

CITY COUNCIL MEMBERS

Vanessa Fleisch, Mayor
Kim Learnard – Mayor Pro-tem
Phil Prebor – Post 1
Mike King, Post 2
Terry Ernst – Post 4

City Council of Peachtree City
REVISED AGENDA
October 19, 2017
7:00 p.m.

- I. Call to Order
- II. Pledge of Allegiance
- III. Announcements, Awards, Special Recognition
 - ✓ Proclamation – Retired Educators Day
 - ✓ Recognition of Paul Salvatore – Government Chief Information Officer Certification
 - ✓ Recognition of Financial Services - GFOA Certificate of Excellence in Financial Reporting
 - ✓ Presentation by the North Georgia Water Planning District
- IV. Public Comment
- V. Agenda Changes
- VI. Minutes
 - October 5, 2017, Regular Meeting Minutes *MK/TE 5-0-1 (Learnard)*
- VII. Quarterly Reports – Third Quarter
- VIII. Consent Agenda *KL/PP 5-0*
 1. Consider Alcohol License – NEW – The Fit Kitchen, 109 Lexington Circle
 2. Consider Cancellation of December 21, 2017, Regular City Council Meeting
 3. Consider FY2018 Budget Amendment (Overtime)
 4. Consider FY2018 Budget Amendment (Bucket Truck)
- IX. Old Agenda Items
 - 10-17-01 Consider Contract for Amphitheater (Quinn Bledsoe) *PRT MK/KL 5-0*
- X. New Agenda Items
- XI. Council/Staff Topics
 - Agenda Item Preview: (Betsy Tyler)
 - Proposed Ordinance Amendment – Commission / Authority / Board Appointments
 - Proposed Ordinance Amendment – Alcoholic Beverages – Manufacturer's License
- XII. Executive Session
- XIII. Adjourn

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

*KL/(MK?) 5-0
8:40*

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members
FROM: City Clerk
DATE: October 18, 2017
SUBJECT: Consider Cancellation of December 21, 2017, Regular Meeting
October 19, City Council Meeting

Recommendation:

That Council consider cancelling the regular City Council Meeting scheduled for December 21, 2017.

Discussion:

Due to the potential for attendees to be out of town for the Christmas holidays, Council may wish to consider cancelling the second regular meeting in December, which falls on Thursday, December 21.

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Jonathan Rorie, City Manager 

FROM: Paul J. Salvatore, Financial Services Director
Kelly Bush, Assistant Finance Director 

DATE: October 17, 2017

SUBJECT: Budget Amendment FY18
October 19, 2017 City Council Consent Agenda

Recommendation:

It is Staff's recommendation that City Council approve the attached budget amendment to the Fiscal Year 2018 Budget Resolution.

Discussion:

In an effort to efficiently manage the large number of public works projects going on simultaneously, management would like to utilize current Maintenance Tech staff in an overtime capacity as an alternative to hiring additional staff. The attached budget amendment is requesting an additional \$47,573 to the Grounds Maintenance overtime salary budget with funding coming from cash reserves. This would allow for 4 Maintenance Techs to work 1,664 overtime hours to expedite ongoing projects.

Budget Impact:

The proposed budget amendment to the Fiscal Year 2018 Budget Resolution would increase Grounds Maintenance expense 100-1566-511300 - Overtime and increase the revenue 100-0000-389025 - Surplus Carryover \$47,573.

Attachments

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

18-002

10/19/2017

[illegible]

Budget Amendment
To amend FY18 Budget Resolution for 1,664 hours of Maintenance Tech overtime

To amend FY18 Budget Resolution for 1,664 hours of Maintenance Tech overtime

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Jonathan Rorie, City Manager 

FROM: Paul J. Salvatore, Financial Services Director
Kelly Bush, Assistant Finance Director 
Angela Egan, Purchasing Agent

DATE: October 17, 2017

SUBJECT: FY2018 Budget Amendment and purchase of 2006 Chevrolet C4500
October 19, 2017 *City Council Consent Agenda*

Recommendation:

It is Staff's recommendation that City Council approve the attached budget amendment to the Fiscal Year 2018 Budget Resolution along with the purchase of a bucket truck.

Discussion:

The City currently has the opportunity to purchase a 2006 Chevrolet C4500 (bucket truck) with 124,200 miles. The boom reaches 30' vertical and 22 feet horizontal, with a 350-pound rating on the bucket. This truck has been inspected by our Fleet Manager and assessed to be in very good condition - it drives/operates very well and does not have any leaks. As this purchase will be more cost efficient than renting a bucket truck and should last the City for many years, staff request authorization to purchase this truck with funds coming from cash reserves. The original asking price was \$29,995, but the City was able to negotiate a purchase price of \$27,000.

Budget Impact:

The proposed budget amendment will increase both the revenues and the expenditures in the General Fund by \$27,000 amending the Fiscal Year 2018 Budget Resolution.

Attachments
Budget Amendment

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 18-003

DATE 10/19/2017

[illegible]

Budget Amendment

To amend FY18 Budget Resolution for the purchase of a 2006 Chevrolet C4500 bucket truck.

Entered

Approved

**City Council of Peachtree City
Agenda
October 19, 2017
7:00 p.m.**

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Proclamation – Retired Educators Day
Presentation by the North Georgia Water Planning District
- IV. Public Comment**
- V. Agenda Changes**
- VI. Minutes**
- VII. Quarterly Reports – Third Quarter**
- VIII. Consent Agenda**
 - 1. Consider Alcohol License – NEW – The Fit Kitchen, 109 Lexington Circle**
- IX. Old Agenda Items**
 - 10-17-01 Consider Contract for Amphitheater**
Memo attached – Contract in final review and will be forwarded next week
- X. New Agenda Items**
- XI. Council/Staff Topics**

Agenda Item Preview:

 - **Proposed Ordinance Amendment – Commission / Authority / Board Appointments**
 - **Proposed Ordinance Amendment – Alcoholic Beverages – Manufacturer's License**
- 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 5, 2017
7:00 p.m.

The Mayor and Council of Peachtree City met in regular session on Thursday, October 5, 2017. Mayor Vanessa Fleisch called the meeting to order at 7:00 p.m. Others attending: Terry Ernst, Mike King, and Phil Prebor. Kim Learnard was absent.

Fleisch explained that, in light of the September 30 shootings in Las Vegas, the Rev. John Weber had been invited to open the meeting with prayer.

Announcements, Awards, Special Recognition

The Mayor recognized Cpl. Bryan Boynton as the August 2017 Employee of the Month. She noted he had been employed by the Police Department since 2007. Fleisch thanked the Police Department for winning the Mayor's Cup at the Dragon Boat Race last month. She added this was the second win in a row, which was unprecedented.

Assistant Police Chief Stan Pye presented Council and the City Manager with special pink badges in honor of October being Breast Cancer Awareness Month. He noted that breast cancer was a major health problem for women and men, and this year, each Peachtree City officer was wearing one of the special badges to bring attention to the disease.

MacDuff Parkway Update

City Manager Jon Rorie introduced Donna Black of Scarborough & Rolader Development to update Council on construction of the MacDuff Parkway Bridge. He showed drone video of the construction site and explained that all work must cease when a train passed on the railroad tracks. Rorie pointed out that landscaping would be done at the site and said additional work along the SR 74/Kedron Drive intersection would reduce the queue length in the turning lane.

Black explained that the drone footage showed what was previously the end of Kedron Drive at Old Senoia Road. She said the entire intersection had been rebuilt; a portion of Old Senoia Road was taken out and the elevation raised, then the old dead-end of Kedron Drive was graded and brought through to connect to Old Senoia Road. In the future, she noted, Kedron Drive would cross the bridge. She said the project was almost finished and pledged that, barring unforeseen difficulties, the bridge should be open by the end of November or first of December. She said rails and fencing on the bridge remained to be completed; guardrail was needed in other areas. Black reported that a four-way stop would be in place until a traffic light could be installed. Because CSX had inspected the bridge throughout construction, there should not be any major corrections needed before the bridge was approved for use. She said Scarborough & Rolader would conduct an as-built survey and provide it to the City for its records.

E-SPLOST Presentation

Neil Sullivan, chairman of Fayette Citizens for Children, outlined some facts about the November 7 ESPLOST referendum and why its passage would be beneficial to Peachtree City. Sullivan explained that the ESPLOST was a 1% sales tax added to all purchases in Fayette County, with proceeds dedicated to the school system. It would span five years, continuing the ESPLOST already in place. Sullivan noted that the 'S' for 'Special' in ESPLOST no longer had meaning since the tax was factored into school funding at the state level. The money raised had to be spent on hard assets such as buildings, books, and technology. Sullivan noted that an estimated 30% of the money garnered through the ESPLOST would be from out-of-county visitors. He went over some of the projects funded by previous ESPLOST collections, including renovations and new

construction at McIntosh High, Braelinn Elementary, and Peachtree City Elementary. Sullivan also noted that every classroom in the county had been equipped with computer technology as a "Classroom of Tomorrow" several years ago, but the technology was now dated.

More than 51% of the money raised through the new ESPLOST, Sullivan noted, would go towards facilities improvements, while 26% would be earmarked for technology, both in the classroom and through computer loans to students. Other funds would be divided between security, furniture, instructional materials, transportation equipment, and debt reduction, he noted. Sullivan explained that Fayette's school system consistently ranks among the state's best, and the ESPLOST was necessary to maintain what he called 'the Fayette Advantage' of smaller school sizes and experienced teachers.

Sullivan urged everyone to vote on November 7, but noted that a few precincts would not be structured to allow voting in both the municipal election scheduled for that day and on the Countywide ESPLOST in the same location. City Clerk Betsy Tyler said only one precinct in Peachtree City fell in that category; voters cast municipal ballots at Braelinn Elementary, but had to go to Rising Starr Middle School to vote in county, state, and national elections. Tyler said she would put this information in the weekly **Updates** newsletter. Rorie added that support of the schools was mentioned in the City's comprehensive plan because a top-notch school system was a key part of economic development for the City.

Public Comment

Marianne Dias told Council about a Fire Appreciation event she was coordinating called Peachtree City's All Fired Up, set for October 24 – 26. She said her group intended to meet with every fire/rescue team member and provide them with a meal and treats. She brought banners and asked everyone to sign them with messages of support for firefighters.

Minutes

September 21, 2017, Regular Meeting Minutes

King moved to approve the September 21, 2017, regular meeting minutes as written. Ernst seconded. Motion carried unanimously.

Consent Agenda

1. **Consider Official Intent Resolution for FY 2018 Equipment Purchases**
2. **Consider Alcohol License – NEW – Revolution Coffee Works, 361 Hwy 74 N**
3. **Consider Appointments to the Planning Commission**
4. **Consider Acceptance of GMA Safety Grant & Liability Management Grant**
5. **Consider Approval of CIE Update**

Ernst moved to approve Consent Agenda items 1 – 5. Prebor seconded. Motion carried unanimously.

Old Agenda Items

09-17-05 Consider FY 2018 Budget for Keep Peachtree City Beautiful & Amendment to FY 2018 General Fund Resolution

Rorie noted that funding for Keep Peachtree City Beautiful's recycling program was discussed at the Council retreat and at the September 21 meeting. He explained that costs had increased to operate the program. He proposed, based on the feedback from previous discussions, a budget amendment of \$15,770 for the revenue side in support of the recycling program, offset with an expenditure of the same amount. He said this amounted to a 10% increase in revenue, and a 10% increase in expenditures, with 7% of that to pay for recycling bin pulls. The remainder, Rorie related, would go towards increases in insurance and labor costs.

King moved to approve item 09-17-05, the fiscal year (FY) 2018 budget for Keep Peachtree City Beautiful, with the amendment to the FY 2018 General Fund Resolution. Ernst seconded. Motion carried unanimously.

New Agenda Items

10-17-01 Consider Contract for Amphitheater Management

Fleisch noted that staff had requested a continuance. Rorie explained he wanted to ensure the document was thoroughly vetted from a legal standpoint and said it could be brought to Council as early as the October 19 meeting.

Prebor moved to continue New Agenda Item 10-17-01, the contract for Amphitheater management. Ernst seconded. Motion carried unanimously.

10-17-02 Public Hearing – Consider Variances for Old Golf Rider Property at Huddleston Road/SR 54

Fleisch said this item was withdrawn by the applicant.

10-17-03 Public Hearing – Consider Variance for Rear Setback, 120 Kenton Place

Senior Planner Robin Cailloux reported that this property was in the Kenton subdivision, off Holly Grove Road in the southern portion of the City. It was zoned R-12 and backed up and was also on the side of a City greenbelt. She said the setback was 30 feet, and the variance request was to encroach 8.5 feet. Cailloux noted there was a type of variance that would allow for an encroachment of 25% of the required setback area, which in this case would be 7.5 feet, without a public hearing, but the homeowner here was asking for 8.5 feet. Cailloux showed an outline drawing of the house with an existing sunroom, for which the applicant received a two-foot encroachment in 1996. She said the applicants were asking to build a bigger deck, and the majority of the encroachment would be for the stairs to the yard. Cailloux noted that the home was built a little further back from the street than others in the neighborhood to preserve trees in the front yard. Cailloux said that the request met two of the City's six variance review criteria: granting of the variance would not prove detrimental to public health, safety, or the general welfare; and it would not conflict with any objective of the comprehensive plan.

Mike Lorber of Lorber and Associates and homeowner Pat Rosenbach spoke about the request. Rosenbach noted that her husband, Bernie, had Alzheimer's Disease and got great pleasure from sitting on the back deck and talking to passersby on the cart path. She said extending the back of the deck would also improve the value of their property. Lorber noted that the variance request was mainly to accommodate moving the stairs off the existing deck.

Fleisch opened the public hearing. No one spoke in favor of or in opposition to the request. Fleisch closed the public hearing.

King noted that neighbors wrote letters in support of the variance and added that the house was not visible from the adjacent fairway. Prebor raised concerns about the proximity to the greenbelt and the cart path, asking if the steps could be made four feet wide instead of five feet. He also had concerns about the proximity of the deck to the cart path. Lorber said it was possible, but five feet was safer. Lorber also noted that they were installing landscaping that could be used to screen the deck. Ernst said he had visited the property and had no issue with granting the variance. Lorber added that there were two large oak trees in the front yard, so the home was probably moved further back on the lot to save the trees. The other homes in the neighborhood were not as close to the building setback. Prebor asked if a condition could be set to require a buffer between the deck and the cart path. Lorber noted that additional planting was planned

after the deck construction was finished. Fleisch said she was fine with the proposal as described and felt the planting issue was being adequately addressed.

Ernst moved to approve New Agenda item 10-17-03, the variance for the rear setback at 120 Kenton Place. King seconded. The motion carried 3-1 (Prebor).

10-17-04 Consider Amendment to Sec. 1110(e) of Land Development Ordinance, Tree Credit

Cailloux presented the proposed changes to the tree credit section of the Land Development Ordinance. She said the current ordinance offered credit only for trees in the developable area of a property, while the amendment would apply to trees throughout the property, except in landscape buffers along major thoroughfares. The current ordinance only granted credit for canopy trees, she noted, but the amendment included both canopy and understory trees. Kept The 25% cap on the credits was kept the same, she noted. As an example of the changes affected by the amendment, Cailloux presented statistics from the Paschall Business Park, a 9.8-acre site with 6.1 acres deemed developable. She said under the current ordinance, 1.6 acres of trees would be required, while the proposed ordinance would allow for 1.3 acres. This would not be a drastic change, Cailloux noted.

Prebor moved to approve New Agenda item 10-17-04, the amendment to Section 1110(e) of the Land Development Ordinance, Tree Credit. King seconded. The motion carried unanimously.

10-17-05 Consider Acquisition of Path Easement from Camden Apartments

City Attorney Ted Meeker referred Council to his memo detailing the agreement. He said the appraisal was \$99,000, but the parties agreed upon a price of \$85,000 with the stipulation that the City install three lampposts along the path on Camden's property, along with a fence and landscaping. This path was the last link to the tunnel under MacDuff Parkway.

Ernst moved to approve New Agenda item 10-17-05, the acquisition of the path easement from Camden Apartments. King seconded. The motion carried unanimously.

Council/Staff Topics

Rorie told Council that the spillway project was moving forward.

Meeker noted there were a couple of items that had been addressed to him over the past few days, and, rather than call an executive session, he asked to read a statement:

Based on various questions I have received in the last couple of days, I felt it necessary to respond to the issues that have been raised about an incident that occurred at PAC [Peachtree City Athletic Complex] a few weeks ago.

The Police Department responded to two (2) 911 calls. Officers on scene during the incident on 9/2 spent over an hour investigating what happened and interviewed all of the witnesses. Based upon the facts known to the officers at the conclusion of that investigation, there was not a sufficient basis to arrest the person in question. The victim communicated a very clear position that she did not want criminal charges pursued and she did not feel a crime was committed against her. While officers can certainly set aside a victim's wishes to not seek charges in a Family Violence incident, their decision must be supported by other corroborating evidence and probable cause to believe that the offending party was the primary aggressor in a qualifying criminal act. The officers in this case weighed the available evidence in a reasonable manner and determined there was not sufficient

information to proceed in that course of action. A follow up investigation revealed no significant differences from what officers found on scene. The victim reiterated her position on the matter to the investigator in a different environment, well separated from the incident and the other involved parties.

One of the parties involved contacted my office on September 22. I responded to his inquiry. From the start of the conversation, he made it perfectly clear to me that he was seeking an offer. He indicated that he had sued people before and won. He told me that he had videoed the incident on his phone, and that it would be bad publicity for the City for him to release that video. There were a series of texts and emails that day. It was clear to me that the City would either make him an offer, or a lawsuit would follow.

The texts continued on Saturday September 23rd.

Last week, I told him that no offer would be forthcoming based upon my review of the matter and the legal issues involved. I also informed him that the PD was doing its own review of the matter. As I just indicated, that process is now complete. The conclusion remains that no charges are warranted.

Earlier this week, I received more communications from him informing me that his video was done, and it was good. His words, not mine. I asked for a copy. He told me I would receive it when all of Peachtree City received it.

So, he posted his video. Nothing in that video has changed my legal analysis.

All of Mr. Findley's communications with me have been about trying to secure some type of compensation from the City. His offer of a forum to speak about this issue was raised, but only in the context that the City could pay them speaker fees as an alternative method of compensation. I have text messages from him to substantiate this statement.

Peachtree City enjoys an incredibly low crime rate. That is due to both its citizens and the excellent Police Department of the city. The PD takes all crime seriously, including domestic violence. If the on-site investigation yielded any evidence of a crime, an arrest would have occurred.

I felt like the Citizens deserved to hear the facts about this matter.

Meeker said the other matter dealt with High Sierra's lawsuit against the City. His statement read:

This lawsuit involves the rezoning of property in Lexington. It is important to note that the party suing was successful in obtaining a zoning classification that would allow 80 loft apartments, and the creation of the LUC-28 zoning district. The issue is the portion of the property that is still zoned LUC-16.

The allegations in the lawsuit are that the City did not follow applicable law in changing the LUC-16 zoning classification.

The City posted a sign on the property, and ran an ad in the paper that complies with the Georgia Zoning Procedures Law. Council acted in accordance with

Georgia law in amending the LUC-16 zoning district.

Judge Ballard ruled in favor of the City. According to the Court docket, a Notice of Appeal was filed on October 2nd. And I received that notice just this afternoon so now the matter will be pending, probably in the Georgia Court of Appeals.

There being no further business, King moved to adjourn. Ernst seconded. Motion carried unanimously. The meeting adjourned at 8:11 p.m.

Martha Barksdale, Recording Secretary

Vanessa Fleisch, Mayor

**FY2017 MONTHLY REPORT
LIBRARY**

ACTIVITY DESCRIPTION	UNIT	October	November	December	January	February	March	April	May	June	July	August	September	FY2017 YEAR-TO-DATE	FY2016 YEAR-TO-DATE
Items - Acquired	Num.	303	434	758	242	258	436	359	300	310	384	463	313	4,560	4,232
Items - Circulated	Num.	29,958	26,976	24,653	27,899	29,348	30,141	26,329	30,434	37,220	36,388	32,617	28,818	360,781	364,339
Items - Loaned to Other Libraries	Num.	1,074	1,084	922	1,320	1,353	1,280	1,241	1,201	1,232	1,299	1,300	1,222	14,528	13,886
Items - Borrowed From Other Libraries	Num.	1,573	1,558	1,746	1,986	1,880	2,240	1,809	1,908	2,401	2,346	2,192	1,865	23,504	22,362
Class Visits	Num.	1	0	0	2	1	5	0	4	1	0	0	2	16	17
Group Meetings	Num.	39	28	23	37	45	47	36	41	22	33	32	33	416	467
Monthly Traffic	Num.	17,557	15,652	12,263	13,825	15,887	16,308	15,213	16,825	19,502	19,316	20,045	15,530	197,923	200,945
Children's Programs	Num.	20	15	10	13	21	19	13	13	36	24	8	22	214	250
Number of Participants	Num.	1,082	414	263	372	586	700	435	1,458	1,737	1,160	331	568	9,106	9,084
Adult Programs	Num.	7	9	2	5	4	4	11	6	10	8	9	7	82	83
Number of Participants	Num.	89	88	17	130	48	42	129	112	179	140	390	134	1,498	1,041
Revenue from Overdue Book Dls.	Dls.	3,665	3,235	3,676	3,421	3,613	4,159	3,753	4,296	5,055	4,274	3,726	3,513	46,386	44,525
Revenue from Copies Made	Dls.	485	427	352	565	652	846	566	391	623	394	613	548	6,462	6,376
Reference Assistance	Num.	1,826	1,985	1,791	1,945	1,974	2,074	1,922	2,002	2,385	2,031	2,089	1,824	23,848	20,545
Exams Proctored	Num.	29	28	31	13	14	31	24	25	15	25	24	33	292	287
Revenue from Proctoring	Dls.	410	370	400	160	200	400	320	380	180	320	350	300	3,790	3,820
Internet Usage	Num.	1,549	1,346	1,127	1,259	1,435	1,373	1,374	1,287	1,456	1,546	1,852	1,499	17,103	18,692
Volunteers	Num.	41	37	40	42	43	38	40	40	45	42	39	35	482	555
Number of Hours Worked	Num.	203	193	217	244	255	270	205	253	367	331	279	212	3,029	3,250
Digital Downloads	Num.	2,328	2,308	2,146	2,202	2,727	3,125	2,876	3,012	3,188	3,303	3,427	2,904	33,546	27,632
Electronic Reference Access (Excluding GALILEO)	Num.	341	290	811	786	973	379	267	102	254	391	204	370	5,168	3,606

Notes: Eclipse viewing on the Plaza on Aug. 21st was extremely popular, thanks to our Youth Services Librarian who procured 200 eclipse viewing glasses free of charge via an SSI grant.
 Hoopla streaming services will end in November and will be replaced with additional GADD titles. Although patrons enjoyed the service, it was deemed too cost prohibitive for materials the library didn't own outright. The vast majority of GADD titles we own outright - and for a one-time price. Further, GADD will be moving from the OverDrive platform to

Public Works Quarterly Report

Activity Description	Unit	3rd Quarter 2017	FY2017 YTD	Annual Goal
General				
Average time to complete vandalism repairs once notified	Days	1.0	1.0	3
Average time to respond to a citizen complaint and assign action	Days	2.0	2.0	5
Streets				
Street Patching	Hrs.	45	45	2,500
Street General Maintenance	Hrs.	1,051	2,828	3,500
Storm Water Maintenance	Hrs.	1,409	5,245	8,000
Street Sweeping	Ft/MIs	1309440/248	4329600/820	0
Cart Paths				
Cart Path Paving	Ft.	11,340	37,440	47,520
Cart Path Prep	Ft.	3,944	23,830	
Time to remove trees on paths once reported	Days	1.5	1.0	2
Cart Path Drainage Maintenance	Hrs.	153	835	2,500
Cart Path General Maintenance	Hrs.	1,327	5,516	3,250
Signs				
Average time to respond to traffic sign maintenance issues	Days	1.0	1.0	2
Signs Changed over to new reflectivity and mixed letter standard (completion date 2018)	Each	79	83	350
Entrance Sign Maintenance	Each	7	34	0
Contracted Services				
Time for contractor to remove trees once notified	Days	3.0	3.0	3
Time for landscaping and mowing contractor to fix an issue once notified	Days	unresponsive/1	unresponsive/1	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	Hrs	3.5	3.5	3
Average time to complete a preventative maintenance on a Heavy Truck	Hrs	5.0	5.0	6
Average time to complete a preventative maintenance on a Heavy Equipment	Hrs	7.0	3.1	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.	1,056	4,392	2,500
Parks General Maintenance	Hrs.	21,275	23,843	435
Grounds/Landscape Maintenance	Hrs.	4,697	15,450	0
General Maintenance	Hrs.	1,192	4,095	2,000
Vandalism	Hrs.	3	176	0
Litter Removal	Hrs.	12	566	2,000
Building Maintenance	Hrs	691	1,995	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.

PEACHTREE CITY POLICE DEPARTMENT
2017 MONTHLY REPORT

			2017 Calendar Year to Date	2016 Calendar Year to Date
	3rd Qtr 2017 July-Sept	3rd Qtr 2016 July-Sept		
<u>TOTAL PART I CRIMES</u>	131	129	459	414
CRIMINAL HOMICIDE	0	0	0	2
FORCIBLE RAPE	3	2	3	4
ROBBERY	3	0	6	3
AGGRAVATED ASSAULT	0	1	8	9
ARSON	1	0	1	0
MOTOR VEHICLE THEFT	11	12	54	29
LARCENY - THEFT (SHOPLIFTING, ENTERING AUTOS, ETC)	106	105	368	330
BURGLARY	7	9	23	37
 <u>DUI ARRESTS</u>	 41	 51	 140	 118
DRUG ARRESTS: Marijuana, Methamphetamine, Cocaine, Other				
 TOTAL DRUG ARRESTS	 49	 36	 145	 99
 <u>OTHER ARRESTS</u>				
 PROPERTY CRIMES	41	37	122	118
PERSON CRIMES	14	12	40	56
TRAFFIC OFFENSES	71	57	180	199
OTHER	81	68	254	200
 <u>CALLS FOR SERVICE</u>	 12,838	 12,012	 38,246	 36,475
 <u>TRAFFIC</u>				
 CITATIONS ISSUED	2,253	2,191	6,821	6,754
CITY ORDINANCES	144	143	431	345
WARNINGS	2,379	1,749	6,266	4,652
ROADWAY CRASHES	232	248	683	656

TOP 10 ACCIDENT LOCATIONS 2017			
	MONTH		YTD
HWY 54 / WALT BANKS	4	HWY 54 / HWY 74	68
HWY 54 / HWY 74	3	HWY 54 / HUDDLESTON RD	34
HWY 54 / MACDUFF PKWY	2	HWY 74 / TDK / CROSSTOWN	29
HWY 54 / PLANTERRA WAY	2	HWY 54 / LINE CREEK	28
HWY 74 / WISDOM RD	2	HWY 54 / PLANTERRA	25
HWY 54 / COMMERCE	2	HWY 54 / MACDUFF	25
HWY 74 / CLOVER REACH	2	HWY 74 / KEDRON	15
HWY 74 / KELLY	2	HWY 74 / KELLY	11
HWY 54 / LINE CREEK	2	HWY 74 / WISDOM	11
HWY 74 / HOLLY GROVE RD	2	HWY 74 / HOLLY GROVE RD	9

2017 PEACHTREE CITY AIRPORT AUTHORITY ATTENDANCE RECORD

October 12, 2017

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, Chairman 1/1/2014 - 12/31/2018	7	6	1	October 12, 2017	86%
Tom Fulton, Treasurer 1/1/2015 - 12/31/2019	7	7	0		100%
Michael Mitchell 1/1/2016 - 12/31/2020	7	3	4	January 12, 2017 April 13, 2017 May 11, 2017 September 20, 2017	43%
Tom Lacy 1/1/2017 - 12/31/2021	7	6	1	September 20, 2017	86%
Allen Morrison 1/1/2017 - 12/31/2017	7	7	0		100%

PEACHTREE CITY CONVENTION & VISITORS BUREAU ATTENDANCE RECORD

2 Year Term (unless specified below)

Term of Appointment

October-17

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
J.H. Hooper Business Owner 03/02/17 -09/30/17	10	6	5	1	4/19/2017	83%
Jonathan Fralick Recreation Venue 01/01/2016 - 09/30/17	10	11	9	1	4/19/2017	82%
Mike King City Council 01/01/17-09/30/17	10	11	9	1	4/19/2017	82%
Hope Macaluso, Secretary/Treasurer Airport Authority 10/01/16-09/30/17	10	11	9	1	4/19/2017	82%
Vendo Toming, Business Owner 10/01/16 - 09/30/17	10	11	6	4	4/19/2017, 6/21/2017,07/26/2017, 9/20/2017	55%
Patti Kadhodaian Business Owner 03/02/17 -09/30/18	10	6	4	2	04/19/17, 06/21/17	67%
Rick Adlington Hotel/Motel 01/01/16 - 09/30/17	10	11	8	1	5/24/2017	73%

PC WATER AND SEWERAGE AUTHORITY ATTENDANCE RECORD

Five (5) Year Term

October 2, 2017

Term of Appointment

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 01/17/14 - 12/31/17	12	12	10	2	03/06/2017 10/02/2017	83%
Phil Mahler Vice-Chairman 01/01/15 - 12/31/19	12	12	12	0		100%
Frank Ward Secretary/Treasurer 08/04/16 - 12/31/18	12	12	12	0		100%
John Dufresne 02/04/16 - 12/31/20	12	12	12	0		100%
John Oakey 01/01/17 - 12/31/21	12	10	10	0		100%
Bob Grove Alternate 01/01/17 - 12/31/17	12	10	10	0		100%

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager 

FROM: Deputy City Clerk 

DATE: October 2, 2017

SUBJECT: Alcohol License – NEW – The Fit Kitchen
October 19, 2017, Consent Agenda

Recommendation:

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

Discussion:

The Fit Kitchen, 109 Lexington Circle, has submitted a request for a new alcohol license. Mr. Tony McFarr has requested he 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, plus an additional \$500 for Sunday Sales.

Attachments

Application For Alcoholic Beverage License

Business Name: The Fit Kitchen	Business Location: 109 Lexington Circle Peachtree City, GA 30269	
Nature of Business: Salad, Wrap & Poke Bowl restaurant	Mailing Address: 109 Lexington Circle Peachtree City, GA 30269	Business Phone Number:
Name of Licensee: Tony McFarr	Home Address: 125 Daisy Hill Tyrone, GA 30290	Home Phone Number: 407-234-9017
Name of License Representative: <i>same as above</i>	Home Address:	Home Phone Number:

Please indicate type of licenses applying for:

Retail Consumption Dealer		Retail Package Dealer		Wholesale Dealer	
X	Malt Beverage		Malt Beverage		Malt Beverage
X	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:
Tony McFarr	125 Daisy Hill Tyrone, GA 30290	407-234-9017

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: _____

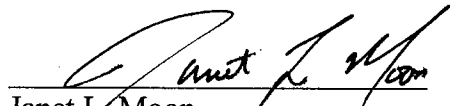
State of Georgia

City of Peachtree City

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

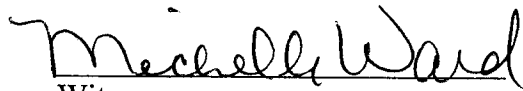
Antonio G. McFarr
125 Daisy Hill
Tyrone, GA 30290

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

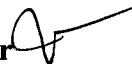
9/25/12
Date



Michelle Ward
Witness

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager 

FROM: Quinn Bledsoe, Recreation Administrator 
Paul J. Salvatore, Financial Services Director *P.S.*
Angela Egan, Purchasing Agent 
Mary Camburn, Accounting Manager 

DATE: September 1, 2017

SUBJECT: Consider The Fred Amphitheater Management Contract
October 5, 2017 City Council Meeting

Recommendation

Award the Amphitheater Management Services Contract to PRTD, LLC, a joint venture that includes RCS Productions, Premier Events and Ticket Alternative. The Joint Venture will handle all talent acquisition, marketing, box office operations, concessions, general management and production services. All parties involved in this joint venture are located in the Metro Atlanta Area.

Discussion

Since the departure of the amphitheater manager, staff has been evaluating options for fulfilling the duties performed by that position. Requests for proposals were solicited and after a long and thorough evaluation process by a staff committee, the decision was made to recommend the joint partnership option. The Fred will be able to leverage several advantages with this option that would not be possible if the city were to simply replace the vacant Amphitheater Manager contract employee position. Following are some highlights of what each partner in the joint venture will provide and how it will benefit The Fred:

Joint Venture Partners

- 1.) **RCS Productions** will handle all talent acquisition and negotiation, Advancing and Day of Show Execution, Production/Technical Services, Audio and Lighting, Staging, and Consulting Services.
 - RCS brings to the table 35 years of experience currently working with the Atlanta Botanical Gardens "Concerts in the Garden", City of Woodstock's Summer Concert Series, Sweetland Amphitheater in Lagrange and the City of Marietta's Summer Concert Series among many others.
 - RCS works with venues throughout the Southeast interacting with national recording artists and managers on a year round basis. This gives them buying power and influence, superior to that of an individual amphitheater manager, to negotiate and book acts to perform at The Fred.
 - RCS also deals with the agents directly for artists and not their assistants, as a small venue manager like ours usually does.
- 2.) **Premier Events** will handle sponsorships, marketing and concessions at the amphitheater as well as lend their expertise to planning and managing events at the amphitheater. They will also

be able to assist in the planning and execution of other events at other city venues throughout the year.

- Premier Events currently provides Concessions for Chastain Park, Kennesaw State University Football Stadium, Music Midtown among many others as well as providing Event Management Services for Taste of Alpharetta, Alpharetta Arts Street Festival, Wire and Wood Songwriters Festival, Atlanta BBQ Festival and the German Bierfest.
- Due to their prominent position in the events industry in the southeast, Premier Events brings access to several larger sponsors that we cannot usually access.

3.) **Ticket Alternative** is our current vendor for ticketing and would continue in this role.

- By having Ticket Alternative in this Joint Venture it will give us the opportunity to modernize our current ticket buying experience as well as our current equipment.
- Staff plans to work closely with the Front of House Operations Manager to evaluate and utilize several other options available through Ticket Alternative that are not currently being utilized.

All partners within the joint venture have expressed a willingness to work closely with staff and management to assure the continuance of bringing quality acts to The Fred that will be welcome, appropriate and appreciated by the community.

The city will continue to provide building maintenance and security services and also continue to hire seasonal ushers, ticket-takers and box office personnel. These services will all continue to be funded with Amphitheater Fund revenues, as usual.

Budget Impact

Based on staff's evaluation of the proposal, it is expected that working with the joint venture will have a positive financial impact on The Fred. In particular, both the buying and negotiation power of RCS and the superior ability to leverage sponsorships of Premier Events should yield immediate impacts. The partnership has also committed to working with city staff in the development of a multi-year capital improvement plan for The Fred that would optimize expenditures of this nature. The Financial Services Director and his staff plan to work closely with the partnership to plan for annual operational surpluses that could be used for such reinvestment in the facility.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: Jonathan N. Rorie, City Manager

FROM: Betsy Tyler, Public Information Officer/City Clerk

DATE: October 13, 2017

SUBJECT: Ordinance Amendments Preview
October 19, 2017, City Council Meeting

Based on input on October 19, staff is planning to bring forward two ordinance amendments for Council Consideration in the coming weeks:

Commission/Authority/Board Appointments

This amendment to the Administration Ordinance updates the appointment process for the various boards to reflect the enabling legislation and bylaws that may allow for some or all members of Council to serve on boards. The proposed changes also clarify the advertising of the vacancies, the appointment of the selection committee.

The changes also specifically prohibit members of Council or staff from serving on the Peachtree City Planning Commission due to the semi-judicial process and right of appeal to Council of Planning Commission decisions.

Finally, the section relating to the organization of the Planning Commission has been updated to reflect their lack of budget or ability to appoint staff or enter into contracts. These activities are exclusive to Council and the City Manager.

Alcoholic Beverages – Manufacturers License

Recent changes in state law have expanded the availability and definition of Manufacturers Licenses for alcohol and allowed for on-premises samples and sales of alcohol at manufacturing locations. Peachtree City has had inquiries from prospective new manufacturers interested in locating here, but the City's current ordinance lacks a license category for manufacturers and the associated definitions that correspond with State law.

The proposed amendment would update the City's definitions to address alcoholic beverage manufacturing, create an associated license category, eliminate outdated language related to taxes imposed prior to 2002, and update the alcohol excise tax section to reflect the operations of a manufacturer. Finally, a section specific to the operations of an Alcohol Manufacturer has been created.

Barring any concerns from Council, staff anticipates placing these amendments on an agenda in November.

ORDINANCE PREVIEW

Commission/Authority/Board Appointments

Sec. 2-336. - Commission, authority, and ~~bureau~~ board appointments, attendance.

- (a) The mayor and council shall serve as members of the appropriate authorities/corporations as designated by the respective enabling legislation/articles of incorporation.
- (b) Council may appoint up to one member of Council (including the mayor) or staff to serve as a full member of a commission, authority, or board if permitted by the enabling legislation/articles of incorporation or not specifically prohibited herein.
- (ac) Council may appoint citizen volunteers as appropriate to fulfill vacancies using the following process: Commission, authority, and association selection process.
- (1) The administrative services division city manager's office shall advertise vacancies, acknowledge applications, schedule appointments with selected applicants and notify applicants of decisions of the selection committee.
 - (2) The selection committee shall be comprised of: two members of the city council, as to be appointed by the mayor, the city manager, the chief administrative officer, and the chairman of the respective commission, authority, or association, or his designee, who shall not vote on the final recommendation to council.
 - (3) ~~The chief administrative officer~~ city manager shall serve as selection committee coordinator and ensure compliance with all requirements of this section.
 - (4) The selection committee shall:
 - a. Conduct interviews with applicants as scheduled by the ~~administrative services division.~~ city manager's office.
 - b. Select and recommend, to the extent possible, a representative cross section of the citizenry as appropriate to serve on the commission/authority/association.
 - c. Forward the recommended selections to the city council for appointment.
- (bd) Applicant eligibility requirements.
- (1) In general, Commission, and authority and board applicants must:
 - a. Be a legal resident of the state and have been a resident of the city for at least six months prior to the date of the application;
 - b. ~~Not be an elected official of any governmental jurisdiction in the county or employee of the city; and~~
 - c. Meet any other qualifications established by the enabling legislation creating the particular commission, ~~or authority or board.~~
 - (2) Planning commission applicants/appointees may not be members of the city council or city staff.
 - (3) Convention and visitors bureau applicants must:

Meet the qualifications established by the convention and visitors bureau in its articles of incorporation and bylaws, as such may be amended, and as approved by the mayor and council.

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

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

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

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

Planning Commission

Sec. 2-447. - Membership.

The city planning commission shall consist of five members who shall be residents of the city, appointed by the governing body. No member shall be a member of the city council or city staff to preserve the integrity of the variance and appeal process. The members of the planning commission currently serving shall serve for the term for which they were appointed, namely, two until October 1, 1986; two until October 1, 1987; and one until October 1, 1988; or until their successors are appointed. As the terms of the respective members of the city planning commission shall expire, all future appointments shall be for terms of three years each. Any vacancy in membership shall be filled for the unexpired term by the governing body, which shall also have the authority to remove any member for cause on written charges, after a public hearing. All members shall serve without compensation, but may be reimbursed for actual expenses incurred in connection with their respective duties.

Sec. 2-448. - Organization; rules; staff; finances.

The city planning commission shall elect its chairman from among its members. The term of the chairman shall be one year with eligibility for reelection. The city planning commission shall appoint a secretary, who may be an officer or employee of the city. The city planning commission shall make its own rules of procedure and determine its time of meeting. All meetings of the city planning commission at which official action is taken shall be open to the public. ~~The city planning commission may appoint such employees and staff as it may deem necessary for its work and may contract with the state planning agency and city planners and other consultants for such services as it may require.~~ The expenditures of the city planning commission, exclusive of gifts, shall be within the amounts approved for the purpose by the council.

ORDINANCE PREVIEW

ALCOHOLIC BEVERAGES – MANUFACTURER'S LICENSE

ARTICLE I. - IN GENERAL

Definitions:

Malt beverage means any alcoholic beverage obtained by the fermentation or any infusion or decoction of barley, malt, hops or any other similar product, or any combination of such products in water, containing not more than ~~fourteen~~^{six} percent alcohol by volume, and including but not limited to ale, porter, brown, stout, lager beer, malt liquor, small beer and strong beer.

Manufacturer means any maker, producer, or bottler of an alcoholic beverage and:

- 1) In the case of distilled spirits, any person engaged in distilling, rectifying, or blending any distilled spirits;
- 2) In the case of malt beverages, any brewery; and
- 3) In the case of wine, any vintner.

Minor means any person under the age of 21 years.

Package means a bottle, can, keg, barrel or other original consumer container.

Permitted location means a building, premises or location for which a permit is required pursuant to this chapter and shall include a premises and a licensed premises as defined herein.

Person means any individual, firm, partnership, cooperative, nonprofit membership corporation, joint venture, association, company, corporation, agency, syndicate, estate, trust, business trust, receiver, fiduciary, or other group or combination acting as a unit.

Premises means a definite enclosed area or other outside area with controlled ingress and egress wherein spirituous liquors, alcoholic beverages, malt beverages or wine shall be manufactured; sold and consumed; and/or sold by the package to be consumed elsewhere.

DIVISION 1. - GENERALLY

Sec. 6-36. - License required to sell alcoholic beverages.

(a) Licenses for the sale of alcoholic beverages shall be issued by the city clerk at an annual license fee to be established by city council resolution for the following:

- (1) Retail consumption dealer (distilled spirits);
- (2) Retail package dealer (distilled spirits);
- (3) Retail consumption dealer (malt beverage);
- (4) Retail package dealer (malt beverage);
- (5) Retail consumption dealer (wine);
- (6) Retail package dealer (wine);
- (7) Wholesale dealer (distilled spirits);

- (8) Wholesale dealer (malt beverage);
 - (9) Wholesale dealer (wine);
 - (10) Manufacturer (distilled spirits)
 - (11) Manufacturer (malt beverage);
 - (12) Manufacturer (wine)
 - (130) Retail consumption dealer—Additional license;
 - (141) Qualifying location permit (distilled spirits, malt beverages and wine);
 - (152) Special event permit;
 - (163) Retail consumption dealer (distilled spirits, malt beverage, wine) Frederick Brown, Jr., Amphitheater;
 - (174) Wine tasting permit (supplemental to retail package dealer for wine or retail package dealer for wine and malt beverage); and
 - (185) Growler sampling permit (supplemental to retail package dealer for malt beverage or wine and malt beverage).
- (b) Wholesale dealers are not required to pay a license fee pursuant to subsection (a)(7), (8) and (9) of this section unless the wholesaler or his agent delivers alcoholic beverages at the time the order is taken or unless the wholesaler's business is located within the city limits.
 - (c) The fee for the retail consumption license issued for the Frederick Brown, Jr., Amphitheater shall be 50 percent of the annual fee established by city council; provided, however, that if the licensee holds another retail consumption license within the city the fee shall be 25 percent of the annual fee established by the city council.
 - (d) All licenses issued in this article shall constitute a mere grant of a privilege to carry on such business during the term of the license subject to all the terms and conditions imposed by this chapter and related laws, applicable provisions of this Code, and other ordinances and resolutions of the city relating to such business.
 - (e) Both the licensee and the license representative shall be the authorized and duly constituted agent for service of all notices and processes required to be served on or given under this article for any action or proceeding or uses of any nature whatsoever permitted under the provisions of this chapter or under any other provisions of this Code.

Sec. 6-46. - Excise tax; report; penalty for failure to file; payment.

- (a) In addition to the annual ~~retail~~ license fee required for the sale of alcoholic beverages, there is levied an excise tax computed as follows:
 - (1) For distilled spirits, the maximum allowed as provided in O.C.G.A. § 3-4-80;
 - (2) For foreign and domestic wines, the maximum allowed as provided in O.C.G.A. § 3-6-60 except as exempt in O.C.G.A. § 3-6-70; and
 - ~~(3) For malt beverages commonly known as tap or draft beer and when sold in and from a barrel or bulk container and until December 1, 2002, a tax of \$3.00 on each container sold containing not more than 15½ gallons and a proportionate tax at the same rate on all fractional parts of 15½ gallons; when malt beverages are sold in bottles, cans or other containers, except barrel or bulk containers, until December 1, 2002, a tax of~~

~~\$0.05 per 12 ounces and a proportionate tax at the same rate on all fractional parts of 12 ounces.~~

(34) For malt beverages, ~~on and after December 1, 2002,~~ the maximum allowed as provided in O.C.G.A. § 3-5-80 except as exempt in O.C.G.A. § 3-5-90.

- (b) The excise tax levied under subsection (a)(1), (2) and (3) of this section shall be paid and collected in the following manner: Except for alcoholic beverages sold directly to consumers on the premises of a licensed manufacturer, The taxes shall be paid by the wholesale dealer on or before the 20th day of the month following the calendar month in which the beverages are sold or disposed of within the city by the wholesale dealer. In the case of alcoholic beverages sold directly to consumers on the premises of a licensed manufacturer, the taxes shall be paid by the manufacturer on or before the 20th day of the month following the calendar month in which the beverages are sold or disposed of within the city by the manufacturer. The wholesale dealer or manufacturer, as the case may be, shall also file a report itemizing for the preceding calendar month the exact quantities of alcoholic beverages by size and type of container, sold during the month within the city, except that manufacturers do not have to report alcoholic beverages sold to wholesalers. The wholesale dealer or manufacturer, as the case may be, shall file the report and pay the tax at the office of the city clerk.
- (c) The failure to make a timely report and remittance shall render the defaulting licensee liable for a penalty equal to ten percent of the total amount due during the first 30-day period following the date such report and remittance were due and a further penalty of 25 percent of the amount of such remittance for each successive 30-day period or any portion thereof, during which such report and remittance are not filed or paid.
- (d) The filing of a false or fraudulent report shall render the dealer making the report liable for a penalty equal to 50 percent of the amount of the remittance which would be required under an accurate and truthful report, and shall also constitute grounds for probation, suspension or revocation of such license, and shall also constitute a violation of the ordinances of the city for which the offender may be convicted in the municipal court as provided in the Charter.

Sec. 6-56. – Manufacturers.

- a) It shall be unlawful to operate an establishment governed under the provisions of this article without first obtaining a license from the city clerk and paying such fees and taxes as may be required by the ordinances, rules and regulations of the city.
- b) Notwithstanding any other provision of this Chapter 6, tastings and direct-to-consumer sales, including both on-premises and off-premises sales, from the licensed premises shall be permitted in accordance with state law, as amended from time to time.
- c) Notwithstanding any other provision of this Chapter 6, and in addition to on-premises sales and package sales, a licensed brewer may furnish or sell growlers directly to consumers in accordance with state law, as amended from time to time.
- d) Notwithstanding any other provision of this Chapter 6, licensed manufacturers may sell or furnish alcohol directly to consumers on Sundays between the hours of 12:30 p.m. and 1:59 a.m., without having to satisfy any food sales requirement.