Hot Topic – Temporary Burn Restrictions Due to Drought Conditions
- XII. Executive Session**
- XIII. Adjourn**

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

City Council of Peachtree City
Meeting Minutes
October 6, 2016
7:00 p.m.

The Peachtree City Mayor and Council met in regular session on Thursday, September 1, 2016, at City Hall. Mayor Vanessa Fleisch called the meeting to order at 7:00 p.m. Others attending: Terry Ernst, Mike King, Kim Learnard, and Phil Prebor.

Announcements, Awards, Special Recognition

Katie Castrillo and her son, Joseph, were recognized by the Peachtree City Police Department with the Saved by the Belt Award. Castrillo and Joseph walked away with minor injuries following head-on collision after another driver crossed over into her lane in January. Her vehicle barrel-rolled over the roadway and curbing before coming to rest in an upright position. Both were properly restrained. Corporal Justin Mobley and Sgt. James McDowell presented the Castrillos with gift bags and PCPD challenge coins. Shayne Robinson with Peachtree City BMX presented the Recreation Department and the Convention and Visitors Bureau (CVB) with awards from USA BMX for their work on the recent Gold Cup Regional BMX Championship Race held September 23 – 25. Over 1,500 people visited the Shakerag complex each day of the event. Tim Smith, Recreation Department, and Jennifer Johnson, CVB, accepted the awards.

Agenda Changes

Ernst moved to pull item 6 off the Consent Agenda for discussion. Learnard seconded. Motion carried unanimously.

Minutes

September 15, 2016, Regular Meeting Minutes

King moved to approve the September 15, 2016, regular meeting minutes as written. Ernst seconded. Motion carried unanimously.

Consent Agenda

1. Consider Appointment(s) to Planning Commission – Lisa Ann Curtis, JT Rabun; Stacy Holcomb (alternate)
2. Consider Official Intent Resolution – Lease/Purchase/PTCGFC
3. Consider Acceptance of GEMA/Homeland Security Grant (CERT)
4. Consider Agreement with West Point Fire Department (Training)
5. Consider Acceptance of GMA Safety Grant
6. Consider Intergovernmental Agreement with Fayette County for Paving Portions of Redwine Road
7. Consider Extension of Agreement with SAFEbuilt Georgia, Inc., for Building Department Services and Supplemental Planning Services and to Amend the FY 2017 Budget Resolution

King moved to approved Consent Agenda items 1 – 5 and 7. Learnard seconded. Motion carried unanimously.

6. Consider Intergovernmental Agreement with Fayette County for Paving Portions of Redwine Road

City Manager Jon Rorie said the intergovernmental agreement with Fayette County had been approved as to form by the City Attorney, but it had to be ratified by both local governments. The ratification by the Board of Commissioners was scheduled for the October 27 meeting. He asked Council to consider approving the agreement pending any changes from the County.

Learnard moved to approve the intergovernmental agreement with Fayette County for paving portions of Redwine Road subject to approval by the County Commissioners. Ernst seconded. Motion carried unanimously.

New Agenda Items

10-16-01 Public Hearing – Consider Amending Conditions of Zoning, 1.68-acre Tract, Wilshire Village Retail Subdivision

Planning and Development Director Mike Warrix addressed Council, saying the request was to amend the zoning conditions. The applicant, Premier Kings, Inc., proposed a freestanding fast food restaurant with a drive-thru window. He continued that the property had originally been zoned General Industrial (GI) and had been rezoned to General Commercial (GC) with conditions in 2007. The site was undeveloped. The original developer had met with the Wilshire Estates subdivision residents during that time to discuss the residents' concerns over the proposed commercial development.

Per the ordinance to rezone the overall commercial development, the following was agreed to by the developer, residents, and City Council:

Section 1006C.1(d) – *No more than one freestanding restaurant with a drive-thru window for pick-up of food or drink orders; provided that this restriction shall not prohibit a freestanding restaurant from maintaining designated parking areas for patrons to pick up food orders to go. This provision shall also not preclude individual tenants from maintaining drive-thru windows for pick-up of food or drink orders, so long as such tenants are in a building with at least two other individual tenants. In addition to one freestanding restaurant as described herein, this restriction shall not preclude a freestanding coffee shop with a drive-thru window from being located within the overall development. As used herein, the term "coffee shop" shall mean a small restaurant in which coffee and light snacks and other drinks are served.*

Warrix continued that the Planning Commission had recommended denial of the request at its September 12, 2016, meeting. Warrix clarified that the request was to modify the original condition of the zoning, and any changes would apply to the entire district (the entire commercial tract was 21.2 acres). Zaxby's took the one freestanding restaurant with a drive-through in the retail center first, and there were currently no more freestanding restaurants with drive-thrus allowed in that GC zoning district.

Den Webb with Smith, Gambrell & Russell, LLP, spoke on behalf of the applicant and the property owner. He introduced Carol Tennyson and Kendra Zhalia from Premier Kings; Dan O'Neill from Rockaway Peachtree City, LLC; and Shanelle Robinson and Mark Woolrich with Wolverton & Associates, the project engineers. Webb added he had previously submitted campaign disclosures and legal and constitutional objections. He had also submitted copies to Council prior to his presentation.

Webb continued that Wilshire Village had seven tracts that were all zoned GC and designated as Commercial in the Comprehensive Plan. The property had been rezoned in 2007 and had been subject to a number of conditions. One of the conditions was to limit the development to one freestanding restaurant with a drive-thru window. The condition did not restrict other drive-thrus on the property. A freestanding Starbucks could still be built, or there could be a drive-thru window in one of the multi-tenant buildings. The conditions also allowed restaurants similar to Sonic, where people drove up to the curb, placed an order, then drove away. There could also be "to go" spots for other restaurants.

The property owner (Columbia Properties) had made the agreement with the residents. The owner had actively marketed the property for nine to 10 years. Only two pads had been developed, the Auto Zone and Zaxby's. The owner had reached out to every conceivable type of commercial user in the last 10 years, and very few had been interested. Most of those businesses that were interested had been fast food restaurants.

Premier Kings had been named the franchiser of the year for Burger King and owned over 100 stores in Georgia, Alabama, and Tennessee. The development met all the requirements of GC zoning. They wanted to construct a 3,400 square-foot freestanding restaurant with a drive-thru on the east side.

The application had been before the Planning Commission twice, and the Planning Commission asked the applicant to meet with the Wilshire Estates residents. Premier met with the neighbors on August 30 (Webb noted he did not attend the Planning Commission meetings or the meeting with the residents), and Webb said it was reported to him that they all were fine with a Burger King, but not the drive-thru window. Traffic had been the main concern because of the drive-thru window. A comparison was done between a restaurant with a drive-thru and a restaurant without one in the traffic engineer's report. Webb noted that the drive-thru restaurant would only add one more car during the morning peak hours and six more cars during the afternoon peak. The impacts were basically the same between the two restaurants.

The other issue was the condition for only one restaurant with a drive-thru in 2007, Webb said. He understood that point of view, but it ignored the changes that had taken place in the area in the last 10 years. In 2007, SR 74 had been a two-lane road, and there was no intersection of Holly Grove and Rockaway Road. Since then, the road had been widened and Georgia Power had taken down trees and put up power lines, which impacted the property and the users who were interested in it. Those changes were not part of the contemplation 10 years ago, and it had impacted the property and the users interested in it. Webb noted the applicant and the owner were at the meeting in good faith. This was not a situation where the property owner got what they wanted, then immediately tried to change it. He reiterated that the property owner had spent 10 years marketing the property and had concluded it could not be done. No commercial property along this type of corridor should look the way it did after 10 years. He asked to reserve his remaining time for questions.

Fleisch opened the public hearing. No one spoke in favor of removing the zoning conditions.

Nat Bowe, president of the Wilshire Estates Homeowners Association (HOA), spoke on behalf of the 248 homes and over 700 citizens in his subdivision. He said Wilshire Estates was overwhelmingly opposed to changing the conditions. Their opposition was not due to the application itself. They opposed to making changes to the existing agreement. He continued that development had been slow across the country for four – five of those 10 years. A bowling alley had tried to go into the shopping area, but it was another violation of the ordinance. The original rezoning was a model of how local government should work. If the change was allowed, it would not just be one more drive-thru, but every other parcel to have a freestanding restaurant with drive-thru. If the community were demanding a change to the conditions, that would be a reason to change it. Another reason would be if the overriding interests of the City would be better served by changing the zoning. He said that, at the meeting with the residents, Premier Kings said they wanted to be in the City regardless of the site, and they had considered other sites. Denying the change in the conditions would not have a significant impact.

Donna Soper spoke on behalf of LeeAnn Ryan, executive director of Somerby of Peachtree City, noting that Ryan was unable to attend the meeting due to the arrival of Hurricane Matthew evacuees from a Somerby facility in South Carolina. Somerby's biggest concern was the increase in traffic. There were already issues because of Zaxby's. Golf carts currently had to go through Somerby's parking lot to get to the access road to the businesses, and traffic directors had to be in the parking lot to tell people to slow down. The parking lot was the cut-through between the end of the cart path on Rockaway Road and the access road to Zaxby's. They were concerned there would be an accident involving the carts and Somerby residents walking in the area.

Alex Dale noted his wife had been involved in a major accident at the Holly Grove/SR 74/Rockaway Road intersection, largely due to the traffic coming out of Chick-fil-a. It was hard for him to believe there would not be more of an increase in traffic, especially with the new soccer complex that would open soon and other development in the area. The area was already congested, and they could see what has happening in the center of the City due to the build-up.

Mark Jarrad said the August 30 discussion had been good, and the residents were fine with any establishment that did not have a drive-thru. The reasons some of them bought in Wilshire Estates was because of the conditions on the zoning. They were concerned that "transient" people would come through their village on their way home, adding 60% of those vehicles did not have Fayette County tags. He asked what could be done to improve the process so they did not have to come back next year with this same request, noting that Burger King had an option on the property to see if the conditions of zoning would change.

Laurie Farmer said she had been HOA president when the zoning conditions had been negotiated. The hallmark of this community was City planning, which was the reason many residents chose to live in the City. The conditions had been very well thought through. The residents wanted the community to grow and wanted to support businesses, and the conditions of zoning were designed around that premise. She asked Council to consider planning, citizen involvement, and opening Pandora's Box as they made their decision.

The public hearing closed.

King said the entire neighborhood had been involved in putting restrictions on what they thought was best for the City, specifically the south side. He would not change anything.

Learnard clarified that the "district" would include all seven parcels. Warrix confirmed that it would, but it would not go beyond that.

Ernst said he read the notes from the 2007 meeting regarding the zoning conditions, noting the developer had asked for two fast food restaurants and the neighborhood had not wanted any. The ordinance allowed a small coffee shop with a drive-thru. Ernst asked if that would be a Starbucks, Dunkin' Donuts, or something else, asking what the definition was. Warrix said the ordinance was not that specific. Ernst continued that he did not want to be back next year with another request for a drive-thru, pointing out that Burger King served coffee, and Starbucks and Dunkin Donuts served sandwiches. He did not want SR 74 South to become a fast food thoroughfare. He was not ready to support the request, and Premier Kings had said there were other places in the City they had considered. It was a very poorly written definition.

Prebor said the owner and the residents had come up with the restriction to prevent fast food restaurants. He asked O'Neill what his understanding was, also asking if he would ever be able to sell it. O'Neill said they had also developed the Wilshire Pavilion shopping center across SR 74, and his company had been active in that area for 18 – 19 years. They focused on neighborhood centers with grocery anchors and local tenants. The development looked different when they were coming up with conditions. Sonic, Walgreens, Delta Credit Union, Ace Hardware, and Discovery Daycare had wanted to be part of the development. Somerby closed on its property just before the recession hit. At that time, there was only one available parcel, then the recession hit.

Learnard said she liked Burger King, and she thought the proposal was compatible with the development as it stood currently. Her concern was that amending the condition would apply to all seven parcels, and the conditions were agreed to in good faith by the parties at that time.

Fleisch agreed, pointing out the economy was getting better, and commercial real estate would be selling. The development had a nice stretch of property, and she was positive other businesses, maybe even some of the ones from 2007, would again be interested. She could not see lifting the current restrictions.

Learnard moved to deny the request to amend the conditions of zoning for the 1.68-acre tract in the Wilshire Village retail subdivision. Ernst seconded. Motion carried unanimously.

10-16-02 Public Hearing – Consider Variance to Rear Setback, 208 Greensway

Property owner/applicant Matt Darcy addressed Council, saying he planned to build a 16-foot by 20-foot utility garage on the property. However, the property was triangularly shaped and to make it line up with the driveway and house, a corner of the building would sit on the property line. He asked Council for a variance to the 30-foot rear setback.

The rear property line abutted the Flat Creek Golf Club, which was adjacent to the right-of-way of Peachtree Parkway North. Darcy pointed out that there was a 54-foot tree buffer to the grass on Peachtree Parkway, and the distance from the Parkway to where the garage would be built was 79.8 feet. No trees would be removed, and substantial grading would not be needed.

Fleisch opened the public hearing. No one spoke for or against the variance request. The public hearing closed.

Prebor said he had visited the property, saying there was not another choice for the location and it would not affect any other properties. Darcy's application had included letters of support from his neighbors who either could see or would be affected by the garage. There were trees along the back of his lot and between his home and Peachtree Parkway.

Learnard asked Darcy to clarify the encroachment. Darcy said he was allowed by code to put in two smaller sheds, but they wanted to build something that would look nice and be close to the look of the house. One corner of the garage would be on the property line as opposed to the setback line.

Warrix said that Darcy's rear neighbor was ClubCorp (Flat Creek Golf Club). There was a 10-foot side setback and 30-foot rear setback. Darcy said there was only 30 feet from the back of his house to the property line.

Learnard said Council looked at variance requests when homeowners were out of options and a variance was the last resort. There were restrictions on granting variances for that reason. She said she would vote to deny the variance request.

Prebor said it would be at the corner of the house. Learnard said the building was for storage, not for parking cars. Darcy said he could not park in his current garage because of the lawn mower and other equipment. He wanted the building for storage for that equipment, so he could park in the existing garage.

King said he had no problem with the request or the location of the building. The cart path from #8 to #9 at Flat Creek crossed the street near the property, and the property really could not be seen.

Ernst said they looked at each request individually, and he did not take the decision lightly. He did not see how the garage would affect anyone. He had letters from his neighbors, and ClubCorp would not complain.

Fleisch asked how many feet the building would encroach into the setback. Warrix said it would be adjacent to or on the property line. Darcy said the building would not go over the property line, would be in line with the driveway, and the materials would be similar to the house. Fleisch said her concern was how visible the garage would be from the Parkway. Darcy said there were hardwoods, and it could be seen during the winter, but there were also a lot of pines that would help.

King moved to approve New Agenda item 10-16-02, the variance to rear Setback at 208 Greensway. Prebor seconded. Motion carried 4 – 1 (Learnard).

**10-16-03 Public Hearing – Consider Variance, Encroachment into Floodplain,
1000 Commerce Dr.**

City Engineer Dave Borkowski said there were actually three variance requests to the City's floodplain management/flood damage prevention ordinance. The applicant, Chuck Ogletree of Parkside Development Group, planned to build a 4,900 square-foot expansion to the existing building. The expansion would be used by a medical practice that wanted to locate in the City. The expansion would encroach into the floodplain of a pond located behind the 1000 Commerce Drive building. The pond was owned by the City.

The first variance was to Sec. 1007.4.3(3) of the Land Development Ordinance:

1007.4.3. General standards.

(3) No development shall be allowed within any area located at or below the base flood elevation except for new multi-use paths and perpendicular road/path crossings. New paths or road crossings must also meet requirements of subsections 1007.4.3(1) and 1007.4.3(2) above.

Borkowski continued that no development was allowed in the floodplain; however, there was no real alternative location for the building expansion on the site, which was fully developed. There was not a reasonable alternative for the location of the expansion. The building would be elevated at least three feet above the floodplain, and there would be no real threat to Public Safety.

The site was developed before the floodplain had been analyzed through the area, Borkowski said. The applicant had checked on the Federal Emergency Management Agency (FEMA) map, but had not been aware that the City also had floodplain requirements. There would not be any increase in the flood heights per the engineering study that was required by the ordinance. Staff recommended approval of the first request.

If there was development within the floodplain, any encroachments had to meet ordinance requirements for flood storage capacity (volume), Borkowski pointed out. The applicant had asked for variances to the sections below:

1007.4.3. General standards.

(1)(b) Reducing the base flood or future-conditions flood storage capacity;

AND

(2) Any development within the area of future-conditions flood hazard allowed under subsection 1007.4.3(1) shall also meet the following conditions:

(a) Compensation for storage capacity shall occur between the average ground water table elevation and the base flood elevation for the base flood, and between the average ground water table elevation and the future-condition flood elevation for the future-conditions flood, and lie either within the boundaries of ownership of the property being developed and shall be within the immediate vicinity of the location of the encroachment. Acceptable means of providing required compensation include lowering of natural ground elevations within the floodplain, or lowering of adjoining land areas to create additional floodplain storage. In no case shall any required compensation be provided via bottom storage or by excavating below the elevation of the natural (pre-development) stream channel unless such excavation results from the widening or relocation of the stream channel;

Borkowski explained that whatever was filled in the floodplain had to be cut somewhere else on site. Staff did not recommend approval of the second and third variances after evaluating the request based on the variance requirements. There was room on the site to cut out the compensating volume. It would only be nine to 10 dump truck loads of dirt. There was a 25-foot undisturbed buffer to the pond, and those trees would be saved. If the needed volume was cut out behind the building, some pine trees might be lost.

Ogletree said the site had been purchased in January 2015, and an engineering survey had been done based on the FEMA maps as part of their due diligence. Per the survey, there was no floodplain on the property. The property had been vacant when it was purchased. The original plan had been to renovate the building and put the addition on the side. They had gone through the Planning Commission with their plans, and it was approved. The issue with the floodplain had come up when the civil plans had been submitted to staff. He pointed out a hydrology report showed there would be no rise in the elevation of the basin. The compensatory cut area could be on the back of the tract; however, six trees and a heavy stand of vegetation would have to be removed to get five dump truck loads. Based upon the no-rise report, Ogletree said there was no reason to do that; however, they could do it if required. The medical vacancy rate in the City was very low right now, and he asked Council to approve the requests.

Fleisch opened the public hearing. No one spoke for or against the variance requests. Fleisch closed the public hearing.

Learnard asked what Ogletree would have to do to comply with the ordinances. Ogletree showed the area on the aerial photos, noting where the cut area would be. He said 1,500 square feet of the 4,900 square-foot addition would be in the floodplain, which meant approximately 2,200 cubic feet of the floodplain would have to be replaced. The hydraulic analysis had shown there would be no increase in the rise at all.

Learnard asked if the City could be sued by the Environment Protection Division (EPD) if the variances were granted. City Attorney Ted Meeker said EPD could not sue the City for giving variances for its own ordinances.

Prebor asked if the elevations for the City were the same as they were for FEMA. Borkowski said FEMA maps did not exist in this area because FEMA only studied areas with greater than one square mile in drainage basin. The City was required by the state to study streams with up to 100-acre basins, so the City was required to go into more detail.

Fleisch asked if it was recorded anywhere that the City's ordinances and maps existed and that any plans had to meet those requirements. Borkowski said it was on the website, adding that surveyors were required to check FEMA maps, but they were not required to find out if the City had additional requirements. Staff usually caught these issues when reviewing plans.

Rorie said this had been identified through the plans review process. There was no notation on where to get the information, which had created a moving target for applicants and created a catch-22. The concerns included how to get the City's requirements out there so developers would know before getting surveys and studies done, and whether this particular situation was an unusual circumstance that would allow Council to approve the variances.

Ernst asked if the hydrology report met the City's needs. Borkowski said it did, and staff, along with the City's consultant, had approved the study. The developer had to show there would be no rise in order to get the first variance. He said the engineers had used a two-dimensional model that accounted for conveyance, but not volume, which was the reason for the request for variances to the other two sections of the ordinance.

Prebor clarified that the intent was there would be a place for the run-off to be stored if a building encroached into the floodplain. Rorie said yes. Ogletree said the no-rise report said the volume would not be increased.

Fleisch asked how many other properties were similar to this one. She continued that properties were starting to sell, and surveyors needed to be aware of this issue. Borkowski said the local surveyors that did business with the City knew about the ordinances. The annual mailer from the Stormwater Utility addressed the fact there were two maps. There were more than 900 parcels that touched floodplain, including residential and commercial.

Prebor said this was common sense, asking why they should take down trees when the building would not affect the volume. Fleisch added that would make it one of the few buildings in that area without a tree buffer.

Learnard moved to approve the applicant's request for a variance to Sec. 1007.4.3(3), Sec. 1007.4.3(1)(b), and Sec. 1007.4.3(2)(a) of the Land Development Ordinance. King seconded. Motion carried unanimously.

Council/Staff Topics

Rorie reported that the extension of MacDuff Parkway was ahead of schedule based on what was originally presented to Council by the developer. The original intent had been to be finished with the Senoia Road work by November 11, and the road should be open by October 14. The work on the MacDuff extension was up to the cusp of the bridge. MacDuff would come across the bridge over the railroad tracks and tie in to North Kedron Drive. The portion off North Kedron Drive was completed. Drought conditions had been favorable to the construction. The bridge clearing and grading were going at the same time as the MacDuff extension and Senoia Road work.

Rorie continued that he was constantly asked about the permit for the bridge from CSX, noting there was no paper permit, but there was a permitting process. Per the developer, all the plans had been submitted and the requirements had been met. All the developer needed was for CSX to say it was done. The railroad had accepted payment and had a flagman working in the CSX right-of-way during construction. The road and bridge were scheduled for completion by July 2017. Rorie said the City was doing everything it could to work with the developer, adding this was a huge project.

Multiple road paving projects were underway. The estimated cost was \$1,556,885. Seven streets were scheduled, and the full depth reclamation (FDR) and paving costs were \$1,429,753, while striping would cost \$114,818 and the speed tables (replacements) in Planterra Ridge would be \$12,870. The streets included Commerce Drive, Westpark Drive, Rolling Green, Rubicon Road, Holly Grove Church Road, Hilltop Drive (east), and Planterra Way. Rorie noted that staff had specifically asked Council during the budget process not to appropriate any cash reserves for paving for FY 2017.

Rorie reported that, with new pavement on portions of Commerce Drive and Westpark Drive, staff wanted to put a coating of HA5 (a high-density mineral bond surface treatment that extended asphalt serviceability) on the remaining area of Commerce Drive that had not needed paving. Westpark had undergone both FDR and paving. The HA5 coating would make the entire roadway look good. They were trying to make a good road last longer.

A change order to the paving contract would be needed for the coating, Rorie said. The HA5 cost would either be \$22,000 or \$31,000. The difference in price was whether it was done on one day (a Sunday) or three days. The road would be closed during the one-day process. It would cost more for the three days, but there would be access to the businesses during the process. He asked that Council not appropriate the funds now, but to let the process take place. They would get a complete report (fiscal analysis) on December 6. Staff would work with the businesses during the process. All the projects should be completed in four weeks.

Public Works Superintendent Scott Hicks reported that St. Simon's Cove had used HA5 on their streets if Council wanted to see how it looked. Hicks explained that when the HA5 dried it was 1/8-inch thick, while seal coating was similar to putting stain on a piece of wood. Test areas of HA5 in Utah had lasted 15 years.

Rorie added curb repairs were also being done throughout the City, and the noses were being cut at some intersections so people did not drive over them.

Rorie continued that the cart path to the Overlook had originally been planned to go through the buffer, but after staking it and walking it, the plan only looked good on paper. A decision was made to change the route, and the Planning Commissioner assigned to the project had

been consulted. The path would also have a connection to Chick-fil-A. The section of Planterra Way where the path would cross was part of the paving and FDR project. The path area would be striped, and there was a difference between pedestrian striping and multi-use path striping. Staff was looking at a color complement to striping. It was an opportunity to designate the crossings in the City. Areas throughout the City needed restriping. In addition, there was a path near Cardiff Park that had curbing that prevented disabled path users to use the path, so it was changed to meet Americans with Disabilities Act (ADA) requirements.

Executive Session

Learnard moved to enter executive session to discuss the sale or acquisition of real estate and personnel at 8:44 p.m. Ernst seconded. Motion carried unanimously.

Learnard moved to reconvene in regular session at 8:52 p.m. King seconded. Motion carried unanimously.

There being no further business to discuss, King moved to adjourn the meeting. Learnard seconded. Motion carried unanimously and the meeting adjourned at 8:53 p.m.

Pamela Dufresne, Deputy City Clerk

Vanessa Fleisch, Mayor

City Council Monthly Report

DEPARTMENT:
SUPERVISOR:

PLANNING & ZONING
DAVID RAST

FISCAL YEAR:
CREATOR:

2016
KATHY GRAY

COMPARISON CHART

MONTH:	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	YTD FY 2016	YTD of FY 2015	YTD of FY 2014
BUILDING DEPARTMENT															
RESIDENTIAL BUILDING PERMITS															
Single Family Units:	2	0	5	0	0	4	5	9	19	1	12	4	0	22	7
Single Family C.O.'s	4	1	2	2	11	2	5	1	6	3	3	2	42	9	10
Multi Family Units:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Multi Family C.O.'s	0	0	0	0	0	0	0	0	0	0	0	0	0	0	96
Miscellaneous*:	83	52	105	65	109	97	91	65	64	51	100	64	946	252	883
INSPECTIONS:	307	220	213	278	289	351	353	345	379	312	433	303	3,783	835	747
NON-RESIDENTIAL BUILDING PERMITS															
New Construction:	0	0	5	2	0	0		0	2	0	0	0	9	4	2
Non-Residential C.O.'s	2	1	6	5	1	7	2	3	0	2	2	4	35	36	21
Expansion/Renovation/Tenant Finish:	5	5	4	2	2	4	6	4	16	4	12	7	71	20	25
Miscellaneous*:	12	4	5	5	8	8	4	17	21	6	7	8	105	25	6
INSPECTIONS:	100	56	116	153	89	72	81	80	115	140	132	303	1,437	331	410
DEVELOPMENT PERMITS	8	6	0	0	2	3	1	4	6	0	16	1	30	31	12
POPULATION ESTIMATE^	34,611	34,613	34,617	34,621	34,644	34,648	34,658	34,660	34,673	34,679	34,682	34,686	34,686	34,555	34,521
BUILDING PERMIT FEES	\$ 32,239	\$ 40,382	\$ 89,575	\$ 29,215	\$ 35,163	\$ 58,903	\$ 71,297	\$ 63,606	\$ 127,199	\$ 37,913	\$ 81,727	\$ 55,515	\$ 722,734	\$ 226,046	\$ 149,087
PLANNING DEPARTMENT															
Tree Removal Permits:	87	73	38	47	92	146	176	85	93	91	78	98	1,104	258	197
Sign Permits:	\$ 500	\$ 300	\$ 1,100	\$ 500	\$ 700	\$ 200	\$ 1,000	\$ 400	\$ 1,050	\$ 550	\$ 450	\$ 100	\$ 6,850	\$ 160	\$ 1,200
Banner/ Special Event Permits:	\$ 265	\$ 135	\$ 120	\$ 170	\$ 225	\$ 160	\$ 130	\$ 330	\$ 140	\$ 85	\$ 190	\$ 245	\$ 2,195	\$ 475	\$ 730
New Construction Plan Reviews:	\$ 12,136	\$ 1,199	\$ 3,362	\$ 838	\$ 1,558	\$ 2,455	\$ 3,060	\$ 2,211	\$ 9,056	\$ 1,241	\$ 5,140	\$ 2,920	\$ 45,176	\$ 13,967	\$ 4,498
Other Plan Reviews/Permits±:	\$ 550	\$ 350	\$ 555	\$ 150	\$ 200	\$ 500	\$ 683	\$ 5,192	\$ 200	\$ 1,115	\$ 1,620	\$ 250	\$ 11,365	\$ 10,281	\$ 9,887
Misc permit fees	\$ 650	\$ 250	\$ 650	\$ 1,492	\$ 400	\$ 1,985	\$ 250	\$ 250	\$ 550	\$ 200	\$ 1,604	\$ 1,440	\$ 9,721	\$ 460	\$ 339
Fire Department Permit Fees:	\$ 650	\$ 2,210	\$ 1,937	\$ 2,270	\$ 800	\$ 1,100	\$ 1,550	\$ 1,750	\$ 5,238	\$ 2,800	\$ 3,450	\$ 4,425	\$ 28,180	\$ 6,016	\$ 5,640
TOTAL PLAN REVIEW FEES	\$ 14,751	\$ 4,444	\$ 7,724	\$ 5,420	\$ 3,883	\$ 6,400	\$ 6,673	\$ 10,133	\$ 16,234	\$ 5,991	\$ 12,454	\$ 9,380	\$ 103,487	\$ 32,799	\$ 22,294
TOTAL FEES COLLECTED	\$ 46,990	\$ 44,826	\$ 97,299	\$ 34,635	\$ 39,046	\$ 65,303	\$ 77,970	\$ 73,739	\$ 143,433	\$ 43,904	\$ 94,181	\$ 64,895	\$ 826,221	\$ 258,845	\$ 171,381

* Miscellaneous permits are: Fences, Pools, Additions/Renovations, Retaining Walls, etc.

^ Based on 2.56 persons per residential lot.

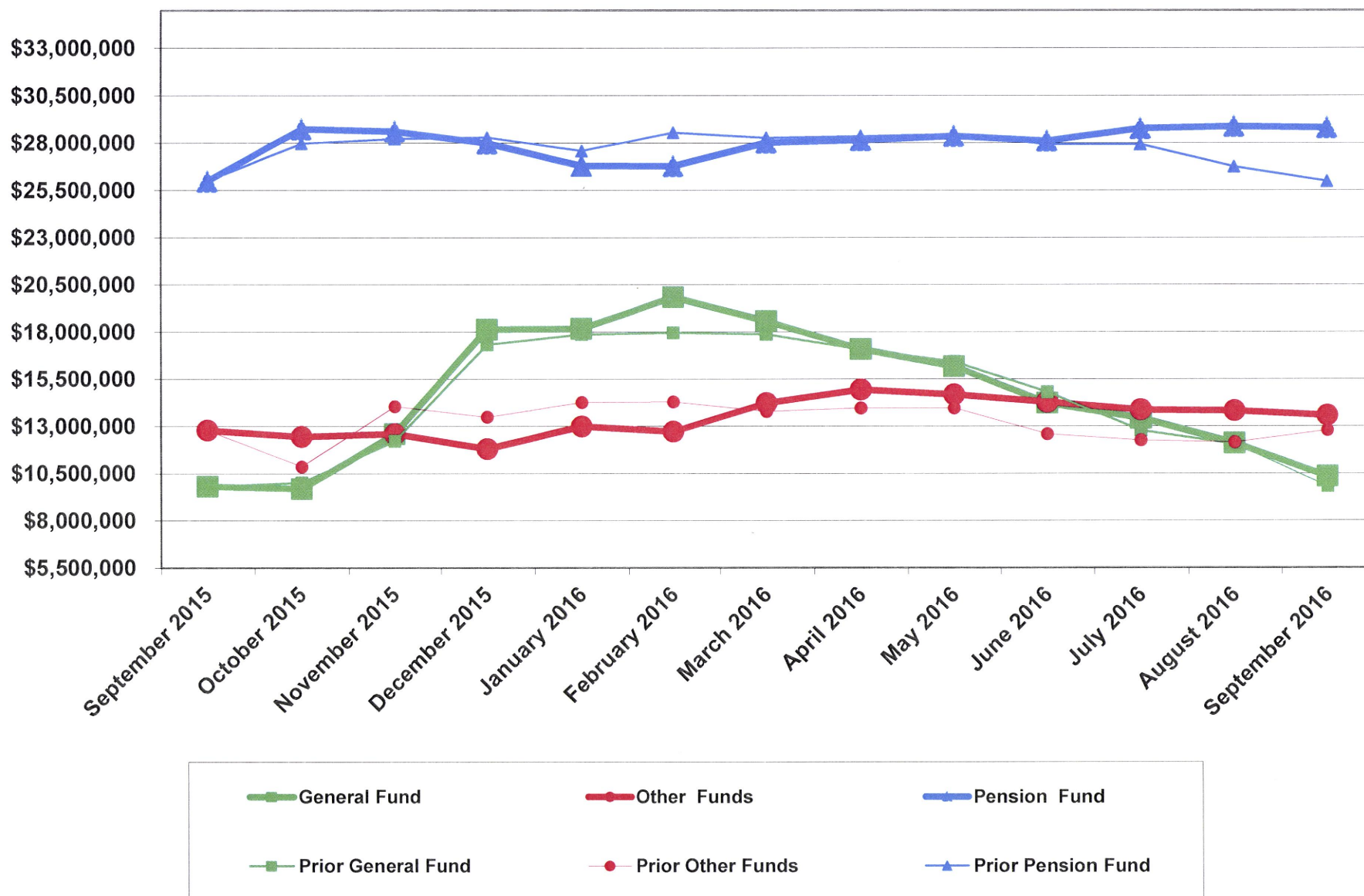
± Other plan reviews: Soil Erosion permits, Land Disturbance Fees, Site Plan & Final Site Plan reviews.

Due to software limitations figures not available

Peachtree City Code Enforcement 3rd Quarter Report 2016

Case Summary		Jan - Mar 2016	Apr - Jun 2016	Jul - Sep 2016	Jul - Sep 2015	Oct - Dec 2016	2016 YTD	2015 YTD
Cleanliness of Premises (Grass)								
New Cases	14	183	147	137			344	327
NOVs Reactive	0	25	16	18			41	36
NOVs Proactive	14	154	129	118			297	284
Citations	0	2	1	0			3	3
Unfounded	0	3	2	1			5	5
Cleanliness of Premises (Trash)								
New Cases	100	58	64	50			222	233
NOVs Reactive	12	15	11	12			38	46
NOVs Proactive	86	40	49	35			175	173
Citations	1	1	0	0			2	4
Unfounded	2	2	4	3			8	11
Cleanliness of Premises (Auto)								
New Cases	41	23	17	16			81	84
NOVs Reactive	1	2	1	5			4	14
NOVs Proactive	39	21	16	9			76	68
Citations	0	0	0	0			0	2
Unfounded	1	0	0	2			1	2
Parking Restrictions								
New Cases	106	40	60	32			206	157
NOVs Reactive	8	8	4	2			20	15
NOVs Proactive	95	28	48	28			171	134
Citations	1	0	1	1			2	1
Unfounded	3	4	7	1			14	7
Accessory Use to Dwellings								
New Cases	19	26	31	36			76	120
NOVs Reactive	1	6	4	6			11	9
NOVs Proactive	17	20	27	30			64	108
Citations	0	0	0	0			0	0
Unfounded	1	0	0	0			1	3
Sign Violations								
New Cases	33	19	21	13			73	48
NOVs Reactive	4	3	2	1			9	3
NOVs Proactive	28	14	19	12			61	44
Citations	1	0	0	0			1	1
Unfounded	1	2	0	0			3	0
Rehabs								
New Cases	12	10	15	3			37	13
NOVs Reactive	5	3	10	2			18	6
NOVs Proactive	7	7	5	1			19	7
Citations	0	0	0	0			0	1
Unfounded	0	0	0	0			0	0
Miscellaneous								
New Cases	114	252	100	179			466	322
NOVs Reactive	43	35	25	24			103	67
NOVs Proactive	54	189	61	147			304	226
Citations	1	16	0	5			17	16
Unfounded	17	15	14	5			46	20
Totals								
New Cases	439	611	455	466			1505	1304
NOVs Reactive	74	97	73	70			244	196
NOVs Proactive	340	473	354	380			1167	1044
Citations	4	19	2	6			25	28
Unfounded	25	26	27	12			78	48
Stormwater Bill Delivery	0	0	0	0			0	0
Ordinance Letter Delivery	0	0	0	0			0	0
Signs Confiscated	217	557	273	251			1047	696
Parks Checked	186	130	150	136			466	496

CITY OF PEACHTREE CITY
FISCAL YEAR 2016 (with prior year comparison and current year estimates)
MONTHLY ENDING CASH/INVESTMENT BALANCES
(UNAUDITED)



CITY OF PEACHTREE CITY
MONTHLY REPORT
GENERAL FUND AND HOTEL/MOTEL TAX FUND
BUDGET COMPARISON (UNAUDITED)
FOR THE TWELVE MONTHS
ENDED SEPTEMBER 30, 2016

PERCENTAGE OF BUDGET YEAR COMPLETED 100.00% (ACTUAL TRANSACTIONS STILL PENDING)

GENERAL FUND REVENUES BY MAJOR CATEGORIES

Description	2016 Budget	YTD Actual	Dollar Difference	Percentage To-Date
General Property Taxes	\$ 14,151,975	\$ 13,713,978	\$ (437,997)	96.91%
Franchise Taxes	2,694,392	2,603,304	(91,088)	96.62%
Local Option Sales Tax	6,675,093	6,746,850	71,757	101.07%
Other Sales & Use Taxes	842,176	847,387	5,211	100.62%
Business Taxes	2,381,155	2,470,275	89,120	103.74%
Licenses & Permits	1,165,326	1,044,747	(120,579)	89.65%
Intergovernmental/Grants	442,902	449,502	6,600	101.49%
Charges for Services	1,322,582	1,246,356	(76,226)	94.24%
EMS Billings	916,379	854,439	(61,940)	93.24%
Fines & Forfeitures	1,145,840	1,006,278	(139,562)	87.82%
Investment Income	53,550	71,144	17,594	132.86%
Other Revenue	205,939	157,321	(48,618)	76.39%
Other Financing Sources	849,218	1,041,118	191,900	122.60%
Total General Fund Revenues	\$ 32,846,527	\$ 32,252,699	\$ (593,828)	98.19%
Surplus Carryover	1,759,811			
Total General Fund	\$ 34,606,338			

GENERAL FUND EXPENDITURES BY DIVISION AND/OR TYPE

Division and/or Type	2016 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Executive Services	\$ 526,679	\$ 433,073	\$ 93,606	82.23%
Administrative Services	1,456,239	1,325,612	130,627	91.03%
Financial Services	1,635,097	1,546,903	88,194	94.61%
Police Services/Code Enforcement	7,097,423	6,464,473	632,950	91.08%
Fire/EMS Services	7,160,369	7,264,635	(104,266)	101.46%
Public Works/Buildings & Grounds/Engineering	8,209,737	6,173,986	2,035,751	75.20%
Community Services	4,636,351	4,233,399	402,952	91.31%
Non-Divisional:				
Unemployment Insurance	20,000	4,525	15,475	22.63%
Non-Profit Organizations	25,000	25,000	-	100.00%
Transfer to Airport Authority	102,000	94,350	7,650	92.50%
Transfers to Other Funds	3,947,422	3,859,302	88,120	97.77%
Liability Insurance	139,855	154,229	(14,374)	110.28%
Litigation Services	229,500	146,748	82,752	63.94%
General Administration/Miscellaneous	20,200	10,095	10,105	49.98%
	4,483,977	4,294,249	189,728	
Budgeted Savings	(599,534)	-	(599,534)	0.00%
Total General Fund	\$ 34,606,338	\$ 31,736,330	\$ 2,870,008	91.71%

HOTEL/MOTEL FUND REVENUES

Description	2016 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Total Hotel/Motel Taxes	\$ 1,577,148	\$ 1,613,760	\$ 36,612	102.32%

HOTEL/MOTEL TRANSFERS OUT

Type	2016 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Transfer to General Fund	\$ 788,574	\$ 806,880	\$ (18,306)	102.32%
Transfer to Tourism Association	788,574	806,880	(18,306)	102.32%
Total Hotel/Motel Transfers Out	\$ 1,577,148	\$ 1,613,760	\$ (36,612)	102.32%

CITY OF PEACHTREE CITY
FINANCIAL SERVICES
MONTHLY REPORT
(UNAUDITED)
AS OF SEPTEMBER 30, 2016

SUMMARY OF PURCHASE ORDERS ISSUED OVER \$10,000 APPROVED BY CITY MANAGER SEPTEMBER 2016			
Description	Vendor	Award	Date
Baseball Fence Repairs - PAC	Natural Enclosures	\$ 12,830.00	9/9/2016
Replacement Scoreboards	Frontier Electric	12,840.00	9/2/2016
Roller Hockey Rink Renovation Project	Performance Contracting	13,720.00	9/9/2016
PURCHASING REPORT FOR MONTH ENDED SEPTEMBER 30, 2016 AND September 30, 2015			
Activity	Fiscal Year 2016	Fiscal Year 2015	
Purchase Orders / Requisitions Processed	94	129	
City Store Requisitions Processed	14	12	
Sealed Bids Requested	0	1	
Requests for Proposals	0	1	
Bids Awarded	1	2	
Requests for Proposals Awarded	0	0	
Contracts Prepared	1	2	
Electronic Auction	4	0	
Fixed Assets Purchases	4	1	
Public Works Generator			
HVAC Replacement - PD			
HVAC Replacement - Station 81			
Extrication Equipment			

CITY OF PEACHTREE CITY
DONATIONS RECEIVED
SEPTEMBER 2016

None to Report

TOTAL MONTH OF SEPTEMBER 2016

\$ -

**CITY OF PEACHTREE CITY
LITIGATION SERVICES
FISCAL YEAR 2016
PAID AS OF September, 2016**

Litigation Services (100-1505-579130)

Vendor	Month Paid	Project	Amount
COURTVIEW JUSTICE SOLUTIONS	May	Court Software Termination Agrmt	\$ 14,106.16
			\$ 14,106.16
ELARBEE, THOMPSON, SAPP & WILSON	August	Various Employment Issues Mtg.	\$ 1,640.00
			\$ 1,640.00
GIRMA	October	Vehicle Accident	\$ 57.22
GIRMA	October	EEOC Claim	220.20
GIRMA	October	Water Damage	5,500.00
GIRMA	October	Water Damage	22,000.00
GIRMA	October	Vehicle Accident	820.94
GIRMA	October	Vehicle Accident	277.90
GIRMA	December	EEOC Claim	7,868.85
GIRMA	December	Vehicle Accident	1,847.80
GIRMA	February	EEOC Claim	1,657.75
GIRMA	April	Vehicle Accident	(4,237.97)
GIRMA	April	EEOC Claim	4,361.66
GIRMA	May	Vehicle Accident	5,000.00
GIRMA	August	Vehicle Accident	4,282.00
GIRMA	September	EEOC Claim	441.00
			\$ 50,097.35
SMITH, WELCH,WEBB	January	Ethics	1,883.70
SMITH, WELCH,WEBB	February	Ethics	524.48
SMITH, WELCH,WEBB	July	Ethics	451.50
			\$ 2,859.68
SUMNER/MEEKER	November	Vehicle Accident	\$ 1,347.60
SUMNER/MEEKER	November	EEOC Claim	2,222.15
SUMNER/MEEKER	November	Mrosek	120.00
SUMNER/MEEKER	November	Pathways	360.00
SUMNER/MEEKER	November	Robinson Rd	2,400.00
SUMNER/MEEKER	December	EEOC Claim	5,239.40
SUMNER/MEEKER	December	Mrosek	225.00
SUMNER/MEEKER	December	Pathways	495.00
SUMNER/MEEKER	December	Robinson Rd	2,935.20
SUMNER/MEEKER	January	EEOC Claim	4,142.90
SUMNER/MEEKER	January	Accident	1,290.00
SUMNER/MEEKER	January	Pathways	375.00
SUMNER/MEEKER	January	Robinson Rd	990.00
SUMNER/MEEKER	February	EEOC Claim	3,860.04
SUMNER/MEEKER	February	Accident	945.00
SUMNER/MEEKER	February	Mrosek	45.00
SUMNER/MEEKER	February	Pathways	390.00
SUMNER/MEEKER	February	Robinson Rd	606.84
SUMNER/MEEKER	March	EEOC Claim	3,380.04
SUMNER/MEEKER	March	Pathways	1,240.92

SUMNER/MEEKER	March	Robinson Rd	2,753.04
SUMNER/MEEKER	April	Robinson Rd	1,579.68
SUMNER/MEEKER	April	EEOC Claim	4,441.08
SUMNER/MEEKER	April	Accident	1,125.00
SUMNER/MEEKER	May	Accident	1,594.68
SUMNER/MEEKER	May	EEOC Claim	1,217.52
SUMNER/MEEKER	May	Pathways	840.00
SUMNER/MEEKER	May	Robinson Rd	1,532.52
SUMNER/MEEKER	May	Tinsley	270.00
SUMNER/MEEKER	June	Accident	1,105.92
SUMNER/MEEKER	June	EEOC Claim	6,506.88
SUMNER/MEEKER	June	Pathways	600.00
SUMNER/MEEKER	June	Robinson Rd	1,590.00
SUMNER/MEEKER	July	EEOC Claim	1,080.00
SUMNER/MEEKER	July	EEOC Claim	840.00
SUMNER/MEEKER	July	PTC Holdings	225.00
SUMNER/MEEKER	July	Accident	355.00
SUMNER/MEEKER	July	Robinson Rd	990.00
SUMNER/MEEKER	August	EEOC Claim	705.00
SUMNER/MEEKER	August	EEOC Claim	1,244.28
SUMNER/MEEKER	August	Robinson Rd	2,235.00
SUMNER/MEEKER	August	PTC Holdings	240.00
SUMNER/MEEKER	August	Golfview	640.92
SUMNER/MEEKER	September	Brienza	270.00
SUMNER/MEEKER	September	EEOC Claim	4,324.56
SUMNER/MEEKER	September	PTC Holdings	300.00
SUMNER/MEEKER	September	EEOC Claim	2,025.00
SUMNER/MEEKER	September	Robinson Rd	1,331.00
SUMNER/MEEKER	September	High Sierra	480.00
SUMNER/MEEKER	September	EEOC Claim	1,622.52
SUMNER/MEEKER	September	PTC Holdings	420.00
SUMNER/MEEKER	September	Harbor Loop	75.00

\$ 77,169.69

The Whalen Law Firm	June	Ethics Complaint
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\$ 875.00

\$ 875.00

Total Litigation Services to Date	\$ 146,747.88
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September FY2016 Litigation Expenses (100-1505-579130)	\$ 11,289.08
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Legal Fees: Lake Peachtree Dam

Integrated Science & Eng.	October	Lake Peachtree Dam	\$ 425.00
Integrated Science & Eng.	January	Lake Peachtree Dam	255.00
Integrated Science & Eng.	September	Lake Peachtree Dam	7,687.34
Sumner/Meeker	November	Lake Peachtree Dam	450.00
Sumner/Meeker	December	Lake Peachtree Dam	720.00
Sumner/Meeker	January	Lake Peachtree Dam	90.00
Smith,Welch,Webb	November	Lake Peachtree Dam	1,937.80
Smith,Welch,Webb	December	Lake Peachtree Dam	3,434.15

Total Lake Peachtree Dam Legal Fees	\$ 14,999.29
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Peachtree City Fire - Rescue Station Response Report 2016

Response	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	2016 Y-T-D
Total Number of Fire Calls	53	91	95	75	83	73	52	63	47				632
Total Number of EMS Calls	234	232	262	219	277	246	262	259	292				2283
Total Number of Fire/EMS Calls	287	323	357	294	360	319	314	322	339				2915
Average Response Time - Fire	5:28	4:11	4:10	5:03	4:38	5:14	5:10	4:22	4:42				4:46
Average Response Time - EMS	4:21	4:22	4:18	4:05	4:23	4:22	4:30	4:26	4:40				4:23
Calls for Primary Zones													
STATION 81	89	72	93	93	104	86	91	109	119				856
STATION 82	60	89	100	76	88	79	92	83	78				745
STATION 83	104	117	109	83	110	108	86	93	97				907
STATION 84	34	45	55	42	58	46	45	37	45				407
TOTAL RESPONSE	287	323	357	294	360	319	314	322	339				2915

**FY2016 MONTHLY REPORT
LIBRARY**

ACTIVITY DESCRIPTION	UNIT	October	November	December	January	February	March	April	May	June	July	August	September	FY2016	FY2015
														YEAR-TO-DATE	YEAR-TO-DATE
Items - Acquired	Num.	285	398	352	330	267	391	326	215	373	448	440	407	4,232	4,479
Items - Circulated	Num.	31,203	27,473	25,271	26,459	30,548	30,741	29,388	30,757	36,917	34,604	32,221	28,757	364,339	378,159
Items - Loaned to Other Libraries	Num.	1,207	955	1,092	1,238	1,128	1,161	1,033	1,170	1,235	1,264	1,262	1,141	13,886	14,005
Items - Borrowed From Other Libraries	Num.	1,804	1,308	1,837	1,613	1,893	1,826	1,909	1,706	2,156	1,902	2,183	2,225	22,362	20,470
Class Visits	Num.	1	2	0	3	1	5	1	2	1	0	0	1	17	16
Group Meetings	Num.	33	43	33	43	42	66	49	30	38	32	30	28	467	374
Monthly Traffic	Num.	17,950	13,880	12,931	16,539	18,772	18,845	15,791	15,755	19,014	18,085	17,966	15,417	200,945	226,607
Children's Programs Number of Participants	Num.	28	21	19	18	25	28	13	7	38	21	11	21	250	299
Adult Programs Number of Participants	Num.	1,134	492	481	383	809	778	383	782	1,887	1,014	282	659	9,084	8,909
Revenue from Overdue Books	Dls.	3,574	3,669	2,630	3,700	4,107	3,602	3,609	4,493	4,292	3,656	3,846	3,347	44,525	44,486
Revenue from Copies Made	Dls.	716	565	467	486	599	558	654	499	519	407	384	522	6,376	6,953
Reference Assistance	Num.	1,355	965	873	1,443	2,024	2,028	2,032	1,957	2,187	2,035	2,050	1,596	20,545	14,815
Exams Proctored Revenue from Proctoring	Num. Dls.	30	14	25	7	27	28	27	31	23	32	24	19	287	271
Internet Usage	Num.	2,054	1,708	1,558	798	1,563	1,757	1,667	1,612	1,538	1,401	1,589	1,447	18,692	21,722
Volunteers Number of Hours Worked	Num. Num.	40	46	41	55	47	53	51	43	47	45	39	48	555	494
Digital Downloads	Num.	2,164	2,031	2,155	2,140	2,339	2,345	2,341	2,432	2,390	2,624	2,548	2,123	27,632	21,163
Electronic Reference Access (Excluding GALILEO)	Num.	123	98	95	447	414	529	332	514	129	118	242	565	3,606	1,413

Notes: State technology grant for FY17 will be used to replace iPads used to access online catalog with touchscreen Chromebooks. - Nov/Dec timeline. Last Financial Literacy workshop for 2016 will be held on Oct. 20, Planning for Long-Term Care. November is National Novel Writing Month, NaNoWriMo. For the year, traditional circulation is down slightly, while electronic access and Reference transactions continue to climb.

PEACHTREE CITY POLICE DEPARTMENT

2016 MONTHLY REPORT

2016 2015
Calendar Year to Date Calendar Year to Date

September 2016 August 2016

<u>TOTAL PART I CRIMES</u>	44	44	414	429
CRIMINAL HOMICIDE	0	0	1	0
FORCIBLE RAPE	1	0	4	2
ROBBERY	0	0	3	5
AGGRAVATED ASSAULT	1	0	9	9
ARSON	0	0	0	0
MOTOR VEHICLE THEFT	1	8	30	36
LARCENY - THEFT (SHOPLIFTING, ENTERING AUTOS, ETC)	38	35	330	350
BURGLARY	3	1	37	26
 <u>DUI ARRESTS</u>	 12	 19	 116	 119
 DRUG ARRESTS: Marijuana, Methamphetamine, Cocaine, Other				
 TOTAL DRUG ARRESTS	 12	 12	 99	 84
 <u>OTHER ARRESTS</u>				
PROPERTY CRIMES	12	16	118	95
PERSON CRIMES	6	3	56	47
TRAFFIC OFFENSES	21	20	199	194
OTHER	19	27	200	181
 <u>CALLS FOR SERVICE</u>	 4,310	 3,924	 36,475	 38,944
 <u>TRAFFIC</u>				
CITATIONS ISSUED	777	797	6,754	7,592
CITY ORDINANCES	48	64	345	276
WARNINGS	665	584	4,652	6,409
ROADWAY CRASHES	64	102	651	598

TOP 10 ACCIDENT LOCATIONS 2016

	MONTH
HWY 54 / MCDUFF	6
HWY 74 / CROSSTOWN / TDK BLVD	5
HWY 54 / LINECREEK DR	4
HWY 54 / HUDDLESTON RD	3
HWY 74 / CRABAPPLE LN	3
HWY 54 / HWY 74	2
HWY 74 / ABERDEEN PKWY	2
HWY 54 / COMMERCE DR	2
HWY 74 / ROCKAWAY RD	2
HWY 74 / MARKETPLACE CONN	2

	YTD
HWY 54 / HWY 74	53
HWY 54 / HUDDLESTON RD	31
HWY 74 / CROSSTOWN / TDK BLVD	31
HWY 54 / PLANTERRA	25
HWY 54 / PTREE PKWY	25
HWY 54 / LINE CREEK	24
HWY 54 / MCDUFF PKWY	17
HWY 54 / COMMERCE DR	13
HWY 74 / KEDRON DR	13
HWY 74 / ROCKAWAY RD	12

Public Works Quarterly Report

Activity Description	Unit	4th Quarter 2016	FY2016 YTD	Annual Goal
General				
Average time to complete vandalism repairs once notified	Days	2.7	4.6	3
Average time to respond to a citizen complaint and assign action	Days	3.9	4.1	5
Streets				
Street Patching	Hrs.	15	68	2,500
Street General Maintenance	Hrs.	1,268	4,823	3,500
Storm Water Maintenance	Hrs.	1,176	4,582	8,000
Street Sweeping	Ft/MIs	950400/180.0	2795860/529.41	360
Cart Paths				
Cart Path Paving	Ft.	16,822	48,048	47,520
Cart Path Prep	Ft.	5,786	30,900	
Cart Path Litter Removal	Hrs.	45	147	1,250
Time to remove trees on paths once reported	Days	2.6	4.1	2
Cart Path Drainage Maintenance	Hrs.	163	1,272	2,500
Cart Path General Maintenance	Hrs.	1,990	4,048	3,250
Signs				
Average time to respond to traffic sign maintenance issues	Days	1.2	2.0	2
Signs Changed over to new reflectivity and mixed letter standard (completion date 2018)	Each	87	332	350
Entrance Sign Maintenance	Each	8	34	
Contracted Services				
Time for contractor to remove trees once notified	Days	4.0	4.0	3
Time for landscaping and mowing contractor to fix an issue once notified	Days	0.0	0.0	2
Time for contractor to remove dead animals and debris from road once notified.	Days	1.0	1.0	1
Fleet Maintenance				
Average time to complete a preventative maintenance on a Light Car/Truck	3.2	3.5	4.0	3
Average time to complete a preventative maintenance on a Heavy Truck	Hrs	7.0	5.8	6
Average time to complete a preventative maintenance on a Heavy Equipment	Hrs	5.0	4.1	6
Ratio of time spent on preventative maintenance versus other repair items		2 to 1	2 to 1	2 to 1
Facility Maintenance				
Sports Complex Maintenance	Hrs.	1,805	4,053	2,500
Parks General Maintenance	Hrs.	436	2,528	435
General Maintenance	Hrs.	1,354	5,274	2,000
Vandalism	Hrs.	28	87	0
Litter Removal	Hrs.	778	2,397	2,000
Building Maintenance	Hrs	1,116	2,649	2,500

Note: General maintenance line items include activities not included in paving operations. These include but are not limited; storm clean up, litter removal, curb repair etc.

RECREATION & SPECIAL EVENTS REVENUE

AS OF September 30, 2016

WITH COMPARISONS TO AUGUST FY2013, FY2014 & FY2015

Percent of budget year completed to date: 100.00%

	ACTUAL THRU September			ORIGINAL BUDGET	BUD ADJ.	CURRENT BUDGET	ACTUAL THRU September	% Collected
	FY 2013	FY 2014	FY 2015	FY 2016		FY 2016	FY 2016	To Date
RECREATION REVENUE								
County Operating Grant	114,000	114,000	114,000	114,000		114,000	114,000	100.00%
Events	8,140	7,213	6,722	6,296		6,296	6,271	99.60%
Program Fees - Recreation	\$ 183,791	\$ 179,271	\$ 182,273	\$ 189,121.00	\$ -	\$ 189,121	\$ 159,264	84.21%
Program Fees - Kedron	171,752	201,951	214,041	215,030		215,030	256,068	119.08%
Program Fees - Kedron Open Gym	15,949	14,622	21,965	17,064	-	17,064	21,958	128.68%
Program Fees- Athletic Tournaments	10,420	2,695	18,905	2,500		2,500	14,260	570.40%
Facility Maintenance Rec.- Athletic Assoc.	85,135	89,110	130,513	91,120	-	91,120	101,435	111.32%
Facility Maintenance Ked- Athletic Assoc.	13,210	11,905	1,136	\$11,900	-	11,900	27,981	235.13%
Facility Rental- Tennis Center	22,000	20,000	22,000	24,000		24,000	24,000	100.00%
Facility Rental - Recreation	20,333	30,122	5,573	30,400	-	30,400	18,228	59.96%
Facility Rental - Kedron	18,954	19,621	24,751	28,622	-	28,622	34,767	121.47%
	-							
Program Fees - Pool Fees/Passes	89,616	91,093	87,521	95,141	-	95,141	104,337	109.67%
Program Fees - Kedron Swim Teams	42,366	52,054	49,596	55,269	-	55,269	44,519	80.55%
Program Fees - Kedron Swim Lessons	11,186	6,705	12,893	11,347	-	11,347	7,592	66.91%
Program Fees - Rec Pool Revenue	5,151	7,040	5,489	7,000		7,000	15,342	219.17%
	\$ 812,003	\$ 847,402	\$ 897,378	\$ 898,810	\$ -	\$ 898,810	\$ 950,022	105.70%

Recreation Programming- Kedron hosted hockey referee training on September 10th and basketball referee training on the 28th. The Divas Half Marathon Expo was held in the Kedron Gym on Sept. 8 & 9. The annual employee's benefit fair was held at Kedron on September 16.

Special Events- August 6 – PTC Recreation & Special Events hosted the 39th Annual Shakerag Arts & Crafts Festival and estimated attendance was 4500. Continental Sports Management hosted their third Divas Half Marathon on September 10. The event will be moving to a springtime date in 2018. PTC Police and Fire held their National Night Out at Huddleston Elementary on September 11. The first events held at the new Drake Field were the PTC Rotary Dragon Boat Races and CVB International Festival on September 24.

Tournaments Notes- Spikeball regional tournament was held at Riley Field on September 3. The Atlanta Cup soccer tournament was hosted at the Peachtree Athletic Complex and Glenloch Soccer Fields on Labor Day Weekend.

2016 PEACHTREE CITY AIRPORT AUTHORITY ATTENDANCE RECORD

September 8, 2016

Report Date: Month Year

Name & Date of Appointment	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
Bryan LaBrecque <i>1/1/2014 - 12/31/2018</i>	7	6	1	March 10, 2016	86%
Bill Flynn, Vice-Chairman/ Secretary / Treasurer <i>1/1/2012 - 12/31/2016</i>	7	5	2	April 14, 2016 September 8, 2016	71%
Skip Barnette <i>1/1/2013 - 12/31/2017</i>	7	4	3	May 12, 2016 August 11, 2016 September 8, 2016	57%
Tom Fulton <i>1/1/2015 - 12/31/2019</i>	7	6	1	April 14, 2016	86%
Michael Mitchell <i>1/1/2016 - 12/31/2020</i>	7	6	1	May 12, 2016	86%
Gregory Garmon <i>1/1/2016 - 12/31/2016</i>	7	4	3	April 14, 2016 June 9, 2016 August 11, 2016	57%

PC WATER AND SEWERAGE AUTHORITY ATTENDANCE RECORD

Five (5) Year Term

Term of Appointment

September 6, 2016

Report Date: Month Day Year

Name & Term Length (start/end)	Meetings Held Past 12 Months	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
Bill Holland Chairman <i>01/16/14 - 12/31/17</i>	13	13	13	0		100%
Phil Mahler Vice-Chairman <i>12/18/14 - 12/31/19</i>	13	13	13	0		100%
John Dufresne Secretary/Treasurer <i>02/04/16 - 12/31/20</i>	13	13	12	1	11/2/2015	92%
Wes Saunders <i>09/18/14 - 12/31/16</i>	13	13	12	1	2/18/2016	92%
Frank Ward <i>08/04/16 - 12/31/18</i>	13	1	1	0		100%

PLANNING COMMISSION ATTENDANCE RECORD

3-Year Term

Term of Appointment

September 2016

Report Date: Month Year

Name & Term Length (start/end)	Meetings Held Past 12 Months	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
Jack Bernard 10/01/15 - 09/30/18	13	12	10	2	4/11/2016 6/13/2016	83%
David Conner 10/07/10 - 09/30/16	13	13	11	2	5/23/2016 9/12/2016	85%
Aaron Daily 10/1/14 - 09/30/17	13	13	13	0		100%
Frank Destadio Chairman 04/21/11 - 09/30/18	13	13	9	4	9/14/2015 1/25/2016 4/11/2016 6/13/2016	69%
Lynda Wojcik Vice Chairman 02/23/09 - 09/30/16	13	13	11	2	2/8/2016 8/8/2016	85%
JT Rabun Alternate 10/01/15 - 09/30/16	13	12	10	2	1/11/2016 6/13/2016	83%

COMMISSION/AUTHORITY ATTENDANCE RECORD

RECREATION & SPECIAL EVENT'S ADVISORY BOARD

September 19, 2016

Five (5) year to NEW - Three (3) year term

Name & Date of Appointment	Meetings Held Past 12 Months	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
Joe Keubler 12/18/09 - 12/31/16	9	9	6	3	1/18/16 3/21/16 9/19/16	67%
Eric Snell 1/1/15 - 12/31/2017	9	9	7	2	2/15/2016 9/19/16	78%
LeRoya Scott 1/1/2015 - 12/31/2017	9	9	5	4	3/21/16 4/18/16 5/16/16 9/19/16	56%
Beverly Ferguson 1/1/15 - 12/31/2017 fulfilling Joel Kinsman Term	9	9	9	0		100%
Shayne Robinson 1/1/15 - 12/31/2017 First Meeting 2/15/16	9	6	6	0		100%
Chris Bains - Alternate 1/1/15 - 12/31/2017 First Meeting 2/15/16	9	6	5	1	4/18/16	83%

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager 

FROM: Deputy City Clerk 

DATE: September 28, 2016

SUBJECT: Alcohol License – NEW – Willie Jewel's Old School BBQ
October 20, 2016, Council Meeting

Recommendation:

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

Discussion:

Willie Jewel's Old School BBQ, 2015 East Highway 54, Suite 101, has submitted a request for a new alcohol license. Ms. Kathryn Brown has requested she be appointed as the Licensee and as the License Representative.

Budgetary Impact:

The budgetary impact of the alcoholic beverage license will be positive. The applicant will be required to pay the annual fee for the sale of beer and wine, which is \$1,350. If they desire to serve on Sundays, an additional \$500 is required annually.

Attachments

Application For Alcoholic Beverage License

Business Name: Willie Jewels Old School BBQ	Business Location: 2015 Wilkey St Ste 101 Peachtree City 30269	
Nature of Business: Restaurant	Mailing Address: 4076 Statewood Rd NE	Business Phone Number: 6174176093
Name of Licensee: Kathryn Brown	Home Address: U U	Home Phone Number: U U
Name of License Representative: K U	Home Address: U U	Home Phone Number: U U

Please indicate type of licenses applying for:

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

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

NAME	ADDRESS	PHONE NUMBERS
Individual Owner's Name, Partners' Names, Corporation Name and the name of the name of a Contact Person regarding License Changes, Taxes, etc.	Please provide Home Addresses for the individuals listed:	Please provide Home and Business Phone Numbers for individuals listed:
Cosay Brown Enterprises	4076 Statewood Rd Apt 9A	6174176093
Jeff Brown	U U	617 417 6190

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: _____

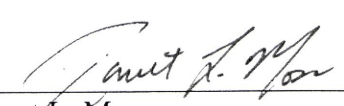
State of Georgia

City of Peachtree City

I, Janet Moon, Chief of Police for the City of Peachtree City, do hereby certify that:

Kathryn C. Brown
4076 Statewood Rd NE
Atlanta, GA 30342

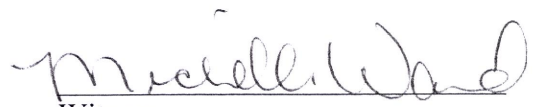
has been investigated and found not to have been convicted of, nor to have entered a plea of nolo contendere, to any felony or misdemeanor relating to the sale or use of alcoholic beverages or illegal narcotics or drugs within five (5) years prior to the date of the application for this license.



Janet L. Moon
Chief of Police

9/21/16

Date



Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: Jonathan N. Rorie, City Manager 

FROM: Ellece Brown, Director, HR & Risk Management 

DATE: September 29, 2016

SUBJECT: Consider Elimination/Replacement of Position in Code Enforcement within Planning & Development
10/20/2016, City Council Meeting

Recommendation:

That Council approve eliminating a Code Enforcement Officer position (Salary Grade 12) in Code Enforcement within Planning & Development and replacing it with a Senior Code Enforcement Officer position (Salary Grade 17) effective October 24, 2016.

Discussion:

In planning for the Code Enforcement function to move from the Police Department to Planning & Development, the Planning & Development Director evaluated the personnel resources within Code Enforcement with a focus on efficiency and education of the public. He identified the need for a Senior Code Enforcement Officer to focus on supervising the staff, as well as conducting community education programs to inform citizens and commercial business owners about City standards, ordinances, state laws, City processes, etc.

The new job description (see attached) has been evaluated by Human Resources according to the Factor Evaluation System as established by our compensation plan. It is recommended that the new position be placed in Salary Grade 17.

Budget Impact:

The approximate annual budget impact would be no greater than \$6313.00 depending on the outcome of the internal promotion process. The additional cost can be absorbed through other personnel changes throughout FY2017.



Senior Code Enforcement Officer

Planning and Development

PL/06

Reports to: Planning & Development Director

Salary Grade: 17

Job Code: PL/06

FLSA Status: Non-Exempt

Date: September 28, 2016

JOB SUMMARY

This position is responsible for the supervision of Code Enforcement staff and enforcement of city codes and ordinances.

ESSENTIAL FUNCTIONS

- Recommends for hire, supervises, and develops staff through review of performance data, conferences, training, and counseling; and assigns work.
- Performs duties as a sworn officer of the Peachtree City Municipal Court; prepares and presents cases and testifies on behalf of the city.
- Conducts field inspections to ensure compliance with city codes, adopted ordinances, and regulations.
- Issues notices and orders for the proper repair or removal of violations.
- Receives and records reports of violations and alleged violations from citizens and takes action to correct such violations.
- Provides information and explanations of codes and ordinances to citizens.
- Conducts community education programs to inform citizens and commercial business owners of city standards, ordinances, state laws, and city services and processes.
- Reviews codes, ordinances, and processes for accuracy and efficiency and recommends revisions and updates.
- Analyzes field inspections to determine compliance or non-compliance.
- Prepares forms to issues warnings for violations; maintains accurate reports and records regarding inspection activities.

- Pursues, through legal actions, recourse available for inspection when entry is denied; prepares, seeks and implements judicial orders and warrants.
- Prepares documentation for the placement of liens upon property.
- Checks and monitors city facilities for violations of city ordinances, codes and regulations.
- Identifies safety hazards at city facilities and reports them through appropriate channels.
- Performs related duties.

KNOWLEDGE REQUIRED BY THE POSITION

- Knowledge of code enforcement inspection principles and practices.
- Knowledge of computers and job-related software programs.
- Knowledge of property records research principles.
- Knowledge of relevant federal and state laws, city ordinances, and departmental policies and procedures.
- Skill in supervision.
- Skill in the use of photographic equipment.
- Skill in file management.
- Skill in problem solving.
- Skill in prioritizing and planning.
- Skill in interpersonal relations.
- Skill in oral and written communication.

SUPERVISORY CONTROLS

The Planning and Development Director assigns work in terms of general instructions. The supervisor spot-checks completed work for compliance with procedures, accuracy, and the nature and propriety of the final results.

GUIDELINES

Guidelines include the Municipal Code of Ordinances, adopted International Code Council ordinances, city policies, and departmental procedures. These guidelines are generally clear and specific, but may require some interpretation in application.

COMPLEXITY/SCOPE OF WORK

- The work consists of varied supervisory and technical duties and related code enforcement duties. Strict regulations and the unique nature of each property contribute to the complexity of the position.
- The purpose of this position is to supervise assigned staff and to enforce codes and ordinances. Successful performance contributes to an improved quality of life for citizens of the city.

CONTACTS

- Contacts are typically with coworkers, elected and appointed officials, business owners, property owners, representatives of other governmental agencies, tenants, landlords, and the general public.
- Contacts are typically to exchange information, motivate persons, resolve problems, and provide services.

PHYSICAL DEMANDS/ WORK ENVIRONMENT

- The work is typically performed while intermittently sitting, standing, or stooping. The employee frequently lifts light and occasionally heavy objects, distinguishes between shades of color, and utilizes the sense of smell.
- The work is typically performed in an office and outdoors, occasionally in cold or inclement weather. Work requires the use of protective devices such as masks, goggles, gloves, etc.

SUPERVISORY AND MANAGEMENT RESPONSIBILITY

This position has supervision over Code Enforcement Officers (2).

MINIMUM QUALIFICATIONS

- Knowledge and level of competency commonly associated with completion of specialized training in the field of work, in addition to basic skills typically associated with a high school education.
- Sufficient experience to understand thoroughly the work of subordinate positions to be able to answer questions and resolve problems, usually associated with one to three years of experience or service.
- Possession of or ability to readily obtain a valid driver's license issued by the State of Georgia for the type of vehicle or equipment operated.

The qualifications listed above represent the credentials necessary to perform the essential functions of this position. To be successful in this position, an individual must be able to perform each essential duty satisfactorily. Reasonable accommodation may be made to enable individuals with disabilities to perform the essential functions of this position.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: Jonathan N. Rorie, City Manager 

FROM: Michael Madison – Stormwater Manager 
Scott Hicks – Public Services Director (Interim) 
Angela Egan – Purchasing Agent 
Paul Salvatore – Financial Services Director 

DATE: October 12, 2016

SUBJECT: All Pipeline TV Pipe Cleaning and CCTV Services Contract Extension
October 20, 2016 City Council Consent Agenda

Recommendation:

That Council approve a one-year contract extension beginning October 1, 2016, through September 30, 2017, to All Pipeline TV, Inc. of Hampton, Georgia, for the amount not to exceed \$50,000.00 annually.

Discussion:

In accordance with the stormwater system maintenance requirements contained within the City's stormwater permit, the City must conduct removal of accumulated debris, litter, and sediment from its pipes and drainage structures when necessary. On October 1, 2013, All Pipeline TV was awarded a contract to provide pipe cleaning and CCTV services for a period of three years with an option to extend the contract service period one additional year upon recommendation of the Stormwater Manager and approval from Council.

Budget Impact:

The pipe cleaning and CCTV services has been budgeted and funds are available in Stormwater Account 521-4250-521245 Contractual Services.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

FROM: Jonathan N. Rorie, City Manager 

DATE: October 14, 2016

SUBJECT: Consider Revisions to 2017 SPLOST Projects
October 20, 2016, City Council Meeting

As you may recall, Council approved a projects list for the Special Purpose Local Option Sales Tax on June 16. The funding estimate was based on a five-year SPLOST, and included \$2.5 million for a Performing Arts Center.

Subsequent to our adoption of the list, the Fayette County Board of Commissioners determined that the SPLOST would be for a six-year period, and would not include funding for the Performing Arts Center.

Staff is finalizing the recommendation for the distribution of the additional year of funding (which will include an additional year of path and street paving) and the reallocation of the \$2.5 million for the arts center. The final listing will be presented at the meeting on Thursday for discussion and consideration.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: Jonathan N. Rorie, City Manager 

FROM: Betsy Tyler, City Clerk 

DATE: October 14, 2016

SUBJECT: Consider Variance Request – Stormwater Runoff Requirements, Midwest Food Bank
October 20, 2016, City Council Meeting

Recommendation:

Continue the Public Hearing and item until the November 3, 2016, City Council Meeting.

Discussion:

Staff is requesting this continuance to allow the City to advertise the correct code section for which the variance is being sought, in accordance with state law.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: Jonathan N. Rorie, City Manager

FROM: Michael Warrix, AICP
Planning and Development Director

DATE: October 13, 2016

SUBJECT: Heritage of Peachtree Step One Annexation – Approval Extension Request
October 20, 2016 City Council Meeting

Recommendation:

That Council approve Heritage of Peachtree's request for an extension of Step One annexation approval.

Discussion:

On October 2, 2014 Council approved a Step One annexation request submitted by Heritage of Peachtree for property located at 1967 Highway 54 West. That approval has since expired and the applicant, in accordance with Article VII, Section 704.8 of the Zoning Ordinance, is requesting an extension of the previous Step One approval in order to complete the required Step Two annexation process. Section 704.8 states:

If step one of an application for annexation is approved by the city council, the applicant shall submit all required information for step two of the process within one year of the approval of step one of the process. If such information is not submitted within such one year period, the approval of step one of the process will expire unless such period is extended by the city council. The applicant may request one extension of the step one approval for a period not to exceed six months.

The applicant has been working toward completion of the Step Two application and anticipates having that application submitted to staff for review and processing by mid-December of this year.

Budget Impact:

None.

SENIOR LIFESTYLE

FAMILY-OWNED COMMUNITIES

October 12, 2016

Honorable Mayor Vanessa Fleisch
City of Peachtree City
151 Willowbend Road
Peachtree City, Georgia 30269

Re: Senior Lifestyle Corporation
Heritage of Peachtree – 1967 Highway 54 West, Fayetteville, Georgia 30214

Dear Mayor Fleisch:

On behalf of Senior Lifestyle Corporation, specifically our Heritage of Peachtree location, we would like to formally request that the City of Peachtree City accept an extension request to our previously approved Step One Application for Annexation, notwithstanding that we allowed our Step One approval to lapse, without extension.

We understand as follows:

(704.8) If step one of an application for **annexation** is approved by the city council, the applicant shall submit all required information for step two of the process within one year of the approval of step one of the process. If such information is not submitted within such one year period, the approval of step one of the process will expire unless such period is extended by the city council. The applicant may request one extension of the step one approval for a period not to exceed six months.

We are fully negotiated with a General Contractor for our on-site connection to the shared lift station (for which we are party to the Development Agreement) and are ready to start construction on November 7, 2016 with an anticipated completion of on or around December 9, 2016.

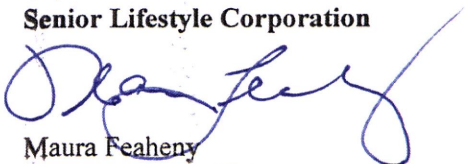
We apologize for this request, but candidly we were unaware of the expiration of Step One application and plan to formally submit the Step Two application for completion by Peachtree City, as soon as practical.

For formal Step One Extension, we kindly request to be put on the City Council agenda on October 20th, if agreeable.

Please let us know if you need any additional information at this time. I can be reached at 312.399.3442 or mfeaheny@seniorlifestyle.com

Sincerely,

Senior Lifestyle Corporation



Maura Feaheny
Vice President of Plant Operations

CC: Jonathan N. Rorie, City Manager, Peachtree City
Stephen Hogan, General Manager – Peachtree City Water & Sewerage Authority



TO: Mayor and City Council

FROM: Mike Regli, Chairperson Peachtree City Convention and Visitors Bureau

DATE: October 13, 2016

SUBJECT: PTC Convention and Visitors Bureau –Articles of Incorporation/By-Laws Amendments
October 20, 2016, City Council Meeting

Recommendation:

Approve amending the Convention and Visitors Bureau (CVB) Articles of Incorporation and By-Laws to re-organize the CVB Board of Directors from eight (8) members to seven (7) members as proposed and outlined in Attachment A.

Discussion:

The Peachtree City CVB currently serves as the Destination Marketing Organization for Peachtree City. The mission of the CVB is to promote economic development of a destination by increasing visits from tourists and business travelers, which generate overnight lodging, visits to restaurants, and shopping.

At the request of the CVB, The Georgia Department of Economic Development recently completed an evaluation of the organizational structure and mission of the CVB. The evaluation resulted in several recommendations to enhance organizational efforts of providing an effective tourism program.

One recommended strategy was to re-organize the Board of Directors from eight (8) members to seven (7) members. The current CVB Board of Directors has reviewed and is recommending the re-organization as amended in the CVB Articles of Incorporation: Article VIII (Attachment A)

Amending the CVB Articles of Incorporation requires an affirmative vote by a majority of the directors then in office and by the City Council of the City of Peachtree City, Georgia.

Budget Impact: Not Applicable

AMENDED AND RESTATED ARTICLES OF INCORPORATION

ARTICLE I

The name of the Corporation is hereby changed from the Peachtree City Tourism Association, Inc. to:

PEACHTREE CITY CONVENTION & VISITORS BUREAU, INC.

ARTICLE II

The Corporation is organized pursuant to the Georgia Nonprofit Corporation Code.

ARTICLE III

The Corporation's founding and sole member is the City of Peachtree City, Georgia. Membership is expressly restricted to entities that are an integral part of the City of Peachtree City, Georgia provided that such entity's entire income is excludable from gross income under Section 115(1) of the Internal Revenue Code.

ARTICLE IV

The registered office of the Corporation shall be 151 Willowbend Road, Peachtree City, Georgia 30269 in Fayette County. The initial registered agent of the Corporation at such address shall be Bernard J. McMullen.

ARTICLE V

The name and address of the incorporator is:

Theodore P. Meeker, III
Sumner Meeker, LLC
14 East Broad Street
Newnan, Georgia 30263

ARTICLE VI

The purposes for which the Corporation is formed are as follows:

- (a) The Corporation is not organized for profit and no part of the net earnings of which inures to the benefit of any profit shareholder or individual within the meaning of Section 501(c)(6) of the Internal Revenue Code. The Corporation was organized, and at all times shall be operated, to serve the

needs and interests of tourism within the City of Peachtree City. The purposes of the Corporation shall include, but shall not be limited to:

- Promote awareness of Peachtree City, increase hotel utilization, and support conventions, leisure travelers and visitors, while enhancing economic impact for the community.
- Contract with the City of Peachtree City to expend on behalf of the City of Peachtree City that portion of the hotel/motel tax authorized by Georgia law and other funding, and use the tax revenue and other funds to promote tourism, conventions and trade shows within the City. The Corporation's overall purpose will be to promote the welfare of the public, stimulate commerce and otherwise serve the public interest of the City of Peachtree City, as set forth in these Articles of Incorporation and the Bylaws, including the exercise of all other power and authority enjoyed by corporations generally by virtue of the provisions of the Georgia Nonprofit Corporation Code, within the subject to the limitations of Section 501(c)(6) of the Internal Revenue Code; and
- To serve as a Destination Marketing Organization as defined in O.C.G.A. §§ 48-13-50.2 and 48-13-51.

- (b) This Corporation is not organized and shall not be operated for pecuniary gain or profit. No part of the property or net earnings of the Corporation shall inure to the benefit of or be distributable to its directors, officers or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article VI of these Articles. The Corporation shall not lobby or otherwise attempt to influence legislation or participate or intervene in (including publication or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any provision of these Articles, the Corporation shall not carry on any other activities to the extent that such activities are not permitted to be carried on by an organization described in Section 501(c)(6) of the Internal Revenue Code of 1986, as amended (or the corresponding provision of any future United States Internal Revenue Law).

ARTICLE VII

The affairs of the Corporation shall be managed by a Board of Directors. The number of Directors of the Corporation and method of election shall be set out in the bylaws.

ARTICLE VIII

The Board of Directors shall consist of Seven (7) voting members

1. Four (4) members who are citizens of, or persons conducting business within the City of Peachtree City with current or previous tourism/hospitality related experience desired to serve a two year term. The Board Members shall serve for a maximum of two consecutive two-year terms. These members shall be appointed by the City Council. The process of appointment used by the City Council shall be the same process utilized for the appointment of members of other boards, authorities, and commissions of the City. .
2. One (1) City Council Appointee. (ex. City Council Member, City Staff Member or other designated appointee of the City Council). This member can be directly appointed by the City Council as a governing body, or as recommended for appointment by the City's selection committee. The City Council appointee will be appointed for a one (1) year term in October of each year.
3. Two (2) at-large members who are citizens of, or persons conducting business within the City of Peachtree City who is an owner or manager of a hospitality/tourism related business in Peachtree City or has prior tourism-related work experience.. Such persons to be selected in October of each year by the Peachtree City Convention and Visitors Bureau Board of Directors for a one (1) year term.

ARTICLE IX

. In the event of dissolution, the balance of all assets received by the Corporation for its operations, after the payment of all debts and obligations of the Corporation, shall be distributed to the City of Peachtree City (or an entity that is an integral part of the City of Peachtree City), provided that such entity's income is excludable from gross income under Section 115(1) of the Internal Revenue Code.

ARTICLE X

- (a) Each person who is or was a director or officer of the Corporation, and each person who is or was a director or officer of the Corporation who at the request of the Corporation is serving or has served as an officer, director, partner, joint venture or trustee of another corporation,

partnership, joint venture, or trustee of another corporation, partnership, joint venture, or trustee of another corporation, partnership, joint venture, trust or other enterprise shall be indemnified by the Corporation for all costs of litigation(including attorneys' fees), judgments, fines and amounts paid in settlement which are allowed to be paid, advanced or reimbursed by the Corporation under the laws of the State of Georgia and which are actually and reasonable incurred in connection with any action, suit, or proceeding, pending or threatened, whether civil, criminal, arbitative, administrative, or investigative, whether formal or informal, in which such person may be involved by reason of his being or having been a director or officer of this Corporation or of such other enterprises.. Such indemnification, reimbursement or advance shall be made only in accordance with the laws of the State of Georgia, including the Georgia Nonprofit Corporation Code, subject to the conditions under such statutory provisions.

- (b) In any instance where the laws of the State of Georgia permit indemnification, reimbursement or advances to be provided to persons who are or have been an officer or director of the Corporation or who are or have been an officer, director, partner, joint venture or trustee of any such other enterprise only on a determination that certain specified standards of conduct have been met, that all statutory requirements and procedures have been satisfied, and that upon application for indemnification, reimbursement or advances by any such person the Corporation shall promptly cause such determination to be made in accordance with the statutory procedures of Georgia law.
- (c) Nothing in this Article shall be construed as limiting the applicability and Code of Georgia law with respect to indemnification, reimbursement and advances for expenses; further, as a condition to any such right of indemnification, the Corporation may require that it be permitted to participate in the defense of any such action or proceeding through legal counsel designated by the Corporation and at the expense of the Corporation.
- (d) In accordance with the law of the State of Georgia, the Corporation may purchase and maintain insurance on behalf of any such persons whether or not the Corporation would have the power to indemnify such officers and directors against any liability under the laws of the State of Georgia. Any expenses or other amounts that are paid by way, or by indemnification, reimbursement, or advances of funds other than by court order, action by shareholders, the Corporation shall provide notice of such payment to the shareholders in accordance with the applicable provisions of the laws of the State of Georgia.

ARTICLE XI

The Articles of Incorporation of the corporation may be amended at any time in the manner provided in the Georgia Nonprofit Corporation Code (or the corresponding provision of any future Georgia nonprofit corporation law) by the affirmative vote of a majority of the directors then in office and by the City Council of the City of Peachtree City, Georgia; provided, however, that no amendment may be made which would cause the organization no longer to be qualified as an exempt organization described in Section 501(c)(6) of the Code.

The effective date of these Amended and Restated Articles of Incorporation shall be _____ 2016.

IN WITNESS WHEREOF, the undersigned has executed these Articles of Incorporation this _____ day of _____, 2016.

Chairman
Peachtree City Convention and Visitors Bureau, Inc.

BY-LAWS
OF
PEACHTREE CITY CONVENTION & VISITORS BUREAU, INC.
Incorporated as a Not-for-Profit Corporation
Under the laws of the State of Georgia
Incorporated _____, 2010.

ARTICLE ONE

Name, Location and Offices

1.1 Name. The name of this Corporation shall be:

“PEACHTREE CITY CONVENTION & VISITORS BUREAU, INC.”

1.2 Registered Office and Agent. The Corporation shall maintain a registered office in the State of Georgia, and shall have a registered agent whose address is identical with the address of such office, in accordance with the requirements of the Georgia Nonprofit Corporation Code.

1.3 Other Offices. The principal office of the Corporation shall be located at such places as designated by the Board of Directors. The Corporation may have other offices at such place or places, within or outside the State of Georgia, as the Board of Directors may determine from time to time or the affairs of the Corporation may require or make desirable.

ARTICLE TWO

Purposes and Governing Instruments

2.1 Not-for-Profit Corporation. The Corporation shall be organized and operated as a not-for-profit corporation under the provisions of the Georgia Nonprofit Corporation Code.

2.2 Purposes. The Corporation is not organized for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual within the meaning of Section 501(c)(6) of the Internal Revenue Code. The Corporation was organized, and at all times shall be operated, to serve the needs and interests of tourism within the City of Peachtree City. The purposes of the Corporation shall include, but shall not be limited to, the following:

- Promote awareness of Peachtree City, increase hotel utilization, and support conventions, leisure travelers and visitors, while enhancing economic impact for the community
- Contract with the City of Peachtree City to expend on behalf of the City of Peachtree City that portion of the hotel/motel tax authorized by Georgia law and other funding, and use the tax revenue and other funds to promote tourism, conventions and trade shows within the City. The Corporation's overall purpose will be to promote the welfare of the public, stimulate commerce and otherwise serve the

public interest of the City of Peachtree City, as set forth in these Articles of Incorporation and the Bylaws, including the exercise of all other power and authority enjoyed by corporations generally by virtue of the provisions of the Georgia Nonprofit Corporation Code, within the subject to the limitations of Section 501(c)(6) of the Internal Revenue Code; and

- To serve as a Destination Marketing Organization as defined in O.C.G.A. §§ 48-13-50.2 and 48-13-51..

2.3 Governing Instruments. The Corporation shall be governed by its articles of incorporation and these bylaws.

2.4 The Corporation shall not lobby or otherwise attempt to influence legislation. The Corporation shall not in any manner or to any extent participate in or intervene in any political campaign on behalf of any candidate for public office. In the event of dissolution or liquidation of the corporation, the balance of all assets received by the Corporation for its operations, after the payment of all debts and obligations of the Corporation, shall be distributed to the City of Peachtree City (or an entity that is an integral part of the City of Peachtree City) provided that such entity's entire income is excludable from gross income under Section 115(1) of the Internal Revenue Code.

ARTICLE THREE

Board of Directors

3.1 Authority and Responsibility of the Board of Directors. The supreme authority of the Corporation and the government and management of the affairs of the Corporation shall be vested in the Board of Directors; and all the powers, duties, and functions of the Corporation conferred by the articles of incorporation, these bylaws, state statutes, common law, court decisions, or otherwise, shall be exercised, performed, or controlled by the Board of Directors, except as otherwise limited in these bylaws.

The governing body of the Corporation shall be the Board of Directors. The Board of Directors shall provide supervision, control and directions of the management, affairs and property of the Corporation; shall determine its policies or changes therein; and shall actively pursue its purposes and objectives and supervise the disbursement of its funds. The Board of Directors may adopt, by majority vote, such rules and regulations for the conduct of its business and the business of the Corporation as shall be deemed advisable, and may, in the execution of the powers granted, delegate certain of its authority and responsibility to an executive committee. Under no circumstances, however, shall any actions be taken which are consistent with its articles of incorporation or these bylaws; and the fundamental and basic purposes of the Corporation, as expressed in the articles of incorporation and these bylaws, shall not be amended or changed.

The Board of Directors shall not permit any part of the net earnings or capital of the Corporation to insure the benefit of any member, director, officer, trustee, or other private person or individual.

Only when the services are not otherwise available from resources of the City of Peachtree City; the Board of Directors may, from time to time, appoint, as advisors, persons whose advice, assistance and support may be deemed helpful in determining policies and formulating programs for carrying out the purposes and functions of the Corporation; and, to employ such person or persons, including an executive director or officer, attorneys, trustees, agents, and assistants, as in its judgment are necessary or desirable for the administration and management of the Corporation, and to pay reasonable compensation for the services performed and expenses incurred by any such person or persons. The Board of Directors, either directly or through its management, shall meet not less than quarterly with the City Financial Services Director of the City of Peachtree City, Georgia, so as to review the financial status of the corporation.

The Seven (7) member Board of Directors and any officers of the Corporation shall be appointed in the manner established in Section: 3.3 of these Bylaws. The Board of Directors shall have full power and authority to review and approve in advance both short-term and long-term budgets, capital and operating, of income and expenditures of the Corporation and to exercise such other supervision and control over the affairs and property of the Corporation as the Board of Directors of the Corporation may deem necessary or desirable to ensure the 501(c)(6) purposes and functions of the Corporation are carried out.

3.2 Board of Directors. The ultimate property, affairs, activities and concerns of the Corporation shall be vested in a Board of Directors, consisting of Seven (7) directors. The members of the Board shall, upon appointment, immediately enter upon the performance of their duties and shall continue in office until their successor shall have been duly appointed and qualified, or until the director's earlier death, resignation, removal or disqualification.

3.3 Manner of Appointment and Term of Office. The Board of Directors shall be comprised as follows:

1. Four (4) members who are citizens of or persons conducting business within the City of Peachtree City with current or previous tourism/hospitality related experience desired to serve a two year term. The Board Members shall serve for a maximum of two consecutive two-year terms. These members shall be appointed by the City Council. The process of appointment used by the City Council shall be the same process utilized for the appointments of members of other boards, authorities and commissions of the city.

2. Two (2) at-large members who are citizens of, or persons conducting business within the City of Peachtree City who is an owner or manager of a tourism/hospitality related business in Peachtree City or has prior tourism related work experience. Such persons to be selected in October of each year by the Peachtree City Convention and Visitors Bureau Board of Directors for a one-year term.
3. One (1) City Council Appointee (ex. City Council Member, City Staff Member or other designated appointee of the City Council). This member can be directly appointed by the City Council as a governing body, or as recommended for appointment by the City's selection committee. The City Council appointee will be appointed to a One (1) year term in October of each year.

The Board shall consist of a chair, a vice-chair and a secretary/treasurer to be chosen by the Board of Directors of the Corporation.

3.4 Removal. Any director may be removed by the Council. A removed director's successor shall be appointed by the Council to serve the unexpired term. Failure of any director to attend seventy-five percent (75%) of the meetings of the Board of Directors of the Corporation held in any fiscal year of the Corporation shall operate as a tender of such director's resignation, and such director shall be removed from the Board; provided, however, that a director, may petition the Board for an excused absence due to unavoidable circumstances.

3.5 Vacancies. Any vacancy in the Board of Directors arising at any time and from any cause, may be filled for the unexpired term by the Peachtree City Council. Vacancies of At-Large Members may be filled by the Peachtree City Convention and Visitors Bureau Board of Directors. Unless otherwise provided by these bylaws, each director so appointed shall hold office until the expiration of his or her term and the qualification of his or her successor.

3.6 Compensation. There shall be no Director compensation. Directors may be reimbursed for actual out-of-pocket expense incurred in pursuing the business of the Corporation, provided the expenses are approved by the Board prior to being incurred, or are incurred pursuant to prior established Board policy.

3.7 Dissolution of an organization. If an organization or Board ceases to exist that Board Member's term will automatically be terminated and a new board member will be appointed by City Council to fulfill the remaining term of this Board Member or if at Council's discretion/approval the Board Member will continue out their term. Council will not appoint any replacement board member that duplicates an existing Board Member position description.

ARTICLE FOUR

Meetings of the Board of Directors

4.1 Place of Meetings. Meetings of the Board of Directors may be held at any place within the State of Georgia as set forth in the notice thereof or in the event of a meeting held pursuant to waiver of notice, as may be set forth in the waiver, or if no place is so specified, at the principal office of the Corporation.

4.2 Annual Meeting; Notice. The annual meeting of the Board of Directors shall be held at such place as the Board of Directors shall determine on such day and at such time as the Board of Directors shall designate. Unless waived as contemplated in Section 5.2, notice of the time and place of such annual meeting shall be given by the secretary either personally or by telephone or by mail or by telegram not less than ten (10) nor more than fifty (50) days before such annual meeting.

4.3 Regular Meetings; Notice. Regular meetings of the Board of Directors shall be held from time to time between annual meetings at such times and at such places as the Board of Directors may prescribe.

4.4 Special Meetings; Notice. Special meetings of the Board of Directors may be called by the Chair, or by any four (4) of the directors in office at that time. Notice of the time, place and purpose of any special meeting of the Board of Directors shall be given by the secretary/treasurer either personally, by telephone, by mail, by email, by telegram, or by facsimile at least twenty-four (24) hours before such meeting.

4.5 Waiver. Attendance by a director at a meeting shall constitute waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of business because the meeting is not lawfully called.

4.6 Quorum. Four (4) directors shall constitute a quorum.

4.7 Vote Required for Action. Except as otherwise provided in these bylaws or by law, the act of four (4) directors present shall be the act of the Board of Directors.

4.8 Adjournments. A meeting of the Board of Directors, whether or not a quorum is present, may be adjourned by a majority of the directors present to reconvene at a specific time and place. It shall not be necessary to give notice of the reconvened meeting or the business to be transacted, other than by announcement at the meeting that was adjourned. At any such meeting at which a quorum is present, any business may be transacted which could have been transacted at the meeting, which was adjourned.

4.9 **Compliance with Georgia law.** All meetings of the Board shall be conducted in accordance with the Georgia Open Meetings Law, O.C.G.A. § 50-14-1 et seq.

ARTICLE FIVE

Notice and Waiver

5.1 **Procedure.** Whenever these bylaws require notice to be given to any director, the notice shall be given as prescribed in Article Four. Whenever notice is given to a director by mail, the notice shall be sent by first-class mail by depositing the same in a post office box or letter box in a postage prepaid sealed envelope addressed to the director at his address as it appears on the books of the Corporations and such notice shall be deemed to have been given at the time the same is deposited in the United States mail. Notice shall be deemed to have been given by telegram, cablegram, facsimile, or email at the time notice is filed with the transmitting agency.

5.2 **Waiver.** Whenever any notice is required to be given to any director by law, by the articles of incorporation, or by these bylaws, a waiver thereof in writing signed by the director entitled to such notice, whether before or after the meeting to which the waiver pertains, shall be deemed equivalent thereto.

ARTICLE SIX

Officers

6.1 **Number and Qualifications.** The executive officers of the Corporation may consist of officers as the Board deems necessary for the efficient management of the Corporation; but the Corporation shall not be required to have, at any time, any officers other than the chair, vice-chair and secretary/treasurer which shall be members of the Board.

6.2 **Election and Term of Office.** The executive officers of the Corporation, shall be elected by the Board of Directors of the Corporation on a biannual basis at the first meeting after Board appointments have been made by Council, and shall serve at the will of said Board.

6.3 **Other Agents.** Subject to Section 3.1 of these Bylaws, the Board of Directors may appoint from time to time such agents as it may deem necessary or desirable, each of whom shall hold office at the pleasure of the Board, and shall have

such authority and perform such duties and shall receive such reasonable compensation, if any, as the Board of Directors may from time to time determine.

6.4 Removal. Any officer or agent elected or appointed by the Board of Directors of the Corporation, may be removed by the Board of Directors whenever in its judgment the best interests of the Corporation will be served thereby; provided that any such removal shall be without prejudice to the contract rights, if any, of the officer or agent so removed.

6.5 Vacancies. A vacancy in any office arising at any time and from any cause may be filled for the unexpired term by the Peachtree City Council. Vacancies of At-Large members may be filled by the Peachtree City Convention and Visitors Bureau Board of Directors. .

6.6 Chair. The chair shall preside at all meetings of the Board of Directors. The chair shall appoint the members and chairs of any committee of the board. He or she shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time prescribe. The chair shall be a member of the Board and shall report to and be supervised by the Board of Directors.

6.7 Vice-Chair. The vice-chair shall preside at all meetings of the Board of Directors in the absence or disability of the chair, and shall act in the place of the chair in the chair's absence or disability. He or she shall perform such other duties, and have such other authority and powers as the Board of Directors may from time to time prescribe. The vice-chair shall be a member of the Board, and shall report to and be supervised by the Board of Directors.

6.8 Secretary / Treasurer. The secretary/treasurer shall attend all meetings of the Board of Directors and record, or cause to be recorded, all votes, actions and the minutes of all proceedings in a book to be kept for that purpose and shall perform, or cause to be performed, like duties for other board committees when required. The secretary/treasurer shall give, or cause to be given, notice of all meetings of the Board of Directors. The secretary/treasurer shall keep in safe custody the seal of the Corporation and, when authorized by the Board of Directors or the Chair, affix it to any instrument requiring it. The secretary/treasurer shall be a member of the Board and shall report to and be under the supervision of the Board of Directors. He or she shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time prescribe.

ARTICLE SEVEN

Conflict and Disclosure of Interest

The directors and officers of the Corporation shall comply with and enforce the "Conflict and Disclosures of Interest" policies as adopted by these Bylaws, and may be amended from time to time.

7.1 Purpose. The purpose of the conflicts of interest policy is to protect the Corporation's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Corporation. This policy is intended to supplement but not replace any applicable state laws governing conflicts of interest applicable to nonprofit and charitable corporations.

7.2 Definitions.

Interested Person: Any director, principal officer, or member of a committee with board delegated powers that have a direct or indirect financial interest, as defined below, is an interested person. If a person is an interested person with respect to any entity or venue in which the Corporation is a part, he or she is an interested person with respect to all such entities.

Financial Interest. A person has a financial interest if the person has, directly or indirectly, through business, investment or family:

- a. an ownership or investment interest in any entity with which the Corporation has a transaction or arrangement, or
- b. a compensation arrangement with the Corporation or with any entity or individual with which the Corporation has a transaction or arrangement, or
- c. a potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Corporation is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are substantial in nature.

A financial interest is not necessarily a conflict of interest, a person who has a financial interest may have a conflict of interest only if the Board of Directors decides that a conflict of interest exists.

7.3 Procedures

7.3.1 Duty to Disclose. In connection with any actual or possible conflicts of interest, an interested person must disclose the existence of his or her financial interest and must be given the opportunity to disclose all material facts to the Board of Directors and members of committees with board delegated powers considering the proposed transaction or arrangement.

7.3.2 Determining Whether a Conflict of Interest Exists. After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the Board meeting while the determination of a

conflict of interest is discussed and voted upon. The remaining Board members shall decide if a conflict of interest exists.

7.3.3 Procedures for Addressing the Conflict of Interest.

- a. An interested person may make a presentation at the board or committee meeting, but after such presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement that results in the conflict of interest.
- b. The chair/president of the Board shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
- c. After exercising due diligence, the Board shall determine whether the Corporation can obtain a more advantageous transaction or arrangement with reasonable efforts from a person or entity that would not give rise to a conflict of interest.
- d. If a more advantageous transaction or arrangement is not reasonably attainable under circumstances that would not give rise to a conflict of interest, the Board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Corporation's best interest and for its own benefit and whether the transaction is fair and reasonable to the Corporation and shall make its decision as to whether to enter into the transaction or arrangement in conformity with such determination.

7.3.4 Violations of the Conflicts of Interest Policy.

- a. If the Board has reasonable cause to believe that a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- b. If, after hearing the response of the member and making such further investigation as may be warranted in the circumstances, the Board determines that the member has in fact failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

7.4 Records of Proceedings.

The minutes of the Board and all committees with board-delegated powers shall contain:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the board's or committee's decision as to whether a conflict of interest in fact existed.
- b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection therewith.

7.5 Compensation.

- a. A voting member of the Board of directors who receives compensation, directly or indirectly, from the Corporation for services is precluded from voting on matters pertaining to that member's compensation.
- b. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Corporation for services is precluded from voting on matters pertaining to that member's compensation.

7.6 Annual Statements.

Each member of the board and each officer shall annually sign a statement, *which* affirms that such person:

- a. has received a copy of the conflicts of interest policy,
- b. has read and understands the policy,
- c. has agreed to comply with the policy, and
- d. understands that the Corporation is a charitable organization and that in order to maintain its federal tax exemption it must engage primarily in activities, which accomplish one or more of its tax-exempt purposes.

ARTICLE EIGHT

Committees

8.1 Committees of Directors. Committees, each consisting of one (1) or more directors, not having and exercising the authority of the Board of Directors in the

management of the Corporation may be designated by a resolution adopted by a majority of directors.

8.2 Advisory and Other Committees. The Board of Directors may provide for such other committees, including committees, advisory groups, boards of governors, etc., consisting in whole or in part of persons who are not directors of the Corporation, as it deems necessary or desirable, and discontinue any such committee as its pleasure. It shall be the function and purpose of each such committee to advise the Board of Directors on matters relating to the business and affairs of the Corporation; and each such committee shall have such powers and perform such specific duties or functions, not inconsistent with the articles of incorporation of the Corporation or these bylaws, as may be prescribed for it by the Board of Directors.

8.3 Finance Committee. There is hereby created a Finance Committee of the Corporation, the members of which committee shall include the City Financial Services Director of the City of Peachtree City, Georgia, the Executive Director of the Corporation, and a member of the Board of Directors. The Finance Committee shall meet not less than quarterly so as to review the financial posture and status of the Corporation.

8.4 Committee Governance. Except as otherwise provided in Board resolution or in these bylaws, a committee formed by the Board shall be generally governed as follows:

8.4.1 Appointment and Removal. Except as otherwise provided in such resolution or in these bylaws, members of each such committee shall be appointed by the chairperson of the Corporation. Any member of any committee may be removed by the person or persons authorized to appoint such member whenever in their judgment the best interests of the Corporation shall be served by such removal.

8.4.2 Terms of Appointment. Each member of a committee shall continue as such until the next annual meeting of the Board of Directors or until his successor is appointed, unless the committee shall be sooner terminated, or unless such member shall be removed from such committee, or unless such member shall cease to qualify as a member thereof.

8.4.3 Meetings, Notice and Waiver. The committee may establish a regular meeting schedule. Special meetings of the committee may be called by, or at the direction of, the chairperson of the committee, the Corporation's Chair, or a majority of the members of the committee. Notice of the time, place and purpose of any meeting, except scheduled regular meetings, shall be given, in writing, by the chairperson of the committee or the president, or either's designee, to each member personally, be personal delivery, telephone, facsimile, e-mail or telegram at least twenty-four (24) hours prior to the meeting, or by mailing at least three (3) days prior to the meeting. Attendance of a member at a meeting

shall constitute a waiver of notice of the meeting. Attendance of a member at a meeting shall constitute a waiver of notice of the meeting, except where the member delivers to the chairperson, before any vote is taken, a written objection to the notice or the calling of the meeting. No business shall be conducted at any called meeting except that stated in the notice, unless all then serving members are present and consent to non-noticed business being discussed or acted upon. Business may be conducted at a special meeting upon written waiver of notice by all members, or upon written waiver of notice being obtained from all members not receiving notice. The committee shall keep minutes of its proceedings and shall report to the Board at meetings of the Board.

8.4.4 Chair. One member of each committee shall be appointed chair thereof by the chair of the Corporation.

8.4.5 Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

8.4.6 Quorum. Unless the Board of Directors directs otherwise, eighty percent (80%) or more of the committee members then serving shall constitute a quorum; and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

8.4.7 Rules. Each committee may adopt rules for its own government, so long as such rules are not inconsistent with these bylaws or with rules adopted by the Board of Directors.

8.4.8 Board Reports and Control. Any action of a committee shall be reported to the Board of Directors at its regular meeting next succeeding such action and shall be subject to control, revision and alteration by the Board of Directors.

ARTICLE NINE

Contracts, Checks, Deposits, and Funds

9.1 Contracts. The Board of Directors may authorize any officer or officers, agent or agents of the Corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name and on behalf of the Corporation. Such authority must be in writing and may be general or confined to specific instances.

9.2 Checks, Drafts, Notes, Etc. All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the

Corporation shall be signed by the Chair or Executive Director and countersigned by the Director of Finance of the City of Peachtree City.

9.3 Deposits. All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board of Directors may select.

9.4 Gifts. The Board of Directors may accept on the behalf of the Corporation any contribution, gift, bequest, or devise for the general purposes or for any special purpose of the Corporation.

ARTICLE TEN

Indemnification and Insurance

10.1 Indemnification. In the event that any person who was or is a party to or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, seeks indemnification from the Corporation against expenses, including attorney's fees (and in the case of actions other than those by or in the right of the Corporation, judgments, fines and amounts paid in settlement), actually and reasonably incurred by him in connection with such action, suit, or proceeding by reason of the fact that such person is or was a director, officer, employee, trustee, or agent of the Corporation, or is or was serving at the request of the Corporation as a director, officer, employee, trustee, or agent of another Corporation, domestic or foreign, not-for-profit or for profit, partnership, joint venture, trust, or other enterprise, then, unless such indemnification is ordered by a court, the Corporation shall determine, or cause to be determined, in the manner provided under Georgia law; and, to the extent it is so determined that such indemnification is proper, the person claiming such indemnification shall be indemnified to the fullest extent now or hereafter permitted by Georgia law.

10.2 Indemnification Not Exclusive of Other Rights. The indemnification provided in Section 10.1 above shall not be deemed exclusive of any other rights to which those seeking indemnification may be entitled under the articles of incorporation of bylaws, or any agreement, vote of members or disinterested directors, or otherwise, both as to action in his official capacity and as to action in another capacity while, holding such office, and shall continue as to a person who has ceased to be a director, officer, employee, trustee, or agent, and shall inure to the benefit of the heirs, executors, and administrators of such a person.

10.3 Insurance. To the extent permitted by Georgia law, the Corporation may purchase and maintain insurance on behalf of any person who is or was a director, officer, employee, trustee, or agent of the Corporation, or is was serving at the request of the Corporation as a director, officer, employee, trustee, or agent or another corporation,

domestic or foreign, not-for-profit or for profit, partnership, joint venture, trust or other enterprise.

ARTICLE ELEVEN

Miscellaneous

11.1 Books and Records. The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, Board of Directors, and committees having any of the authority of the Board of Directors. The Corporation shall keep at its registered or principal office a record giving the names and addresses of the directors.

11.2 Corporate Seal. The corporate seal (of which there may be one or more exemplars) shall be in such form as the Board of Directors may from time to time determine.

11.3 Fiscal Year. The Board of Directors is authorized to fix the fiscal year of the Corporation and to change the same from time to time as it deems appropriate.

11.4 Internal Revenue Code. All references in these bylaws to sections of the Internal Revenue Code shall be considered references to the most recent revision of the Internal Revenue Code, as from time to time amended, to the corresponding provisions of any applicable future United States Internal Revenue Law, and to all regulations issued under such sections and provisions.

11.5 Construction. Whenever the context so requires, the masculine shall include the feminine and neuter, and the singular shall include the plural, and conversely. If any portion of these bylaws shall be invalid or inoperative, then, so far as is reasonable and possible, the remainder of these bylaws shall be considered valid and operative, and effect shall be given to the intent manifested by the portion held invalid or inoperative.

11.6 Table of Contents; Headlines. The table of contents and headings are for organization only.

11.7 Relation to Articles of Incorporation. These bylaws are subject to, and governed by, the articles of incorporation.

ARTICLE TWELVE

Amendments

12.1 Powers to Amend Articles and Bylaws. Subject to the provisions of Section 12.2 of this Article, the Board of Directors shall have the power to alter, amend,

or repeal the articles of incorporation or these bylaws, or adopt new bylaws; provided, however, that the Board of Directors shall have no power or authority to make any changes in the articles of bylaws which would in any way diminish or derogate from the duties at Section 2.2 of these Bylaws.

12.2 Conditions. Action by the Board of Directors with respect to the articles of incorporation or these bylaws shall be taken by the affirmative vote of a majority of all directors then holding office. Anything in these bylaws to the contrary notwithstanding, no action with respect to the articles of incorporation or these bylaws shall be taken without the prior written approval of the City Council.

ARTICLE THIRTEEN

Reserved Powers of the Council

13.1 Limitations on Board of Directors. Notwithstanding any other provision contained herein, the Board of Directors of the Corporation shall not undertake the following actions without the prior approval of the Council:

- a. Expend cash or incur any indebtedness with respect to any transaction or group of related transactions in excess of 20,000.00, excluding any amounts previously approved as a part of the Corporation's capital budget or business plan (such transactions requiring approval pursuant to this section being hereinafter referred to as "Material Transactions");
- b. Approve the acquisition of control by the Corporation of, or the affiliation of the Corporation with, any other entity;
- c. Amend the articles of incorporation or bylaws of the Corporation;
- d. Voluntarily file any petition in bankruptcy;
- e. Adopt any short-term capital or operational or long-term budget of the Corporation; or
- f. Acquire, sell, transfer or otherwise dispose of any assets of the Corporation, excluding: (i) transactions occurring in the ordinary course of business, (ii) transactions previously approved as part of the Corporation's budget or business plan, (iii) transactions among the Corporation and the City of Peachtree City.

ARTICLE FOURTEEN

Tax-Exempt Status

14.1 The affairs of the Corporation at all times shall be conducted in such a manner as to assure its status as an organization as defined in Section 501(c)(6) of the Internal Revenue Code.

14.2 The Corporation shall have all the powers permitted nonprofit corporations in the State. Notwithstanding anything contained herein to the contrary, the Corporation:

- a. Shall only exercise such powers
- b. Shall engage in only such activities
- c. Is organized exclusively for such purposes as shall be permitted under Section(c)(6) of the Internal Revenue Code and regulations issued pursuant thereto as they now exist or as they may hereafter be amended.

14.3 No part of the income of the Corporation shall inure to the benefit of, or be distributable to, any director, officer, employee, or other agent of the Corporation or to any other private individual (except that reasonable compensation may be paid for services rendered to or for the Corporation in furtherance of its purposes), and no director, officer, employee, or other agent of the Corporation, or any other private individual, shall be entitled to share in the distribution of any of the corporate assets on dissolution of the Corporation.

14.4 In the event of dissolution, the balance of all assets received by the Corporation for its operations, after the payment of all debts and obligations of the Corporation, shall be distributed to the City of Peachtree City (or an entity that is an integral part of the City of Peachtree City), provided that such entity's income is excludable from gross income under Section 115(1) of the Internal Revenue Code.

ARTICLE FIFTEEN

Adoption of Bylaws

Peachtree City Convention & Visitors Bureau. is organized under the laws of the State of Georgia on this ____ day of _____, 2010. The Bylaws were adopted by resolution of the Board of Directors and the Corporation on and became effective as of said date.

Effective date. This Amended and Restated By-Laws of the Peachtree City Convention & Visitors Bureau, Inc. shall become effective _____, 2016.

Adopted by a majority vote of the Board of Directors, in a public and open session of a regularly scheduled meeting of the Board of Directors, at which a quorum was present and voting on the _____ day of _____, 2016.

Adopted: _____
Mike Regli, Chairperson,
Peachtree City Convention &
Visitors Bureau, Inc.

Attest: _____

Approved on _____, 2016, by a majority vote of the City of Peachtree City Council ("Council"), in a public and open session of a regular scheduled meeting, at which a quorum was present and voting.

By: _____
Vanessa Fleisch, Mayor

ATTEST:

Betsy Tyler, City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: Jonathan N. Rorie, City Manager 

DATE: October 14, 2016

SUBJECT: Jobs and Investment Grant Awards
October 14, 2016 City Council Meeting

Recommendation:

Approve Peachtree Jobs and Investment Grant awards for Wencor in the amount of \$17,000 and for Assa Abloy in the amount of \$14,000.

Discussion:

The grant program is managed by the Fayette County Development Authority. Companies must submit an application to the Fayette County Development Authority which documents planned project investment, hiring plans and timeline. Companies are required to enter into a Memorandum of Understanding (MOU) which outlines and guarantees performance goals for eligibility. Eligibility requires the creation of 25 or more full-time jobs with an average wage of 120% or more of the per capita income in targeted industries. Having met the requirements, the Fayette County Development Authority is requesting grant awards based on the following criteria:

Wencor: 34 Jobs in Logistics/Distribution with an average wage of \$64,426

Assa Abloy: 28 Jobs in Advanced Manufacturing with an average wage of \$55,877

Budget Impact:

Budgeted Funds are available and will be withdrawn from 333-1505-573152 in the amount of \$31,000

The Peachtree City Jobs & Investment Grant was created in 2011 to court capital investment and jobs creation within the City. To qualify, the company must meet the requirements outlined below.

Minimum Qualifications

- Creation of 25 or more full-time jobs
- Average wage, exclusive of benefits, of at least 120% of the prevailing current year Peachtree City Per Capita Income (for reference, 2015 PCI in PTC was \$45,100. 120% = \$54,120)
- Company's primary activity in Peachtree City shall be in one of the following targeted areas:
 - Corporate office headquarters
 - Corporate office business support center
 - Logistics & Distribution
 - Advanced manufacturing
 - Research & Development
 - Medical & laboratory

Once these are met, the company can apply for the grant program which promises \$500 per new job created within the City.

Two companies, Assa Abloy and Wencor, have recently expanded, moved operations to two previous brownfield sites, and added a number of jobs. Assa Abloy's application requests grant dollars for the creation of 28 new jobs, while Wencor has requested grant dollars for 34 newly-created jobs.

The Fayette County Development Authority, after reviewing the applications, requests Peachtree City Mayor and Council approve their grant applications in the amounts listed below:

Wencor: \$17,000

Assa Abloy: \$14,000

Once the applications are approved by Mayor and Council by vote, the City can provide funds to the Fayette County Development Authority for disbursement.