

City Council of Peachtree City
Meeting Summary
October 5, 2000
7:00 p.m.

- I. Pledge of Allegiance
- II. Announcements, Awards, Special Recognition
Youth Advisory Board Recognition - Cecelia Eifert, CCY Commissioner and YAB Advisor, will recognize 20 teens who serve on the YAB.
- III. Minutes – August 17, 2000 and September 20, 2000
- IV. Consent Agenda – **Approved 4-0**
 - Approve Surplus Items for Auction
 - Consider Bid – Riley Track and Field
 - Consider Resolution - Establishment of a Community Greenspace Trust Fund
- V. Old Agenda Items
09-00-01 Consider Ordinance – Outside Storage Display - **Tabled 4-0**
- VI. New Agenda Items
10-00-01 Consider Alcohol License – Sushi Yoshi, 285 Hwy 74 N – **Approved 4-0**
10-00-02 Public Discussion of the Lexington Commons Commercial Development at the Walt Banks/SR-54 Intersection – **Scheduled Public Hearing for October 19th to lift moratorium on multi—family zoning in respect to Lexington Commons . 4-0**
10-00-03 Public Hearing – Set Millage Rate – **approved 4-0**
10-00-04 Discussion - Inspections of Public Pools – **no action**
10-00-05 Discussion – Process for Filling Authority/Commission Vacancies – **no action**
- VII. Council/Staff Topics
- VIII. Executive Session

Council members present: Mayor Protem Annie McMenamin, Carol Fritz, Bob Brooks and Dan Tennant. Mayor Lenox was absent.

City Council of Peachtree City
Agenda
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7:00 p.m.

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Notice: This agenda is subject to change up to 24-hours prior to the meeting.

Financial Services
August Monthly Report

Financial Services Monthly Report

STATUS OF FUNDS AS OF AUGUST 31, 2000

Fund	Cash			Investment		Total Fund	YTD Interest	Purchasing Monthly Report			MTHLY % INC/(DEC)
	Balance		Total	Balance				2000	1999	TOTAL YTD	
#1 General Fund	\$51,867	\$1,514,199	\$1,566,066	\$134,094				1,112	1,244		-10.61%
Council Reserve Fund	\$317,755	\$249,111	\$566,866	\$28,621				141	142		-0.70%
Library Sales Tax Fund	\$58,445	\$0	\$58,445	\$2,293				23	25		-8.00%
Public Improvement Fund	\$196,042	\$1,500,718	\$1,696,760	\$101,949				60	63		-4.76%
Police Station Lease	\$0	\$2,087,976	\$2,087,976	\$100,209				171	231		-25.97%
Self Insurance Fund	\$261,308	\$723,377	\$984,685	\$45,182				1,337	1,400		-4.50%
Debt Service Fund	\$26,246	\$0	\$26,246	\$3,042				16	19		-15.79%
Bond Fund	\$0	\$0	\$0	\$0				6	14		-57.14%
Municipal Court Fund	\$48,566	\$0	\$48,566	\$2,025				53	61		-13.11%
Develop & Impact Fees	\$533,337	\$376,546	\$909,883	\$18,787				\$525,100	\$238,955		119.75%
Neighborhood Parks/Rec.	\$9,566	\$0	\$9,566	\$148							
Federal Seizures Police Fd	\$252	\$0	\$252	\$10							
Confiscated Fund	\$7,441	\$0	\$7,441	\$0							
Police Tuition Account	\$3,025	\$0	\$3,025	\$51							
Escrow Account	\$145,805	\$126,347	\$272,152	\$10,311							
Grand Total	\$1,659,656	\$6,578,274	\$8,237,930	\$446,722							

Collateral Analysis as of August 31, 2000

#1 Includes investments of \$250,000 for 54/Railroad Carpath Overpass Project.

Security Location	Bank	Total Held
Bank of New York	First Union	\$8,399,529
Bank of New York	Peachtree National	\$5,100,000

\$13,499,529

Budget Comparison
Revenues - By Major Category

Description	2000 Budget		Actual YTD	Difference	%
General Property Taxes	\$4,438,049	\$4,518,533	\$80,484	101.81%	93%
Franchise Taxes	\$1,771,233	\$1,530,154	(\$241,079)	86.39%	85%
Local Option Sales Tax	\$5,135,529	\$4,923,133	(\$212,396)	95.86%	88%
Other Sales & Use Taxes	\$1,047,781	\$913,516	(\$134,265)	87.19%	89%
Business Taxes	\$1,048,419	\$993,836	(\$54,583)	94.79%	91%
Business Permits	\$395,717	\$427,570	\$31,853	108.05%	89%
Non-Business Permits	\$15,346	\$16,050	\$704	104.59%	
Charges for Services	\$501,016	\$458,005	(\$43,011)	91.42%	
Fines & Forfeitures	\$1,012,311	\$761,425	(\$250,886)	75.22%	
Investment Income	\$109,999	\$134,093	\$24,094	121.90%	
Rents & Royalties	\$163,558	\$130,460	(\$33,098)	79.76%	
Other Revenue	\$6,273	\$7,026	\$753	112.00%	
Total	\$15,645,231	\$14,813,801	(\$831,430)	94.69%	

Budget Comparison
Expenditures by Division YTD

Division	2000 Budget	Actual YTD	Difference	%
Administrative	\$1,030,267	\$955,607	\$74,660	93%
Developmental	\$711,079	\$605,161	\$105,919	85%
Finance	\$454,711	\$401,449	\$53,262	88%
Leisure Services	\$2,574,391	\$2,289,703	\$284,688	89%
Public Safety	\$4,308,620	\$3,907,372	\$401,247	91%
Public Works	\$2,053,288	\$1,836,918	\$216,370	89%
Total	\$11,132,356	\$9,996,209	\$1,136,147	90%

Summary of Major Expenditures by City Manager			Date
Description	Budget	Award	Svgs/Short
Record Mgt Software	\$25,000	\$19,465	\$5,535
			8/30/00

BUILDING DEPARTMENT

2000 MONTHLY REPORTS

[illegible]

DEVELOPMENT PERMITS:

BUILDING PERMITS:

Single Family Residential
Multi-Family Residential
Misc.-Pools/fences/additions
Commercial/Industrial

TOTAL INSPECTIONS:

CERTIFICATE OF OCCUPANCY:

Residential
Commercial
Multi-Family Residential

CODE ENFORCEMENT:

Complaints
Warning
Stop Work C
Citations

PERMIT FEES COLLECTED:

POPULATION: Based on

POPULATION: Based on 29 of completed occupancy.

*Revised to reflect 2000 Census figures

BUILDING DEPARTMENT

2000 MONTHLY REPORTS

2000 1999
YEAR-TO-DATE YEAR-TO-DATE

DEC NOV OCT SEP AUG JUL JUN MAY APR MAR FEB JAN

108 246

DEVELOPMENT PERMITS:

BUILDING PERMITS:

Single Family Residential
Multi-Family Residential
Misc.-Pools/fences/additions
Commercial/Industrial

89 208
399 0
530 498
74 86
3,487 6,027

TOTAL INSPECTIONS:

CERTIFICATE OF OCCUPANCY:

Residential
Commercial
Multi-Family Residential

133 184
17 10
0 6

CODE ENFORCEMENT:

Complaints
Warning
Stop Work Orders
Citations

3,157 2,362
2,636 2,912
43 36
11 33
278,752 250,497

PERMIT FEES COLLECTED:

POPULATION: Based on
3.05 of completed occupancy

15,942 19,967 21,656 35,629 68,857 66,772 20,975 28,954
33,409 33,461 33,522 33,577 33,626 33,675 33,724 33,782

CRIME REPORT - AUGUST 2000

PART I CRIMES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YTD 2000	YTD 1999
MURDER	0	0	0	0	0	0	0	0					1	1
RAPE	0	0	0	0	1	0	0	0					2	2
ROBBERY	0	1	0	0	0	0	0	1					6	6
AGGRAVATED ASSAULT	0	3	1	0	1	0	0	0					1	0
ARSON	0	0	0	0	0	1	0	0					50	18
AUTO THEFT	2	0	1	7	10	5	21	4					141	178
THEFT	11	18	16	18	29	18	10	21					8	7
BURGLARY	0	2	1	1	2	0	0	2					209	212
TOTAL PART I CRIMES	13	24	19	26	43	24	32	28						
ALCOHOL/DRUG ARRESTS														
DUI - TOTAL	19	16	14	6	13	18	17	9					112	90
DUI - ADULT	14	14	13	4	10	17	16	8					96	75
DUI - UNDERAGE	5	2	1	2	3	1	1	1					16	15
OTHER UNDERAGE														
ALCOHOL ARRESTS	7	25	24	8	7	27	25	14					137	114
DRUG ARRESTS	10	12	14	8	16	9	8	7					84	58
ARRESTS														
PROPERTY CRIMES	7	5	4	4	8	10	4	14					56	56
PERSON CRIMES	4	7	8	5	6	4	7	5					46	31
CITY ORDINANCES	41	48	51	44	59	60	42	67					412	279
*OTHER	126	145	127	89	135	162	126	109					1019	938
ADMINISTRATIVE AVERAGE RESPONSE TIME	5.15	5.35	5.31	5.45	5.49	5.38	5.28	5.31					5.34	3.74
CALLS ANSWERED	3595	3637	5133	4965	5134	4957	4765	4890					37,076	21,469
TRAFFIC CITATIONS ISSUED	673	604	576	441	634	722	711	597					4958	4425
WARNINGS ISSUED	611	443	403	256	558	594	535	499					3899	3273
ACCIDENTS - TOTAL	60	63	85	69	71	82	67	59					556	692

TOP 5 ACCIDENT LOCATIONS - MONTH TOTAL

1. HWY 54/HWY 74 9
2. HWY 74/CROSSTOWN RD. 4
3. HWY 54/WALT BANKS RD. 3
4. CROSSTOWN CT/CROSSTOWN DR. 2
5. PEACHTREE PARKWAY/GEORGIAN PARK 2

TOP 5 ACCIDENT LOCATIONS - YEAR TOTAL

1. HWY 54/HWY 74 43
2. HWY 54/PEACHTREE PARKWAY 24
3. HWY 54/WALT BANKS RD. 22
4. HWY 74/CROSSTOWN DR. 21
5. HWY 54/COMMERCE DR. 11

**2000 Monthly Report
Fire/EMS Department**

2000 Y-T-D 1999 Y-T-D

Dec. Nov. Oct. Sept. Aug. July June May April Mar. Feb. Jan.

Fire/Accident Calls

Residential
Business/Industrial
Other

Total Engine Response

Dispatched Fire Calls

Response Time Fire

Rescue/EMS

Trauma
Medical

Total # Patients

Patients Transported

Dispatched EMS Calls

Total Medic Response

Dispatched Fire/EMS Total

Response Time EMS

EMS BILLING

Patients Billed

Revenue Generated

***Total Revenue Received**

*Revenue Received On All Outstanding Patient Accounts

4	1	2	2	0	2	4	0	15	20
1	0	2	1	0	1	0	0	5	4
109	91	116	109	107	112	110	90	844	816
114	92	120	112	107	115	114	90	864	840
59	33	51	41	34	48	60	36	362	337
4:44	4:47	4:06	4:44	4:34	4:15	3:59	4:43	4:30	4:45
46	57	55	65	79	84	74	61	521	551
78	86	83	65	85	73	86	75	631	624
124	143	138	130	164	157	160	136	1152	1175
78	77	77	60	83	80	68	59	582	613
113	127	128	109	145	125	131	119	997	947
155	149	151	146	186	182	182	153	1304	1135
172	160	179	150	179	173	191	155	1359	1284
4:16	3:50	4:23	3:52	4:17	4:03	4:13	4:16	4:15	4:16
93	76	73	49	59	112	40	89	591	601
19,699	15,463	15,140	9,473	11,872	23,452	8,402	18,380	121,881	121,302
22,501	17,667	13,264	7,844	9,388	12,203	3,677	1,972	88,516	98,433

LEISURE SERVICES MONTHLY REPORT 2000

ACTIVITY DESCRIPTION	UNIT	January	February	March	April	May	June	July	August	September	October	November	December	2000 Year to Date	1999 Year to Date
LIBRARY															
1. Books Circulated	Num.	10,975	11,907	12,831	11,396	13,081	17,277	15,804	14,175	0	0	0	0	107,456	200,302
2. Average Daily Traffic															
a. Monday - Saturday	Num.	539	623	565	520	507	626	633	512	0	0	0	0	539	545
b. Sunday	Num.	288	385	423	289	222	205	220	209	0	0	0	0	288	307
c. Story Time Participants	Num.	85	150	182	185	174	1,015	975	0	0	0	0	0	2,766	2,598
d. Revenue from Overdue Books	Dis.	313	1,128	1,450	1,456	1,747	1,349	1,348	1,741	0	0	0	0	10,532	13,072
e. Revenue from Copy Machine	Dis.	465	1,105	1,492	540	564	378	349	312	0	0	0	0	5,205	6,414
f. Reference Assistance	Num.	842	978	958	1,015	987	860	871	827	0	0	0	0	7,436	5,849
g. Internet Usage	Num.	754	837	833	867	978	1,021	1,045	1,250	0	0	0	0	7,585	2,145
h. Renewals by Phone	Num.	756	812	832	918	902	780	642	897	0	0	0	0	6,539	6,268
RECREATION															
Leisure Programs															
1. Adult Athletics															
a. Ongoing Programs	Num.	1	1	2	2	2	2	2	2	2	0	0	0	14	13
b. New Programs	Num.	0	0	0	0	0	1	0	0	0	0	0	0	2	1
c. Participants	Num.	285	285	1,215	1,122	1,217	570	910	845	0	0	0	0	6,449	4,538
d. Revenues	Dis.	146	32	6,979	4,225	3,939	1,568	1,727	2,848	0	0	0	0	42,445	42,350
e. Expenses	Dis.	0	0	0	657	0	0	533	0	0	0	0	0	21,464	27,896
f. Refunds	Dis.	-146	-32	21,086	-4,882	-3,904	196	10,322	-2,848	0	0	0	0	1,190	975
g. Balance (+ or -)	Dis.													19,792	\$13,479.00
* Some figures for Jan/Feb were erroneously reported as Adult Athletics as well as Classes															
RECREATION															
Leisure Programs															
1. Classes/Programs															
a. Classes/Programs	Num.	99	98	96	102	103	100	96	68	0	0	0	0	762	802
b. Participants	Num.	2,055	2,139	3,794	2,143	2,562	1,189	1,715	2,237	0	0	0	0	17,833	14,013
c. Revenues	Dis.	16,503	17,753	24,016	18,520	17,217	34,298	19,284	6,566	0	0	0	0	154,154	150,392
d. Expenses	Dis.	12,908	13,460	19,098	14,629	13,395	25,468	16,053	5,148	0	0	0	0	120,147	120,147
e. Refunds	Dis.	180	777	64	11	0	255	513	60	0	0	0	0	1,861	455
f. balance (+ or -)	Dis.	3,415	3,516	4,863	3,880	3,822	8,576	2,717	1,358	0	0	0	0	\$32,146.12	\$29,612.45
2. Special Events															
a. Events	Num.	0	0	3	7	6	3	0	1	0	0	0	0	20	21
b. Participants	Num.	0	0	493	1,045	76	10,006	0	3,000	0	0	0	0	14,620	15,062
c. Revenues	Dis.	0	0	25	0	0	1,500	255	895	0	0	0	0	2,675	5,670
d. Expenses	Dis.	0	0	220	1,541	365	175	0	5,125	0	0	0	0	7,428	10
e. Refunds	Dis.	0	0	25	-1,541	-365	1,325	0	-4,405	0	0	0	0	455	185
f. balance (+ or -)	Dis.	0	0	-220	-1,541	-365	1,325	0	-4,405	0	0	0	0	(\$5,206.00)	\$3,678.95
Sports and Facilities															
1. Playing Surface Mowing	Hrs.	0	112	239	315	260	253	253	287	0	0	0	0	1,466	1,892
2. Playing Field Preparation	Hrs.	339	690	697	518	552	528	252	252	0	0	0	0	3,578	3,653
3. Building Maintenance	Hrs.	240	199	168	32	80	112	64	64	0	0	0	0	895	1,032
4. Parks/Pool/Henniss Courts															
a. Safety Inspections	Num.	0	0	0	0	0	40	40	40	0	0	0	0	120	52
b. General Repairs/Maint.	Hrs.	292	210	100	48	64	64	24	24	0	0	0	0	802	1,120
c. Grounds/Landscape Maint.	Hrs.	308	178	128	128	88	56	104	104	0	0	0	0	740	994
d. Litter Removal	Num.	128	128	128	128	128	128	0	0	0	0	0	0	760	760
e. Vandalism Repairs	Dis.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
f. Complaints Answered	Num.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Please Note: Facility Manager's figure for August will be added to September's report.															

2000 MONTHLY REPORT
PUBLIC SERVICES DIVISION

Activity Description

Unit	January	February	March	April	May	June	July	August	September	October	November	December	2000 YEAR-TO-DATE	1999 YEAR-TO-DATE
CART PATHS														
1. Const./Reconst./Overlay	50	0	2,086	560	2,710	0	3,415	50					8,871	15,640
2. Drainage Maintenance	83	105	113	114	40	83	60	102					700	895
3. General Maintenance	180	414	361	114	143	61	83	306					1,662	1,587
4. Mowing	0	0	0	135	171	144	75	233					758	924
5. Litter Removal	68	45	90	53	30	75	64	60					485	572
FLEET MANAGEMENT														
1. Equipment Maintenance	43	39	43	12	15	19	3	83					257	180
2. Equipment Repairs	121	171	154	167	128	152	113	203					1,209	1,272
3. Vehicle Maintenance	76	118	133	104	133	177	108	108					957	740
4. Vehicle Repairs	237	256	283	229	243	213	210	172					1,843	1,937
5. Fleet Down Time	482	542	620	521	526	563	441	573					4,268	8,451
GROUNDS														
1. Litter Removal	321	257	464	380	217	325	347	349					2,660	3,353
2. Right-of-Way Mowing	0	0	331	653	945	792	653	1,073					4,447	4,291
3. General Maintenance	874	752	797	431	445	552	462	302					4,615	4,161
LANDSCAPE														
1. Litter Removal	20	32	70	68	102	115	164	118					689	444
2. Mowing (Sub. Entrances)	0	0	226	625	780	624	647	900					3,802	3,033
3. General Maintenance	657	689	544	264	196	135	143	231					2,859	1,876
4. Planting	100	0	0	23	0	53	0	0					176	339
RECYCLING SITE														
1. City Employees Hours	151	110	69	142	66	59	111	120					828	1,021
2. City Employees Salaries	1,188	866	544	1,120	528	472	888	960					6,566	9,308
3. Revenues	731	515	740	754	573	644	589	474					5,020	4,584
4. Participants	546	659	570	680	892	611	748	628					5,334	5,532
a. Recycling	1,296	1,084	1,159	1,446	1,625	1,003	1,061	1,062					9,736	9,877
b. Composting	68	112	187	261	361	254	178	118					1,539	985
c. Mulch (Pick Up)													167	167
SIGN MAINTENANCE														
1. Building Maintenance	20	21	23	20	22	22	21	19					742	635
2. Subdivision Sign Maintenance	81	102	172	93	87	79	70	58					1,100	1,096
3. Traffic Sign Maintenance	148	143	82	141	162	130	143	151					244	299
STREETS														
1. Street Sweeping	8	40	16	70	55	0	8	47					1,398	846
2. Pavement Patching	0	213	147	154	0	670	154	60					888	978
3. Drainage Maintenance	0	102	210	117	128	128	90	113					2,580	2,838
4. General Maintenance	576	356	399	258	199	174	79	539					778	690
MISCELLANEOUS														
1. Vandalism	139	79	161	89	81	79	57	93					298	343
2. Complaints Answered	90	38	24	34	29	22	24	37					239	239
3. Wash Police Cars	8	83	68	15	38	0	18	9						

August

PERSONNEL DEPARTMENT

2000 MONTHLY REPORT

REPORT PERIOD	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	2000 YTD TOTAL	1999 YTD TOTAL
1. Authorized Permanent Positions	211	211	211	211	211	211	211	211	211				211	202
2. Positions Open	16	13	11	12	11	10	10	11					23	24
3. Workers Comp. Claims Filed	3	5	0	3	3	1	4	4	2				9	6
4. City Veh./Equip. Accidents	1	0	0	0	0	3	3	3						
5. Health Insurance Claims	\$51,319	\$101,195	\$92,721	\$76,285	\$ (3,446) *	\$ 100,460	\$ (54,830) *	\$ 3,853					\$ 367,557	\$ 349,605
6. Law Suit Legal Fees	\$ 598	\$ 646	\$18,378	\$ 188	\$ 1,679	\$ 170	\$ -	\$ 4,706					\$ 26,365	\$ 5,305

2. Police Officer/Police Department (4); Assistant Building Official/Building (1); Building Inspector/Building (1); Maintenance Worker I/Public Works (3); Maintenance Worker I/Recreation (2).

3. Police Corporal-allergic reaction to hornet stings (1) Police; Firefighter/Paramedic caught foot between stretcher and doorplate (1) Fire; Maintenance Worker stuck in eye by tree limb (1) Public Works.

4. Worker fractured finger on truck tailgate (1) Public Works; Maintenance Worker struck roof ladder (E-84) while backing ambulance to transport firefighter struck bumper of police car while making hard left turn (1) Fire; Firefighter struck roof ladder (E-84) while backing ambulance to transport patient (1) Fire.

5. Balance remaining in health insurance account: \$45,789.43.

6. O'Keefe \$4,706.

* Excess insurance reimbursement was greater than claims expense during month.

City Council of Peachtree City
Minutes of Meeting
August 17, 2000
7:00 p.m.

The City Council of Peachtree City met in a regular session, Thursday, August 17, 2000, at 7:00 p.m. in the City Hall Council Chambers. Mayor Robert L. Lenox led those attending in the pledge of allegiance. Other Council members present were: Carol Fritz, Annie McMenamin, Dan Tennant and Bob Brooks.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Mayor Lenox read a Proclamation for Literacy Month.

Mayor Lenox presented the Employee of the Month award to Thomas Holmes.

MINUTES

McMenamin made a motion to approve the minutes of the August 3, 2000, meeting as presented. Fritz seconded the motion. Motion carried unanimously.

CONSENT AGENDA

1. Consider Bids – Holly Grove Church Road
2. Consider Bids - Sumner Road
3. Consider DOT Contract – 2001 LARP

Brooks made a motion to approve the consent agenda items. Fritz seconded the motion. Motion carried unanimously.

McMenamin asked that the 2001 LARP information be placed in the UPDATE.

Brooks made a motion to rearrange the agenda to discuss the annexation issue prior to the Katz Rezoning. Lenox seconded the motion. Motion carried unanimously.

08-00-11 Discussion – Westside Village

Brooks said he wanted to obtain the overall opinion from Council regarding the annexation of the Westside Village. He thanked citizens, volunteers, Mayor Lenox and Betsy Tyler for their work with the task force, but stated that he had decided not to support the annexation. He gave a number of reasons for his decision, such as school and traffic issues. He felt the proposed development plan was beautiful but that it did not reflect the citizens' vision. He said the feedback he had received from residents indicated they wanted lower density and that it should be developed at County standards. He said that since he knew Councilman Tennant also opposed the annexation, he wanted to get feedback from the other Councilmembers on the issue so that the Task Force did not waste their time if there was another Councilmember opposed to the annexation.

McMenamin said she could not support the annexation. She agreed with Brooks' comments. She felt the original proposal provided flexibility to lift the moratorium for purpose of discussion. She

liked the idea that a great deal of citizen input and research was provided. She felt the task force's vote to continue with annexation was weak. She stated that in 1992 she and Councilman Brooks turned down an annexation request because an at-grade crossing of railroad tracks was proposed. She said the same at-grade crossing was put back into the new plan. She felt the density for the proposed annexation was too high and that the development would not benefit the traffic issue and unsafe conditions on Highway 54.

Fritz said she spent a lot of time researching the issue and that she appreciated the citizens' efforts as well. She did not feel they wasted their time because many things were learned about the situation. She said the school issue was important to her and that it seemed to have been disregarded. She said she served on the School Facilities Committee and that their 20-year projection expected 4 to 5 schools every five years because the population of Fayette County was expected to double. She also did not feel the task force was looking at placement of the quarry and wetlands close enough. She said Joel Cowan had stated he chose this location to develop Peachtree City because the watershed in the area would provide water to the residents. She was concerned that wetlands were developed to build Morallion Hills and Braelinn Shopping Center and she felt those were issues that should be watched carefully. She said she had come to the conclusion that she could not support the annexation as discussed by the Task Force, but that she would be in favor of annexation of the property at its current zoning and density.

Brooks made a motion to make a decision that Council would not annex the property on the west side and to recognize the citizens who served on the Annexation Task Force at a future public meeting on behalf of all Peachtree City. McMenamin seconded the motion. Fritz asked if Brooks would consider annexation of the property at the current zoning. Brooks replied that the current zoning was involved in a lawsuit between Pathway Communities and Fayette County and he felt that it would not be wise at this time. Lenox felt the Task Force would support annexation at the current zoning. Tennant said he had not been prepared for the discussion that evening, but he was delighted with what he heard and thanked Council for their remarks. Motion carried unanimously.

OLD AGENDA ITEMS

06-00-05 Public Hearing – Rezoning – Katz Tract

Lenox reconvened the public hearing that was previously tabled and read the rules for conducting such. Doug Dilliard, attorney for the applicant, addressed Council. He stated that the property in question had been zoned for industrial use for 27 years and that for the last 10 years it had been land locked. He stated if Council were to deny the rezoning request it would be an unconstitutional taking of Mr. Katz's property without paying fair, adequate and just compensation. He said Katz's developer, Dan Fields, had served on the Task Force in the spirit of compromise. He said they had amended their development plans to be consistent with the recommendation of the Task Force. He said the Planning Commission had not reviewed the new plan but that it was consistent with the residential concept of the Task Force. He said Mr. Katz owned 180 acres, of which, 100 acres were located in city and 80 acres were located in unincorporated Fayette County. Dan Fields reviewed and explained the proposed plan.

Lenox felt there was a procedural problem. He said Council did not make decisions on rezoning matters without a recommendation from the Planning Commission. Since the proposed plan was

significantly different than what was presented to the Planning Commission, he was reluctant to make a decision without remanding it back to the Planning Commission.

Brooks said he was not supportive of the original plan because he felt the density was too high. He said that if the Planning Commission approved the current plan, he would not reject it.

Tennant felt the plan should be sent back to the Planning Commission.

Lenox felt it was important to try and preserve the road right-of-way to allow access to property that would be eventually developed in the County. He felt it was the City's only opportunity for the City to ensure that there would be access into that area without an at-grade crossing of the railroad tracks.

Brooks noted that several members of the Planning Commission were present that night. He asked them to consider the commuter rail need in that area when reviewing the plan.

Lenox made a motion to close the public hearing, table the item with a target to have it on City Council's agenda on September 20th with a recommendation from the Planning Commission relative to the significant changes in the plan. Fritz seconded the motion. Motion carried unanimously.

Lenox made a motion to take a five-minute recess. Fritz seconded the motion. Motion carried unanimously.

NEW AGENDA ITEMS

08-00-05 Appeal – Wal-Mart – Conceptual Site Plan

The City Manager, Jim Basinger, said the City had received a letter from Ram Development, the applicant, asking for a delay in consideration of their appeal until September 7th to allow further discussions between the attorneys. Brooks made a motion to table the issue until the next meeting. Fritz seconded the motion. Motion carried unanimously.

08-00-06 Appeal – Kedron Commons – Conceptual Plat

Mayor Lenox said the applicant had requested to have this agenda item withdrawn.

08-00-07 Ordinance – Dumpster Regulations

Basinger explained that the proposed ordinance would prohibit solid waste collection companies from servicing dumpsters and compactors between the hours of 11:00 p.m. and 7:00 a.m. in all zoning districts except industrial. He said that over the years the City had periodically received complaints from residents that the metal-on-metal noise disturbs their sleep, and that the complaints appeared to have increased in recent months.

A citizen from Fetlock Meadows address Council with her concerns. She said her sleep had often been disturbed between 3:50 a.m. and 4:45 a.m. She said understood that the proposed

ordinance restricted the hours of 11:00 p.m. to 7:00 a.m., but she felt that 6:00 a.m. would be more reasonable. She stated that some businesses were open for business at 7:00 a.m. and she felt they should be allowed to have their trash picked up before customers were in the parking lot.

Steve Brown suggested that companies could retro fit their containers with rubber stops or plastic lids to keep doors from slamming. He suggested there might be other alternatives to consider as well.

David Langis, Environmental Partners, addressed Council with several concerns about the ordinance. He explained that their companies operated in early morning hours out of concern for the public. He said there were school buses, parked cars, bicycles, or pedestrians during the early morning hours. He said their business was a safety sensitive business and that parking lots were small and access to bins were narrow. He also said they had an agreement with the School System and various business to empty their containers before their operating hours. He was not opposed to some type of conflict resolution, but he felt the proposed ordinance would have an adverse effect on public safety.

Robert Brown, suggested the issue be studied further. Council discussed the issue briefly with the City Manager. Mayor Lenox instructed staff to place information concerning the ordinance in the UPDATE to determine problem areas in the City before proceeding with modifications to the ordinance.

08-00-08 WASA Update

Larry Turner, General Manager for WASA, addressed Council to review the status of sewerage system projects. He said that all Capital Improvement Projects (CIP) that had been planned at the time the system was acquired were complete. He said WASA was implementing an annual CIP program to address deficiencies it may find in the system. He reviewed the CIP projects for the coming year, which totaled \$2.5 million. Projects included: a pump station replacement and standby generator, significant maintenance to the Wynnmeade trunk sewer, and the design and development of the plant expansion. He explained that the original agreement with the City required Council to approve WASA's CIP for the first three years, but that it had expired and no action was required by Council.

Brooks said that WASA's demonstration during the Retreat was impressive. He noted that sewerage rates in Peachtree City had gone from being some of the highest rates in Georgia to being mid-range with a significantly enhanced system.

08-00-09 Consideration of EMS Fee Increases

Basinger explained the proposed revisions for the EMS fees for ambulance transport services. He said the fees had not been revised since 1991. He noted that the City's current base rate of \$175 per trip was the lowest among entities that were surveyed and from staff's perspective; the City could not afford to continue to provide the service at that rate. He stated that in fact, the proposed budget for the Fire Department for FY 2001 was over \$2.2 million dollars. Additionally, 3 new paramedics were hired in the past several years and staff was asking Council for six new paramedics positions in 2001. He said the reasons for the increased manning was a lack of

volunteer paramedics. He also noted that the survey indicated that Fayette County charges \$200 per trip, which was also lower than any of the other entities surveyed and he expected the County to review their rates in the near future and begin making appropriate increases.

Basinger said staff recommended the base rate be increased from \$175 to \$300. He said the increase of \$125 was certainly not an insignificant amount but staff felt the cost of providing this service warrant such an increase.

Councilman Tennant suggested it would be sensitive to waive fees in the event a death occurs.

Ron Mundy addressed Council and supported the fees that were suggested.

Brooks felt that Council should guard against having user fees pay for the entire cost of provided EMS service, but he felt it had been a number of years since the fees had been raised and it was appropriate to do so.

Tennant objected to having a 75% increase in the fee, which was 50% higher than Fayette County's fee. He said he would be more comfortable having an incremental increase over the next four years.

Fritz felt the County was going to raise their fees in the near future and made a motion to approve the cost structure as presented and to instruct staff to review the fees every two years to avoid having the same situation happen again. Brooks seconded the motion and said that six years ago, Council had instructed staff to review user fees on an annual basis as part of the budget process, excluding EMS fees. Brooks moved to amend the motion to waive user fees in the event of a death. Lenox seconded the amendment. Ron Mundy addressed Council and explained that those types of incidents required higher cost medications and equipment. Tennant asked how many incidents resulted in death each year. Fire Chief Lohr replied that he did not have that information readily available. Brooks withdrew his amendment. He stated that he may support waiving the fee in the future but he felt additional information was needed and asked staff to research the issue to determine the cost and procedures involved. McMenamin seconded the withdrawal of the amendment and stated that Chief Lohr had the authority to waive the fee in compassionate circumstances. Fritz said she had the personal experience of having to pay an ambulance bill for an incident that resulted in a death. She said part of the unfortunate process that a family must deal with when a death occurs is paying bills. She empathized with families in that situation and added that in her case, she sent the bill to the insurance company for payment. Lenox called for a vote on Fritz's motion. Motion carried with Tennant opposing.

08-00-10 Employee Pay Plan Study

Basinger said the study was not complete. He requested Council to table the issue until September 7, 2000. Lenox moved to table the issue until September 7, 2000. McMenamin seconded the motion. Motion carried unanimously.

COUNCIL/STAFF TOPICS

Basinger congratulated the City Clerk, Nancy Faulkner, for receiving certification from the International Institute of Municipal Clerks.

Basinger said several Council members would be out of town on September 21, 2000, and it was necessary to reschedule the next meeting to be held a day earlier on September 20, 2000.

George Kadel addressed Council and congratulated Council on their action concerning annexation. He also expressed his appreciation to the Mayor for his efforts.

Jim Steinbach addressed Council and expressed appreciation to Betsy Tyler for her efforts with the Annexation Task Force.

Mark Klynott addressed council and expressed his appreciation to the Mayor and the members of the Task Force.

Lenox made a motion to take a brief recess and adjourn into executive session to discuss a lawsuit. McMenamin seconded the motion. Motion carried unanimously.

EXECUTIVE SESSION

No action was taken in executive session.

Lenox made a motion to adjourn the meeting. Fritz seconded the motion. Motion carried unanimously and meeting adjourned at 9:20 p.m.

Attest: _____
Mayor Robert L. Lenox

City Clerk, Nancy Faulkner

**Council of Peachtree
Minutes of Meeting
September 20, 2000
7:00 p.m.**

The Council of Peachtree met in a regular session, Wednesday, September 20, 2000, at 7:00 p.m. in the Hall Council Chambers. Mayor Robert L. Lenox led those attending in the pledge of allegiance. Other Council members present were: Annie McMenamin, and Bob Brooks, and Dan Tennant. Carol Fritz did not attend.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Mayor Lenox presented a Proclamation for American Business Women's Association Day

Mayor Lenox presented a Proclamation for Constitution Week

Mayor Lenox presented a Proclamation for Alzheimer's Memory Walk

Mayor Lenox presented a Proclamation for Code Enforcement Week

Mayor Lenox presented Employee of the Month Award to Betsy Tyler

Mayor Lenox advised he had one issue he wanted to make as an announcement. He said as everyone was aware, Council had labored long and hard over the zoning for the corner at Walt Banks and Highway 54 and had decided on a Limited-Use Commercial zoning category for that property. He said he was advised today by Bob Adams, the prime developer of that site, that he had been unable to secure the financing necessary to develop the property in accordance with the Limited Use conditions the City had imposed. He said Adams was concerned that he would not be able to develop the property because his option on the land would run out in December 2000. Lenox said there was a large amount of retail in LUC zoning, and that it was the opinion of the development community, that Peachtree City had in place, or would soon have in place, pretty much all the retail the City needed, and that there was a reluctance to invest further in what was fairly high-end retail. He said Adams had a major developer, whom Lenox had met with once, who had an interest in the project, but only on the premise that he would delete approximately 100,00 square feet of the retail space and add 275 apartments to the development to make the development feasible (Council had previously allowed 75 loft or high-end apartment units).

Lenox explained that Adams had met with the task force that had originally approached this problem, as well as the Neighborhood Association and that both groups said they favored this proposal more than the one Council had previously approved. Lenox explained further that Adams had submitted paperwork to Jim Williams for consideration as to whether the City would change the classification in the LUC zoning. Lenox said, of course, due to the moratorium on apartments, Williams and his staff were not permitted to talk about it. Therefore, Bob Adams' only choice was to contact him, which he had done yesterday. Lenox advised he was leaving the country for three weeks and that time was running out on this land option. Lenox said if the City did not do anything, and Adams failed to exercise his options under the zoning, the property would revert back to the same zoning the property had prior to the City's rezoning and the City would again be involved in the same 14-year legal battle the City had had with Palm Beach and Mr. Lassiter. Therefore, Lenox said he had made an executive decision to instruct the Director of Developmental Services, Jim Williams, and the City Planner, David Rast, to gather all the necessary information on Adams' proposal and prepare their recommendations and a

summary of the facts for his review upon his return to Peachtree City. Lenox explained further that this would happen some time in October or November and Council should be prepared to address the issue. He said in view of the fact that he would be out of the country and had limited time, he was not prepared to present this matter to Council for reconsideration without the advice and counsel of the experts employed by the City.

MINUTES

McMenamin made a motion to approve the minutes of the September 7, 2000, meeting as presented. Brooks seconded the motion. Motion carried unanimously.

McMenamin made a motion to table the minutes of the August 17, 2000, meeting until Council has an opportunity to review them. Brooks seconded the motion. Motion carried unanimously.

OLD AGENDA ITEMS

06-00-05 Public Hearing – Rezoning – Katz Tract

Lenox reconvened the public hearing that was previously tabled and stated that he would not re-read the rules for Public Hearings because everyone was acquainted with them, but that they would continue to apply. Lenox gave each side 40 minutes per side and asked the City Manager to keep time.

Doug Dilliard, addressed Council and stated that he represented John Wieland Homes and the property owner, Mr. Katz. He said the application had been deferred a number of times and that his client was now submitting a GR-4 application, and that the applicant had agreed to staff's recommendations. He said the property consisted of 180 acres (100 acres of which were zoned industrial in the City), and that 80 acres were located in unincorporated Fayette County. Dillard explained that there had been issues relative to density, types of access, buffering, the railroad, and a future site for a school – all of which he thought the conditions adequately addressed.

Dillard requested that Mr. Dan Fields, with John Wieland Homes, present what they felt was a good compromise for the property based on what was originally applied for, and based on what was studied under the Westside Village proposal, and that they requested that Council approve the rezoning request for 350 units for the entire 180 acres. In addition, they would ask, in as much as they were not certain what the County would do regarding the 80 acres in unincorporated Fayette County, that in the event the County approved 20 units, that the City would approve 330 units. However, that the entire 180 acres would not have more than 350 units. He said he thought that would achieve what Council wanted relative to the total density of the property. He said the important thing was that the plan dealt with the issue of schools, which had been foremost in everyone's minds. He explained further that the plan was for a cluster-type development that would allow more flexibility relative to buffering, distances and setbacks from the railroad, access, etc.

Dan Fields addressed Council and explained that the Katz family had struggled to sell their property for industrial use for the past 25 years, and that in the past six years, Council and the community, the planning staff, and the property owners had struggled with what do with

all the property along the western side of the railroad tracks in Peachtree City. In doing so, plans had been reviewed that dated back to 1992. Fields explained that discussions about the Westside Village had begun in 1994. In 1995 the Land Use Plan was amended to show this particular property as medium to high density residential that allowed up to four units per acre. He said they had continued to work with property owners along the west side of the railroad tracks to develop a plan on which everyone could participate. He said as part of the Westside Village annexation (which had been denied), the property owners agreed to donate property for a school site with everyone participating in the cost of the site. He said when Council rejected lifting the moratorium earlier in the spring, the applicant presented another plan to Council that indicated 400 units on the 100 acres. He said John Wieland Homes then presented a concept plan that indicated 300 lots on 100 acres. He said this was consistent with all the discussions held by the Westside Village Task Force, but Council had decided the Westside Village would have created too much of an increase in population among other reasons. Fields said the plan now indicated 300 lots on 100 acres in an area where the land use plan called for up to four units per acre. He said they were requesting three units per acre— not four units per acre. He said they had also included some recommendations from the task force (i.e., 100-foot buffers between the railroad tracks) and any lots along the railroad. He said another thing John Wieland Homes had agreed to, in theory, was that John Wieland Homes would contribute the land to the Fayette County School Board. He said the Planning Commission's concern was that the school site would be too close to the railroad tracks. He said that was why they felt the best location for the school would be somewhere in unincorporated Fayette County.

Fields asked if the City should look at annexing the 80 acres. He said given the history of the Westside Village, annexation was not feasible. He asked if the City should leave the property in the County. However, when they reduced their 1/9th share of donating that site, they came down to two things. One was to offer the possibility of 350 lots on 100 acres or 350 lots on the whole 180 acres. He said they were offering to donate land to the school because they felt it was a valid request given the population of Peachtree City Elementary. He said they had discussed this with the School Board and the Board had agreed on the location for the school site.

Brooks asked if the potential school site would be built on the southern most end of the County land so that it would be up against the City's cart path. Fields said the current cart path came along the southern border of the Katz property over to Wynnmeade and that the 20 acres for the proposed school site was located on the southwest corner of the Katz property and that the school would be located between the Wynnmeade Subdivision and the 100 acres and would have direct access to the Parkway. He said they would try to incorporate that into a land plan with staff because one of the staff's recommendations was that they would work with them on clustering the lots so that open space could be preserved and possibly increase the open space.

Dillard said to be more specific about Recommendation Number's 5 and 6 that dealt with noise, vibration, berms, etc., they would prefer that these conditions be subject to the *architectural engineering study*, for which they were prepared to pay.

Dillard said that the Katz family had tried to market the property all this time, that they had lost their access to Highway 74, and that except for the Line Creek Parkway, they were

basically land locked, which made this property no longer suitable for industrial use. He said this could clearly be viewed as unconstitutional, and to deny some alternative use and require that it remain industrial constituted a taking under all the constitutional provisions submitted in their application.

Dillard asked that Council approve the application to GR-4, for 350 units conditioned upon staff's recommendations. He said, in addition to the obligation to convey a school site with the understanding that, in the event that whatever Fayette County determined in this regard, they would achieve the additional density in the City. For example, if the County approved 20 units, then the City would need to approve 330. If the County approved 30 units, the City should approve 320 units.

Director of Developmental Services Jim Williams addressed Council and stated that staff thought this was an opportunity and that the opportunity should be conditioned on staff's 12 recommendations. He said the applicant was now asking that the conditions be modified.

Williams said the first condition stated that the property should be classified as GR-3 rather than a GR-4 residential classification. He said they had applied for 300 units on 100 acres and GR-3 would be a more appropriate zoning. He said as he understood it they were asking Council to allow them the flexibility to develop more on City property if the County permitted less. Williams said staff had no objection to that in concept because they did not think that was the plan the City should be considering and that the plan needed a lot of work. He said one of the conditions would be for the plan to be revised to develop a cluster concept in an effort to get more open space around the perimeter of the project and provide a little more separation from the railroad tracks and any of the adjoining properties – some of which might be developed as industrial properties in the future. Williams advised staff had no objection to the GR-4 zoning request; however, the strongest point was that the highest density for the 182 acres needed to be kept at 350 units – that the applicant had indicated that was a break-even point for them and staff thought that density fit in nicely with the other development currently taking place in the area. He said the Cedarcroft project would be developed with four units per acre, and the Wynnmeade Subdivision developed to the south was a little more than two units per acre. Williams said if the entire 180 acres were developed with 350 units, it would be 1.9 units per acre or slightly less than the Wynnmeade density, which staff thought was desirable.

Williams advised that the applicant had agreed to contract with a reputable acoustics consultant on sound and vibration and that staff had no objections as to the engineer's recommendations regarding berming, sound walls, and architectural treatment, which staff thought would be appropriate for the project. He said further there should be a minimum of 100 feet of undisturbed buffer on the railroad track right-of-way no matter what the acoustic study indicated; not only for sound and vibration reasons, but in order to develop a good subdivision of the caliber proposed. He said during the Planning Commission meeting, the applicant's proposal indicated they would start with houses in the \$200,000 range, and staff felt this would be an enormous benefit to the property values in the area.

Williams continued saying that one of the major conditions was that the applicant extend MacDuff Parkway from the south end to the north end of the property. Williams

said, without getting into all of the controversy the City had about extending MacDuff Parkway from Highway 54 to the north end of the property, staff would like to see no ifs, ands, or buts about extending it because the Fire Department had indicated that MacDuff Parkway needed to extend to Highway 74 for emergency service purposes. Williams said the applicant had agreed and had actually worked on the traffic study that would define the impact of the project on the traffic in the immediate area and how it would impact the Highway 54/74 corridor. He said the project would have to comply with the Traffic Impact Ordinance and the purpose of the study would be to make sure that the project did comply. He said staff had done a preliminary determination through the City's consultant and that this project would qualify for development under Peachtree's ordinance. He said if Wal-Mart were approved, it would take all the available capacity in the corridor, but that Wal-Mart was not currently in a position to be approved. Williams said staff would need a greater definition from their study. Williams said the plan needed to be sharpened to a really good cluster development plan and that staff expected to see several tot lots and neighborhood recreation areas. He said, obviously if the school site were to be developed as the applicant had suggested, this would provide additional recreation and open space.

Williams said another important feature of the project that staff thought should be a condition was the need to allow for the connection of a road from the northern side of Wynnmeade to MacDuff Parkway because Wynnmeade was currently one long cul-de-sac and the Fire Department could not provide adequate service to the upper reaches of the cul-de-sac. He said he thought Council would soon see plans for another 80 to 100 lots in the area that was currently zoned for development. Williams said staff thought that development should be conditioned on tying it back into MacDuff Parkway to create a loop so that when MacDuff Parkway was extended to Highway 74, as proposed, it would provide for excellent emergency service from the north and the south.

Williams said the final condition was that the developer make available to the Board of Education – at no cost to the Board – a 20-acre site for a school, that it had been discussed to some extent with representatives from the school and they felt it was a good prospect and that staff was investigating it. Upon consideration, it appeared that the developer was willing to do this.

Williams said further that the starting price range of the homes was an important factor and that this kind of development was really needed to get a new wave of positive development in that area and would have an enormous positive effect on Wynnmeade. He said JOHN WIELAND HOMES had a superb track record, that they left their communities with good neighborhoods as a result, and that after a couple of years of maturity almost all of the developments were good neighborhoods.

Williams said extending MacDuff Parkway was a vital part of the long-range plan for that area and that the Fire Department concurred with that. Further, that this project would bring the Parkway a substantial part of the way at no expense to the City. Williams said the extension of the northern road from Wynnmeade to MacDuff Parkway would also be a vital extension. He said staff was not suggesting that the developer of this project build that road, but that they accommodate the road, leave a right-of-way for the road and try not to block it because it was very important to the overall development

of the area. He said this was an opportunity that needed to be taken, and that the Planning Commission did not have major problems with the concept, but they were extremely concerned about the school situation. He said the City had an overcrowding problem right now and if the City allowed another 300 or 350 homes in the area, there would be more school population, which would add to the problem. He said this provided for a very important element in working toward a solution to the problem, and that if a school were built, it would be literally within walking distance of the school and would be a true neighborhood school. He said the Fayette County School Board was looking for sites in the western part of the County, the area north of Peachtree City and Tyrone, and he thought with the donation of a site in that area, it would lock the Board into that particular piece of property and would be an enormous service to the families that live there, and that staff recommended approval of the zoning.

Hearing no one else to speak in favor of the rezoning, Lenox asked if anyone would like to speak in opposition to the proposed rezoning.

Peachtree City resident Steve Brown addressed Council and made the following points. He said he had attended the Planning Commission meeting and he knew the Commissioners had liked the concept of residential zoning, but the reason it was denied was because the Commission thought it would put a burden on the school system. He said a decision should be made as to where the City would draw the line on increasing density in residential areas.

Brown said the other problem was the location of the school site in the area. He said he was on the Train Derailment Committee with the LEPC (Local Emergency Planning Committee) and he had asked Council and the Planning Commission to contact the LEPC to get a position paper on the viability of putting a school site there. He said evacuation would be a problem because there was extremely poor access. He said clearance in the event of a hazardous situation was 1.5 miles away from the incident.

Brown was also concerned about pressurized tankers carrying hazardous materials because of the uncertainty about what the tankers would possibly be transporting in 5 to 10 years from now. Brown's other concern had to do with the frequency of sabotage throughout the world and that this type of disaster was not to be taken lightly.

Peachtree City resident Phyllis Aguayo addressed Council and said she had concerns about the overall numbers. She said that 10 or 12 conditions had been attached to the Katz property rezoning request, and she thought that was very wise and advisable to do so, but still had concerns about so many projects in that area.

Aguayo's other concern was that she did not think it was appropriate that the entire industrial strip of the Highway 54 corridor should be residential and wanted the City's reassurance, that if the rezoning was approved, the City would not be setting a precedent or give the impression that all the properties to the north that were currently zoned industrial would be considered for residential marketing at some time in the future. She also said she thought there was some merit in marketing the property for retail use.

Aguayo said another concern was the school site and hoped it would be built as far away as possible from the railroad or any busy traffic. She said she also wanted reassurances from the School Board that a school would be built there in a timely fashion to serve children in that area because the School Board had not always built schools where residents wanted them.

Peachtree City resident John Dillahunt asked if the project, as conceptually shown, would have an egress onto Highway 74. He asked if any road other than MacDuff Parkway would be extended, or would it be totally dependent on MacDuff Parkway as a Highway 74 access.

Lenox said the City had asked the applicant to extend MacDuff Parkway to their northern border, but that the City could not guarantee that it would ever be extended beyond that point. Lenox said under the current plan, the only ingress/egress was Highway 54. He said long range the City would like to see MacDuff Parkway connected to Highway 74, but there was no way to guarantee it.

Brooks said he had spoken with some Fayette County Commissioners and they had indicated that they would require the remaining Pathways property to connect to Highway 74 and to MacDuff Parkway when it went through the planning process so that the remaining land in the County would be safe.

Peachtree City resident Orville Barber addressed Council and stated that he was concerned about the entrances to the Wynnmeade Subdivision. He said there would be approximately 280 apartments, and approximately 700 homes on MacDuff Parkway with one narrow entrance onto Wynnmeade. He asked if there were plans to place more entrances to Wynnmeade, so it would not get backed up because there would be no stoplights.

Brooks said the plan was to have a northern connection from Wynnmeade to MacDuff Parkway and if the land was developed north of the Katz property, Wynnmeade residents could exit Wynnmeade and go north on MacDuff Parkway and north on Highway 74.

Lenox said Council was aware of the potential for problems and was determined to do as the City had always done, and that was to make it all work properly. If that required the City to make additional improvements into the new entrance to Wynnmeade, the City would do so when the time came, and if traffic control devices were needed, they would be installed.

Dillard introduced Mr. Jerry Whitaker, Director of Facilities Planning and Land Acquisition for the Fayette County School Board. Whitaker said the School Board Superintendent, the Assistant Superintendent of Facilities, the Director of Facilities and he had inspected the site and had found it acceptable and hoped that the City would allow the school at the proposed site to tie into the sewer.

McMenamin commented that she remembered that the School Board had intended to build a school on Highway 74, but after studying the site more thoroughly had determined that it was not feasible to build a school there after all, and that was why

they built on the Starr's Mill site. She asked if Whitaker was confident that the proposed site could be prepared for school construction.

Whitaker said the School Board had not had any engineers or architects evaluate the site as yet - that they had just walked the property and decided it was acceptable pending the required studies.

McMenamin said the fact that they had not studied the site in order to confirm that the school site would be suitable was of concern to her.

Brooks asked Mr. Fields if the applicant would be willing to do some borings on that site. Dillard confirmed the applicant would be willing to do so. Dillard said the applicant felt the land was reasonably acceptable and accessible, but that they had not conducted any final engineering studies; however, they would be willing to participate in the funding of the study to determine if it was suitable for a school.

Lenox asked for confirmation that, if the proposed school site was not acceptable, the applicant would not request that any additional units be built. Dillard said no, they realized that traffic was an issue on all zonings in Peachtree City and all over the Atlanta area; however, by agreeing to comply with the Traffic Impact Ordinance, the applicant did not want to waive their previous objections to the constitutionality of the Ordinance. He said that Georgia Law was pretty clear that zoning could not be denied based on traffic - that traffic was part of the natural growth of development of any property for any other use other than agriculture. Dillard said they were working on the Wal-Mart site to try to achieve accord within the Ordinance, but in the event the applicant was unable to do so, then by agreeing to this condition, they did not want to waive their right to contest the constitutionality of the Ordinance.

Dillard said this was an opportunity for the City, the County, and the developers to work together to connect this system of roadways with MacDuff Parkway as the project progressed. He said the applicant had agreed to build the road system and that it would enhance overall EMS, Fire and Police protection, while giving the applicant an opportunity to use their property, which they had been unable to use for almost 30 years. He said it also gave the City an opportunity to create a safe environment for those who lived and worked there. Therefore, Dillard said the applicant would request that Council approve the rezoning of the property to GR-4 with a limit of 350 units on the entire 180 acres. Further, as a condition to the issuance of a Land Disturbance Permit and for conceptual site plan approval, the applicant would convey a school site to the Fayette County Board of Education, and that whatever densities were not permitted in Fayette County, that the applicant be allowed to make up that density in the City, but not to exceed 350 units for the entire 180 acres.

In responding to Lenox's inquiry about the speed limits for the railroad track on the west side, beginning from the time it left Fulton County, and entered Fayette County until the time it exited Fayette County, Acting Chief Lohr said there was 15.3 miles of track in the County including Peachtree City and that the speed limits were 55 miles per hour except for a small section south of the AT Plastics facility, which was 40 miles per hour.

Lenox then called the Public Hearing to a close so that Council could discuss the matter.

Tennant advised that his personal home was currently in a refinance position with John Wieland Financial, and asked for Rick Lindsey's opinion as to whether it would be viewed as a conflict of interest in this matter. Lindsey said he had checked on this and that there would be no conflict as long as Tennant disclosed it publicly.

Brooks addressed the risk issue and said probably 50% of Peachtree City was within 1.5 miles of the railroad tracks, and that an overwhelming majority of residents felt fairly comfortable with safety issues regarding transportation of products. He said he felt comfortable putting his family in an area that was fairly close to the tracks. Regarding the distance from the CSX railroad, Brooks said that Kedron Elementary, Peeple's Elementary, Rising Star Middle School, and Starr's Mill High School were actually closer to the railroad than the proposed new school site. He said the lineal distance of Peachtree City Elementary and Huddleston Elementary was about the same distance; therefore, he felt the new school site was possibly safer than some others. Brooks said further that Kids R' Kids, Primrose School, Clover Reach Day Care, as well as several subdivisions such as Ardenlee, Sagamore, Blueberry Hill, and Pinegate were all significantly closer to the railroad tracks than the proposed new school site.

Brooks said irrespective of what happened with the property, because of the number of children who currently attended Huddleston and Peachtree Elementary schools, the City already had a need for an additional elementary school because there would be 340 homes in Wynnmeade, 220 in Cedarcroft, and a small apartment complex. Brooks said if the City did not try to secure a new school, there would be children from north Kedron going to elementary school in Tyrone some time in the future.

Brooks said if the City had annexed the west side at the level that had been proposed, the City would have obtained a school site, but that two or two and a half schools would have been needed for the amount of children that much development would have generated.

McMenamin said Brooks had brought up some excellent points because approval of the rezoning would provide an opportunity to create and provide important elements to the west side of the City. She said she was very concerned about the safety and the timing of the development and she thought it would create the potential to extend MacDuff Parkway and that perhaps Loop Road could also tie in, which would accommodate some safety concerns. She said the school site was critical to the area just to accommodate what was currently planned. McMenamin stated she assumed the School Board would ask for sewer capacity; and in assuming that, would the City then ask the developer to accommodate the sewer to the site? And if not, would the School Board be responsible for paying for it? She said the applicant talked about fully funding the school site and asked that they include sewer connection.

Fields said there was sewer currently at the north end of the Parkway where MacDuff connected with the Katz property and that was the location they had discussed with the School Board.

Tennant asked Rick Lindsey if it would be unconstitutional, in his opinion, if Council did not approve the rezoning. Lindsey said he had done some research and that the only case he found came from the State of Maryland, which dealt with the refusal of a local government to rezone property that was zoned Open Space to Residential Use, and that the only reason given was overcrowding of schools. He explained further that the Maryland Appellate Court had cited heavily to the United States Supreme Court and said it was unconstitutional not to rezone if there was not a viable, economic use of the property as presently zoned. Therefore, you would have to take Mr. Katz at his word as to whether he tried to market the property for 27 years as Industrial or OI. Lindsey said if he had, and had not been able to market it, he did not presently have an economic, viable use of the property. However, the Court said that local government boards did have the right to look at density, so when you considered the impact on schools, etc., local boards could look at the density of the proposed rezoning, but then you would have to consider what the surrounding property was zoned. He said, in this particular case, the applicant was requesting a reclassification to GR-4, had agreed to 350 homes on an 180 acre site (which was effectively a GR-2) and that it was a step down from GR-4. Lindsey said he would have to agree with Mr. Dillard, that as the property was presently zoned, if the City refused to rezone the property to some type of residential use, that it was unconstitutional, but that he did believe the City had the right to evaluate the density issue.

Tennant said he did not know to what extent Mr. Katz had investigated an OI use on the property, but felt perhaps Katz did not have the proper incentive to do so and that if Council did not approve the rezoning, Katz would have more incentive to do so. He said he would be unable to support the rezoning based on the density levels and the increased number of school children, and the pressure on the infrastructure.

Brooks said from a practical standpoint, the number one source of danger for children was going to and from school, but that the City would have to put a school there anyway. He said one of the things the City was trying to do was make that area look nice and become more stable. He said he knew of nothing that would help the resale of homes in the area more than a nice neighborhood school and would perhaps create a situation where it would be almost one of the best environments in Peachtree City as far as accessibility from the adjacent subdivisions. Also, this was an opportunity to build brand name houses because John Wieland Homes was well known in the metropolitan Atlanta area. In addition, the rezoning would allow for legitimate step down zoning that would be consistent with the borders of the rest of the City; particularly on the east side.

Brooks said further that if the City went to Court, this property was land use planned Residential. Also, did the residents of Wynnmeade want it zoned industrial? He thought residential was the most appropriate zoning, that this was one of the things that came out of the Westside Task Force meetings, and that he was willing to put up with a little more density in order to obtain a school site and a road, which would create an environment that would be a stabilizing factor for that site.

Brooks asked for advice from Rick Lindsey because he thought what the City was asking for could be considered new ground, in that the City would be asking for a

school site that was adjacent to City and County property, which Peachtree City actually had no control over.

Lindsey said the City should put a *reversionary clause* in the agreement because how else could the City control what happened on the unincorporated side of this parcel of land. He said the applicant would have to agree with all the conditions discussed tonight, could not breach any of the conditions (meaning that there would be 350 total units on that parcel of property whether the applicant donated the school site or not), and had also agreed to provide sewer service to the site. He said the City would ensure sewer access was provided to the school site. Lindsey said he thought it would be the School Board's responsibility to actually bring the sewer service into the proposed school building. He said, however, that if the applicant breached any of the conditions, then the zoning would revert to its current zoning.

McMenamin asked Williams if he thought anything critical was being left out. Jim Williams said he did not think anything was left out, but agreed with Lindsey's reversionary clause.

Dillard said the applicant agreed to provide sewer to the school site, and that the City had a set of conditions they could enforce, and if the conditions were not complied with, they could withhold the permit by issuing a Stop Work Order. He said without zoning reversal that would complicate things (i.e., if the applicant began construction, under a concept plan, and for some reason the City determined that 360 units were being built rather than 350 units, the remedy would be to ensure there would be no more than 350 built). Dillard said his concern was that if they failed to comply with any of the conditions of zonings, they would lose everything. He said he would not have a problem with reversion if all other avenues such as enforcement had been explored. He said they recognized the enforcement provisions the City had under the Ordinance and that any reversionary provision the imposed on the property would have to comply with all the due process provisions of the Fourteenth Amendment.

Brooks thought the other critical issue was that the City wanted the School site and the *workability* of the school site confirmed within a finite time.

Dillard said he did not think the site had been determined, but that the applicant had committed to identify not more than 20 acres for a school site, and as Williams had said previously, the applicant would have to come back in the conceptual process and determine the clustering and buffering, and at that time the site would be identified.

Fields addressed Council and said that staff had recommended that the school have access to MacDuff Parkway and that that was their intent - whether it was the southwest corner of the Katz property or somewhere north of there. He said the applicant would work with the County School Board to make sure the site worked for everyone regarding the overall clustering and the land plan.

Lindsey said as a result of his discussion with the General Counsel for John Wieland Homes, as opposed to the reversionary clause, one option the City might consider

8. After a number of continuances due to the work of the special Westside Task Force, Council heard the rezoning application at its meeting on August 17, 2000. At that time, the applicant requested that the application be modified to include only 300 homes. Council referred the revised request back to the Planning Commission.
9. At its meeting on September 11, 2000, the Planning Commission once again voted to recommend denial. This recommendation was based primarily on the Commission's concern over the impact the proposed project would have on the already overcrowded school population (the minutes of this meeting are not yet available).
10. A proposed development plan illustrating the 300-lot subdivision was submitted as a part of the revised application (Attachment "D").

Recommendation:

The staff recommends that the rezoning be approved, but with the following understandings and conditions:

1. The zoning classification should be GR-3 General Residential and not GR-4 as requested.
2. Whether or not the 80.52-acre portion of this property currently outside the city is annexed at some future date, the applicant should agree that the total housing on the combined 182-acre tract would not exceed 350 units, a density of about 1.9 units per acre, slightly less than the current density for the Wynnmeade Subdivision.
3. The developer should have prepared by a qualified acoustic consultant a special Sound/Vibration Impact Study to determine the potential impact of the railroad on the proposed residential area. The developer should then implement the recommendations of the consultant so as to minimize the impact of the railroad on the new neighborhood.
4. As a minimum, there should be a 100-foot wide undisturbed greenbelt between the railroad right-of-way and the nearest residential lot in the new neighborhood.
5. In addition to the greenbelt, the developer should install berming and sound walls as necessary, and the architecture of the homes should reflect the need for sound and vibration control.

would be for the Peachtree City Building Department to coordinate with the County Building Department to ensure there would be no more than 350 units and handle it administratively.

Dillard said that was acceptable subject to the applicant's objection to the Traffic Impact Ordinance and subject to the revisions to Condition Numbers 5 and 6, as stated previously.

Lindsey said the other condition that was not agreed to earlier was access to the sewerage system. Dillard said the applicant had agreed to provide sewer to the school site as an additional condition.

Lenox made a motion to approve the rezoning of the Katz tract of approximately 101.6 acres, plus or minus, from industrial to GR-4 subject to the 12 conditions set forth by the Planning Commission and staff; that Condition Numbers 5 and 6 should be revised to say "as the applicant's engineer recommended" instead of "as necessary," and that the applicant further agrees to provide access to sewer at the property line for the school site, which shall not be more than approximately 20 acres, and that total density for both parcels of the Katz property (including the 82 plus or minus acres in the County) shall not be more than 350 homes and that the number of homes on the parcel within the City would be adjusted in accordance with what the County decided regarding the County acreage.

Lindsey said when and if the property were developed, Council would have to approve providing sewer *going out of the City* limits to the school site.

Lenox asked for a second on the Motion. Brooks seconded the motion.

In response to Tennant's question regarding whether the City had any jurisdiction to place restrictions on the County plan, Lenox answered that the City could control the number of units that would be within the Peachtree City limits within the provisions of that zoning condition. Brooks said the applicant had agreed to this previously.

In response to Aguayo's comment about whether the City could do anything to make it clear that the approval of the Katz rezoning would not set a precedent for the Highway 54 Corridor, Brooks said that City staff recommended that the remaining parcel of land in the industrial area on the northern border of the Katz property should not be zoned residential and that Council would probably ask staff to formalize that issue from a policy standpoint for Council's consideration and for public discussion.

Lenox asked for all those in favor. Motion carried 3-1 with Tennant opposing.

Lenox concluded by stating that the City should have annexed that one piece of land because now there was a situation where 90% of the homes would be built on 60% of the land. He said there would be some two-acre lots in the County, and it would be a little incompatible. He said there would be a school that was actually not in Peachtree City, and that the City would have to negotiate all sorts of agreements with the County to provide fire and emergency services; particularly in light of the school. He said he thought the City would have been better off if it controlled the entire parcel. He said the City had now established

the maximum possible density. Further, that Williams and the City staff, John Wieland and his staff, and Dan Fields could have developed a better design if they had simply worked with the entire 180 acres, put in a school, 350 homes that would be clustered, that the maximum amount of green space would have been preserved, sewer would have been provided, and the City would have had no service problems.

Lenox said he would be more concerned if something happened at the school six years from now, and the City had a service agreement with the County, and that if someone made a mistake in Dispatch, there was the possibility that no one would send an ambulance because they would not be sure whether it was Peachtree City or Fayette County's responsibility.

Brooks confirmed for everyone's benefit, however, that the City would not readdress the annexation issue for this property.

Lenox made a motion to take a five-minute recess. McMenamin seconded the motion. Motion carried unanimously.

09-00-01 Ordinance – Outside Storage Display

Lenox said City staff had requested that this item be tabled until the October 5th Council meeting. Brooks seconded the motion. Motion carried unanimously.

NEW AGENDA ITEMS

09-00-04 Consider Resolution – Fiscal Year 2001 Budget

Basinger addressed Council and said this was the second required meeting by Council to consider the budget for FY2001, that the budget had been presented in detail at the September 7th Council meeting and that staff had presented a proposed budget totaling just over \$27,340,605. He said major expenditures had included an Operating Budget of \$12,892,000, a Public Improvement Program that totaled \$7,815,000, Debt Service of \$731,000, a Self-Insurance Program of \$2,257,000 and a Council Reserve of \$700,000. Basinger said the General Fund Revenues were projected to total \$16.5 million, that Development Impact Fees should be received totaling \$400,000, and that the City had projected to receive State and County grants totaling just over \$300,000. Basinger said further there were some major carry-over funds that were actually the City's revenues also. He said in the General Fund, the City was projecting unreserved cash carry-over funds of \$1,673,869 and carry-over funds in the Public Improvement Program for projects not completed, which totaled \$4,554,636, and that the Police Station had the lion's share of this amount. Finally, that Self-Insurance Reserve carry-over funds were \$950,000. Basinger said staff recommended that Council approve the budget resolution approving the budget.

Basinger clarified for Brooks that Council should approve the budget for \$1,673,869 and reduce it by \$275,000 if the Digest was rolled back.

McMenamin advised that her son-in-law was employed by the Peachtree City Police Department and that she had no input about his promotions or salary, but as a matter of public record, she wanted it known that she would be voting on the budget.

Brooks made a motion to approve the budget resolution as presented. Brooks seconded the motion. Motion carried unanimously.

09-00-05 Public Hearing - Increase in Property Taxes (public hearing 1 of 3)

Lenox said this was the first of three public hearings relative to an increase in property taxes – potential or actual – and involved discussion of the millage rate.

Basinger addressed Council and stated that the City had received the 2000 Tax Digest from the Fayette County Commissioners office, and that the Digest had increased 8.67 percent over the 1999 Digest. He said based on the City's current millage rate of 4.06 mills, this levy would generate \$4,781,201 in tax revenue, which was \$11,617 dollars less than projected in the FY2001 budget that Council had approved earlier this evening. He said of this increase in the Digest, .224 mills were attributable to reassessment.

He said further that if Council were to roll back the .224 mills, the new millage rate would be 3.84 mills. However, this would result in a budget shortfall of \$275,000. Thus, staff recommended the net millage rate remain at 4.06 mills. He said this would require Council to set a local option sales tax roll back rate of 4.30 mills and a gross millage rate of 8.36. He said staff's recommendation was based on the fact that the City's Operating Cash Reserve totaled \$1,673,869, which the City had been striving to increase each year in order to have three months operating cash on hand.

Basinger said should Council elect to roll back the .224 mills and fund the \$275,000 shortfall out of reserves, the reduced net millage rate as stated earlier would be 3.84 mills. This would result in a lost roll back rate of 4.30 mills and gross millage rate of 8.13 mills. Thus, Council's decision was whether to retain the current net millage rate of 4.06 mills, or to roll back the .224 mills attributable to reassessment to a net millage rate of 3.84 mills and fund the shortfall of \$275,000 from Cash Reserves. Basinger concluded by saying that should Council not roll back the millage tonight, State Law required that two more Public Hearings be held before Council took action on this matter. He said staff had tentatively scheduled the next Public Hearing for Tuesday, October 3, at 7:30 a.m., and the final hearing for Thursday, October 5, at 6:45 p.m. (just prior to the regularly scheduled Council meeting). Basinger said if Council did roll back the millage rate, the City would not be required to hold the Public Hearings.

Brooks said the City had made a concerted effort for a number of years to increase the cash reserve and this had placed the City in a significantly better financial position and allowed the bond rating to be improved despite the fact

that there was a significant increase in the infrastructure. He said that the tax definition for tax increases had changed this past year due to new State guidelines, but he thought the City could still reach their goal next year without increasing taxes by the new definition. He said it was very important to realize that this action would not change the operating or department budgets, but would increase the cash reserve one year more slowly.

McMenamin said she agreed, but thought Council should evaluate it carefully every year until build out.

Tennant concurred with Brooks' remarks and thought it would be fiscally prudent to roll back the millage.

Lenox said the City should strive to get to one-fourth of the budget for a cash reserve, but that the City was not in any financial difficulties and was far better off than ten years ago. However, a little over two mills of the 4.06 mills went to support the Capital Improvement Program – not Operations. Therefore, the City's tax rate could be far lower if the City were not meeting the demands that Peachtree City residents had placed on the City for primarily recreational facilities, but also public service and safety facilities this year. He said he thought it was important to recognize that most of the millage rate went to support 50-year investments for which the City would enjoy the fruits of for a long time. Lenox said it was also important to point out that the City's millage rate of 4.06 mills, if you lived in a \$200,000 house for instance, meant you paid the City of Peachtree City \$27 per month in property taxes for which the residents received many services.

Brooks made a motion to set the millage rate at 3.84. McMenamin seconded the motion. Motion carried unanimously.

09-00-06 Consider Policy – Traffic Calming Devices

City Engineer, Troy Besseche addressed Council and stated that a draft policy had been presented to Council at the 2000 Council Retreat. He said Council had asked about the Georgia Department of Transportation's LARP funding with regard to speed hump placement as well as the Gwinnett County Department of Transportation's experiences with their Speed Hump Program. Besseche said no decision was made regarding the Traffic Calming Policy at the 2000 Retreat, and that since that time, he had contacted Mr. Marion Waters, Georgia Department of Transportation's State Traffic Engineer, who explained that it was the GDOT's intent with the LARP program to assist local governments with the maintenance and improvements to key roadways in those communities. Mr. Waters explained that their primary objective was to move traffic – not hinder it; therefore, when the GDOT received a LARP funding request, they took note of speed hump locations on particular roadways, and they would be unwilling to fund the resurfacing of those roadways because the speed hump itself indicated that the roadway's primary objective was not to move traffic necessarily, but to provide access to property. Besseche said Mr. Waters also indicated that that policy might be subject to change with the implementation of a new program from the new Commissioner.

Besseche said he had also met with Mr. Martin Brotherton of the Gwinnett DOT regarding the County's Speed Hump Program that was first implemented in 1994. Mr. Brotherton said since the program's inception there had been no significant change or challenge to the program. He said the program had been well received wherever they had implemented speed humps in Gwinnett County neighborhoods and that they had installed the speed humps in approximately 100 neighborhoods thus far with the only result being that there was a call for even more speed humps as well as a call for additional traffic calming measures.

Besseche reviewed the draft policy stating that, in the future, when he received a complaint or a request for some type of traffic control measure at an intersection, the City would evaluate the intersection to determine if it met the warrants for each of the three approved measures listed in the policy. Besseche explained further that if it did meet the warrants, the City would take the necessary action to address the situation at the intersection. If the intersection did not meet the warrants, the City would then go through a procedure to offer the stop sign as an alternative. He said if the stop sign did not work for a particular intersection, the City would evaluate the use of pavement texturing. If the texturing did not work, the City would then take the last step, which would be the implementation of speed humps, which was conditioned upon approval by emergency services personnel.

In conclusion, Besseche presented the following two recommendations. One recommendation would be to implement the policy with the exception of the speed humps as indicated in the CAR-10-1. However, because of the remaining uncertainties regarding speed humps – at least in the public's mind – he recommended evaluating a pilot program whereby the City could install the speed humps in some fairly significant locations to get an idea what the implications would be without exposing the City to extreme liability by installing the speed humps on a public street. The two locations Besseche indicated were the long driveways located at the Kedron Fieldhouse and Aquatic Center and the South 74 Baseball and Soccer Complex. Besseche said at such time as the speed humps were installed and the City had an opportunity to determine the effects and study them more carefully, he would present the findings to Council at a later date to give them an opportunity to implement the third option, which was the speed hump itself.

In response to Tennant's question as to how staff would study the speed humps at the baseball complex, Besseche said they would conduct speed tests and check on volumes using tube counters for both speed and volume.

Lenox said he thought it was a reasonable program. Brooks made a motion to accept CAR-10-1 as City Policy with the exception of the speed hump portion of the Policy, which Besseche would report on after the studies were conducted. Tennant seconded the motion. Motion carried unanimously.

09-00-07 Appointment to the Planning Commission

Basinger addressed Council and stated that the Selection Committee, composed of Mayor Lenox, Councilmember McMenamin, and himself, interviewed eleven applicants for the vacancy on the Planning Commission. He said it was the recommendation of the Committee that Mr. Dennis Payton be appointed to serve a term from 10/1/00 through 9/30/03 and that Mr. Robert Buckley be appointed to serve as an alternate to fill any vacancy that might occur.

McMenamin commented that the candidates who applied were exceptionally qualified for this position and that one of the applicants had even offered to serve in any type capacity.

Lenox made a motion to approve the appointments as recommended by the Selection Committee. Tennant seconded the motion. Motion carried unanimously.

09-00-08 Consider Holly Grove Road Tunnel

Basinger addressed Council and stated that the developer of Holly Grove Pavilion was required to connect Holly Grove Road to Highway 74 and that the connection was intended to be used by a large number of Peachtree City's southernmost residents on a daily basis. He said the extension would cross over an existing cart path that connected Forreston Place Subdivision and Starr's Mill High School to the path system. He said the path would also connect to the South 74 Baseball and Soccer Complex and the Meade Field Complex in the future. Thus, this path would allow for a significant amount of traffic and would make the cart path crossing over Holly Grove Road very dangerous. Further, the City had an opportunity to install a cart path tunnel under the road before it was constructed. The price for constructing the tunnel was solicited from the contractor, Superior Excavation and Construction Service of Peachtree City, who would construct the road. Superior also offered to construct the tunnel – a concrete box culvert – at a price of \$55,000. Basinger said staff felt this was a very fair and reasonable price. He said should the City employ one contractor to build the road and another to build the tunnel, there could be a significant problem assigning blame should problems occur with the tunnel or the road in the future. He said for this reason, and the fact that staff felt the City had obtained a fair and reasonable price, staff recommended that Council authorize staff to enter into a sole-source contract with Superior to build the tunnel at a cost of \$55,000, which would include connecting the path to the tunnel at both ends. He said there were adequate impact fees available to cover this expenditure.

In response to McMenamin's question as to whether the City would paint the tunnel with washable paint or whether the contractor would do so, Basinger confirmed with Besseche that it was not included in the specifications, but costs could certainly be obtained for this purpose.

Basinger said Council would also need to reserve \$1500 to bond the project and that adequate funds were available.

Tennant said he understood that sometimes the City had to enter into sole-source contracts when they were unavoidable, but asked if staff had budgeted the cost that was anticipated prior to receiving the \$55,000 bid.

Besseche said the City had done a number of tunnel projects before (i.e., the Wynnmeade tunnel last year, which was about \$75 or \$80,000 and that this tunnel was a structural plate culvert), but that the Holly Grove Road tunnel was a concrete box culvert and was a simpler process to install. Besseche said approximately \$190,000 was budgeted for the proposed 150 foot long culvert at the CSX railroad bridge on Highway 54 in FY2002 or FY2003. Besseche added that the \$55,000 bid was a very good price.

McMenamin made a motion to award the contract for the construction of the Holly Grove Road Cart Path tunnel to Superior Excavation and Construction Services of Peachtree City in the amount of \$55,000 and to reserve \$1,500 to bond the project. Tennant seconded the motion. Motion carried unanimously.

Brooks reminded Council that City staff had requested extra money for painting the tunnel with the washable paint and asked whether Superior or Public Works would paint the tunnel. Basinger said if Council would allocate the funds, staff would accomplish this the cheapest way possible – possibly with Public Works personnel.

Brooks amended the motion to include an additional \$1,000 for the washable paint. Tennant seconded the motion. Motion carried unanimously.

09-00-09 Consider EMS Billing Exceptions and CAM 20-1

Basinger addressed Council and stated that Council had previously requested information on the impact of the Fire Department *not charging* a fee for EMS services if a patient died. He explained that, in many cases, the survival outcome of patients was difficult to determine due to the confidentiality of medical information. He said it would be very difficult to determine who should be billed or not billed. Further, that for calendar year 2000, of 41 incidents involving life-threatening conditions, the outcome of 24 of the incidents was unknown. He said staff was certainly empathetic to family members who dealt with the death of a loved one; however, *not waiving* transport charges was a practical and appropriate response to the situation. He said Acting Chief Lohr had requested that Council approve the CAM 20-1 that contained the recently approved increases in transport fees.

Lenox said the policy gave the Chief wide latitude about how to handle the EMS transport charges, and thought it was important to understand that this was not a condition of transport or care. He said the Chief always had the right to waive or modify the charges, arrange easy payments, or whatever was appropriate for the situation, but that he thought it was entirely appropriate to charge patients consistently and that the charges should be collected because most of the time the charges were covered by insurance and that the City spent an enormous amount of money on EMS calls; particularly when the situation was life threatening.

Brooks made a motion to approve CAM 20-1 as written as well as the procedure fees effective October 1, 2000. McMenamin seconded the motion. Motion carried unanimously.

Council/Staff Topics

There were no Council/staff topics.

Lenox made a motion to take a three-minute recess and reconvene in Executive Session to discuss a Personnel matter. Tennant seconded the Motion. Motion carried unanimously.

Executive Session

No action was taken in executive session.

Brooks made a motion to reconvene in open session. McMenamin seconded the motion. Motion carried unanimously.

McMenamin made a motion to adjourn the meeting. Tennant seconded the motion. Motion carried unanimously and the meeting adjourned at 10:15 p.m.

Attest: _____
Mayor Robert L. Lenox

Gloria Reid, Executive Assistant

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA; City Manager 

FROM: Director of Financial Services P.S.
Purchasing Agent 

DATE: September 28, 2000

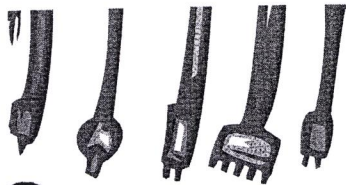
SUBJECT: Surplus Items for Auction

The Purchasing Committee of Fayette County is going to have a combined auction on Saturday, November 4, 2000. It will be held at the Fayette County Public Works Complex on McDonough Road in Fayetteville. The other entities that will be participating are Fayette County, Tyrone, Fayetteville and the Board of Education. The auctioneer has been contracted through the Fayette County Purchasing Department on the recommendation of the Purchasing Committee. The bidders will pay the fee for this service as a bidders premium. All the entities participating will share in the cost of the advertisement in the newspaper. The last auction that was held 18 months ago was very successful with over \$19,000 made for Peachtree City and we were able to dispose of all the surplus items.

The Georgia Department of Community Affairs has put out a brochure on recycling computers and other electronic equipment. I would like to request that the City use this method of disposing of the broken or obsolete computer. I have attached a copy of the brochure and a list of the surplus computer equipment. We will contact the companies listed and make sure that we get the best value for the equipment.

I would like to submit the following lists from all the departments to be declared surplus so that these items can be included in the auction. I reviewed all the list and spoken with each department and know that all the items listed are either beyond economical repair, broken or obsolete and are no longer of any use to the City.

Attachments



THINKING ABOUT ELECTRONICS RECYCLING? DID YOU KNOW..

Enhancements in technology render new computer equipment obsolete within two years, resulting in a rapid PC discard rate.

Jung, Leah B. "The Conundrum of Computer Recycling". *Resource Recycling Magazine* (May 1999)

Recoverable materials in PC's and monitors may include plastics, silica, aluminum, steel, copper, gold, silver, cadmium, lead, glass, and mercury.

U.S. Environmental Protection Agency, *Commodities: JTR Program*, 1999

Phenomenal growth in the technology market has created the opportunity to build a thriving electronics recycling infrastructure, yet it is one of the smallest and newest segments of the recycling industry.

Porter J.D. "Computers & Electronics Recycling: Challenges and Opportunities," *Resource Recycling*, (April 1998): 19-22

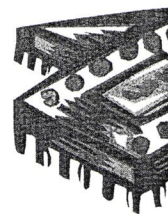
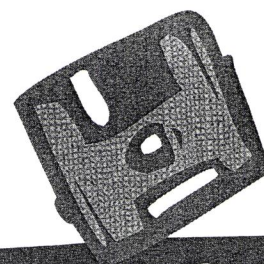
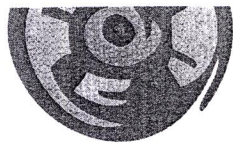
About 72% of all retired electronic products are stored for an average of three years. When older equipment is cleared out from storage, it is more difficult to recycle because it contains a greater variety of materials and much higher levels of hazardous materials.

According to a 1997 study by *International Data Corporation (IDC)*, U.S. corporations will squander \$3 billion in one year when they retire outdated personal computers.

The estimated useful life for a PC in a business environment is two to three years, while home computer users typically use their equipment for three to five years.

Jung, Leah B. "The Conundrum of Computer Recycling". *Resource Recycling Magazine* (May 1999)





What you can do...

- Try to purchase only upgradable equipment. The goal is to extend the life of the product as long as possible before it needs to be discarded.
- Consider buying refurbished computer equipment. It not only reduces purchase costs, but also helps ensure the existence of markets for end-of-life equipment. There is a list of markets on the back page of this brochure.

Reuse

Refurbish or upgrade electronic equipment and continue to use it or pass used equipment on to other users in the same home or company when new equipment is purchased. Refurbishing and upgrading can include moving to a higher processing speed or cleaning and replacing worn parts.

Re-sell

Re-sale of used equipment is common and is an economically beneficial alternative to storing used electronic equipment.

Donate

Used electronics can be donated to charities or schools, either directly or through an organization involved in refurbishing and replacing them. Many of these organizations accept computers for free, but there may be a fee in some cases. It may be possible to receive a tax deduction for your donation from some organizations. For more information on donating your electronic equipment search www.sharetechnology.org.

De-manufacture

De-manufacturing is the process of manually disassembling a computer into its separate parts to recover components that will be resold, reused or recycled.

Why recycle?

- Job creation – studies have shown that recycling creates jobs and other economic opportunities.
- Prevents the accumulation of hazardous materials in landfills.
- Prevents depletion of natural resources by getting the longest life possible from products and materials in landfills.
- Makes computers available to others who may not be able to afford a new one.

What to recycle...

Cathodes

Cellular Pagers

Hard Drives, Circuit Boards

Plastic Casings

Digital Equipment

Diskettes

Cables and Wire

Chips

Keyboards

Televisions, VCRs, Software

Microprocessors

Mobile Phones

Modems

Monitors

Mother Boards

Circuit Boards

Printers, Printer Heads

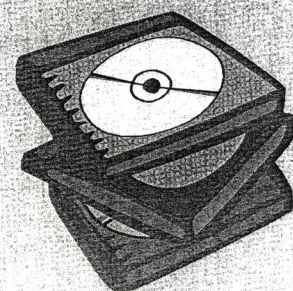
Calculators

Processors

Scanners

Tuners

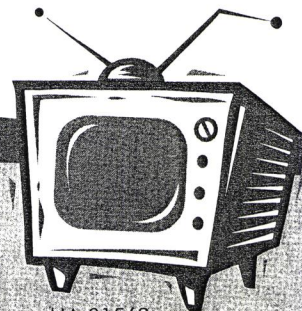
Video Cards



How to recycle

Some retailers buy or accept "trade-ins" on old computers and many organizations accept donated items that will be refurbished and distributed to schools and non-profit organizations. You may contact educational or community institutions directly to make donations or you may contact an organization involved in recovering electronic equipment for materials processing.

There are several markets listed below.



Where to recycle

A&B RECYCLING, INC.

212 First Street, Ft. Oglethorpe, GA 30742
800.557.0726
email: abrecy@aol.com
Recycles computer and other electronic parts. Accepts trailer quantities from manufacturers and recycles valuable materials such as gold or mercury.

ALLEN MYLAND INC.

515 Abbot Drive, Broomall, PA 19008-4306
610.544.0571
email: pierre@allenmyland.com
mike@allenmyland.com
Purchases IBM mainframes and peripherals throughout the US for reuse or resale.

BAKER STREET RESOURCES

2376-D Dunwoody Crossing, Atlanta, GA 30328
888.669.8969
www.bakerstreetresources.com
email: cliff.bakerstreet@home.com
Buys used computers, components and computer room equipment.

CHASE ELECTRONICS

166 Academy Lane, Upper Darby, PA 19082
610.449.8160
www.chaseelectronics.com
email: chase-el@juno.com
Purchases large quantities of personal computers (286, 386, 486, 586, Pentium), PC parts, working and non-working SVGA and VGA monitors. Also mainframe systems, tape and disk drives and printed circuit boards.

DMC ELECTRONICS RECYCLING CORP.

16 Swanscott Street, Newfields, NH 03856
603.772.7236
www.dmc recycling.com
Resells, inactive, obsolete or surplus products and components.

ELECTRONICYCLE, INC.

107 North Spencer Road, Spencer, MA 01562
800.829.5082 • 508.885.5545
www.electroniccycle.com
email: Dick@electroniccycle.com
Has an in-house technical staff capable of component level repair on TV, computer and other consumer electronics.

FREEBYTES

P.O. Box 550371, Atlanta, GA 30355-0371
404.846.8414
www.freebytes.org
email: director@freebytes.net
Collects computers donated from corporations and individuals who no longer find the products useful. The equipment is refurbished and distributed to non-profit organizations.

MARC/5R

2445 Stone Mountain-Lithonia Road, Lithonia, GA 30058
770.482.1744
www.marc5r.com
email: jdm@marc5r.com
Accepts computers and components from businesses and/or individuals

VIDEO DISPLAY CORP.

1868 Tucker Industrial Drive, Tucker, GA 30084
800.241.5005
www.videodisplay.com
From the home page, click on "data display manufacturing." Recycles CRT tubes from computers.

ZENTECH

1417 Mayson Street, NE, Atlanta, GA 30324
404.876.0163
www.zentech.org
Collects computer equipment from PCs to mainframes, recovers metals from circuit boards.

Internet Sources for Additional Information

www.mcc.com/env
www.epa.gov/commonsense
www.enviroinc.com

www.nsc.org
www.sharetechnology.org
www.1800cleanup.org

The Georgia Department of Community Affairs does not endorse or warrant the quality, reliability, or environmental compliance of any of the businesses or services referenced. It is the responsibility of individual users to conduct a personal evaluation of the businesses and websites listed.

City of Peachtree City

Surplus List Computer Items

Pony Case, Pentium CPU m/b video card
24 port 10 – 100 network hub
3 – 10" monitor monochrome
2 – 12" monitor black/white
21 - 14" monitor (VGA color)
1 - 15" monitor (VGA color)
1 – 17" monitor
Acer case 48V 125 cpu, video card 8m/b NIC card microphone
HPIII laser printer with paper tray
ESC case video card NIC card
Backup power supply/UPS
2 - 9-pin dot matrix printer
SCSI scanner without cord
Pony 486/75 5 1/4" floppy cable & cords video card
ESC p-166 NIC video card
7-pin dot matrix printer
5-pin cpu board
8mm NCR tape drive with cables
Smart UPS 1250
External SCSI CD-Rom drive
5 – IBM PS/2 server, 100 meg hard drives
HP 500C DeskJet printer
3 – keyboards
Zenith Data System computer
Head Start 286 computer
PS/ValuPoint 325T computer
Microsoft computer mouse
Altec Lansing speakers
Proxima surge suppressor
Sirex computer
V Tech Laser 286/2 computer
Encad NovaJetII Plotter

SURPLUS VEHICLE LIST

POLICE DEPARTMENT

- | | | |
|-----------------------------|-------------------|---|
| 1. 1995 Ford Crown Victoria | 2FALP71WOSX149328 | Used for parts; not mobile |
| 2. 1980 Dodge Fiago (PD) | B22JNAX136459 | Unsafe; costly to repair; 111,588 miles |
| 3. 1989 Ford Mustang 5.0 L | 1FABP48EOKF265966 | Mobile; no further use at this time due to age and application; not appropriate for other departments |

FIRE DEPARTMENT

- | | | |
|---------------------------------|-------------------|---|
| 4. 1996 Ford Crown Victoria | 2FALP71WOTX170150 | Used for parts; accident write-off |
| 5. 1981 Ford F-800 Water Tanker | 1FDXF82KOCVA12761 | Mobile; no further use to Fire Department because of cost to repair and application |

RECREATION DEPARTMENT

- | | | |
|----------------------------------|-------------------|-------------------------------|
| 6. 1990 Ford Crown Victoria, LTD | 2FACP72G1MX159571 | Will not start; 134,108 miles |
|----------------------------------|-------------------|-------------------------------|

PUBLIC WORKS

- | | | |
|------------------------------------|-------------------|---|
| 7. 1992 Ford Crown Victoria | 2FACP71W1PX136028 | Noise in engine; not mobile; 105,970 miles |
| 8. 1973 Chevrolet C60 Bucket Truck | CCE615V123734 | Unsafe to operate; age and costly to repair |

POLICE DEPARTMENT — CONFISCATED

- | | | |
|------------------------|-------------------|--|
| 9. 1994 Toyota Pick-up | JT4RN8149R5182649 | |
|------------------------|-------------------|--|



POLICE DEPARTMENT

153 Willowbend Road • Peachtree City, Georgia 30269 • 770-487-8866 • Fax: 770-631-2512



JAMES V. MURRAY
Chief of Police

TO: JAMES V. MURRAY, CHIEF OF POLICE

FROM: M. E. ROGERS, STAFF SERGEANT *ME*

DATE: AUGUST 22, 2000

SUBJECT: SURPLUS ITEMS FOR AUCTION

The below listed items are surplus and I recommend that they be sold at the city auction:

Wooden fingerprint stand

Panasonic video camera- serial # E8WA12360

Rechargeable batteries for video camera – 5

Panasonic VCR for patrol Vehicle – serial number B5TB0210

Command console for vehicle

Whelen light bars – 2

Slick Stick Directional light bars – 4

Christmas tree w/ lights

Cannon Bubble jet printer – serial # PTC04922

Silver Reed EX 50 Electric Typewriter

Epson Stylus color printer – serial; #1501048788

Black plastic case - 1

Silver Reed EZ 50 electric typewriter - 1

AUCTION ITEMS CONTINUED

Silver Reed shredder - 1

Black IBM electric typewriter - 1

Wooden computer desk - 1

Set metal wall lockers - 1

OKI page printer- serial # 804A1146623

CTX computer monitor – serial # 161-64500385

CTX computer monitor – serial # 161-64500395

Samsung computer monitor – serial # W00S05857

Computer keyboard – serial # 40829129

Battery Trialyzer – serial #3510065

Regency scanner – serial # 018621

Panasonic multi purpose printer – serial #0BMCUC08421

Philco TV – 1

Epson LX 300 printer – serial # 0I3000002LB6819190

Okidata microline 182 printer – serial #904B524935

Tan IBM typewriter – 1

Eyewitness camera vault – 2

Red Igloo Cooler – 1

Green Coleman cooler – 1

Dictaphone foot pedal – 1

VHS tape rewinder – 2

Hand held spot light – 3

AUCTION ITEMS CONTINUED

Boxes miscellaneous electrical equipment – 2

Broken Chairs – 12

Green foot locker – 1

Blue floor mats - 3

Triangle kits – 10

Quantum Stepper – 1

Singer vacuum cleaner

American manual push mower – 1

White Plastic Lawn chair – 1

Green Rubber Boots – 2 Pr

Note book Binder – 5

Gold master Metal Detector – 1

Blue THERMOS cooler – 1

Splatmaster marking pistol – 1

Orange flare gun – 1

Blue step stool – 1

Black plastic case containing TASCOS microscope – 1

Fax Machine - broken

KENWOOD CD CASSETTE PLAYER

AUCTION ITEMS CONTINUED

BICYCLES

SILVER BMX BIKE SERIAL # 5C7E1998	CASE #00-02064
PURPLE & BLUE MURRAY SERIAL # M0N04G1322	CASE #99-19030
GREEN & BLUE BMX BIKE SER # K3669235621F7676	CASE #99-38146
BLUE HUFFY BIKE NO SER#	CASE #99-30559
RED FREE SPIRIT BIKE	CASE # 99-32388
GREEN & BLUE MURRAY SER#1100097740	CASE # 99-25720
SILVER &RED GERALD GINET	CASE # 99-26942
SILVER BMX SER# ACL8E11870	CASE # 99-20786
BLACK MURRAY	CASE # 99-25383
BLUE FREE SPIRIT	CASE # 99-24735
PURPLE & BLACK BIKE	CASE #99-26938
GRAY BIKE	CASE# 99-26938
BLUE MAGNA FUGITIVE SER # 971D525299	CASE # 99-16905
ROAD MASTER SER # OW87130426	CASE # 98-41691
BLUE SAVOY ROYCE	CASE #99-02868
PURPLE ROAD MASTER SERIAL # MC00916685	CASE #99-18625
SILVER HUFFY SER # K66179077713H667	CASE #98-39923
BLACK BMX SER # 93W470158	CASE # 98-4389
PURPLE ROAD MASTER	CASE # 99-06676
BLACK & PURPLE BIKE SER # HC0685478	CASE # 98-34222
GRAY HUFFY SER # HC0003142	CASE # 99-03756

AUCTION ITEMS CONTINUED

BICYCLES

DARK BLUE HUFFY SER # 246839309334H CASE # 99-08627

HUFFY BIKE SER #K66889083812F8930 CASE # 99-10600

HUFFY BIKE SER # 564459251511H9460 CASE #99-17430 -

BLACK SCHWINN SER # T5030154 CASE # 99-17430

BLACK INDEX CASE # 99-23836

CHROME DYNO CASE# 99-23836

SPAULDING BIKE SER # G00331 CASE # 00-02775

List of items from the Peachtree City Police Department that can be sold

- 1 Black Duffle Bag**
- 1 Leather Hand Bag**
- 1 Black Tape Case (Empty)**
- 1 Black Tape Case with 6 tapes Various Artist**
- 12 Blue and Gold Dinner Plates**
- 1 Pair of ladies Rebock shoes Size 9 ½**
- 1 pair ladies Nike shoes Size 7 ½**
- 1 Purple Duffle Bag**
- 1 Marantz Stereo Receiver SN 6XU110156**
- 1 Electric Pocket Scale**
- 4 Baseball Hats**
- 1 Ladies Watch, Gold and Silver in color (Citizen 2120389)**
- 1 Laser Radar Detector**
- 1 Black Tape Case with 5 tapes Various Artists**
- 1 Mens Gold in Color Armitron Watch**
- 1 Car Stereo Booster 43702382**
- 1 Panasonic Vehicle CD Player**
- 1 Plastic Bead Necklace**
- 2 Black Back Packs**
- 1 Weston 35mm Camera**
- 1 pair of Sunglasses**
- 1 small Electric Scale**
- 1 Box of K-Nex Toys**
- 1 Prince Tennis Racket**
- 2 Green Folding Chairs**
- 1 Childs Baby and Stroller**
- 1 RCA CD Player**
- 1 Car Stereo Cassette Adapter**
- 1 Black CD Case with 49 CD's Various Rap Artists**
- 1 Black Cassette Case**
- 1 Camouflage Duffle Bag**
- 1 Yellow Childs Life Preserver**
- 1 Fishing Pole Stand**
- 1 Flash Light**
- 1 Radio Shack Walkie Talkie**
- 1 Pair of Binoculars**
- 1 City of Angles CD**
- 1 Stuffed Toy Animal**
- 1 Silver Purse**
- 1 Samsonite Suite Case**
- 1 CD Player with Headphones and a Hand Held Game-boy**
- 1 Green and White Cooler**

2 Sony Cordless Phone Receivers
1 Childs Purse with Make-up
1 Childs Fanny Pack
1 Blue and Brown Hand Bag
1 Tan Purse
3 Black Wallets
1 Brown Wallet
1 Brown Armitron Watch
1 Power Acoustic Power Amp, 409001589
1-3 Inch Black and White TV, 1411193854
1 Blue Duffle Bag
1-12 Volt Spot Light
1 Sony Car Stereo, 0551826
2 Texas Instruments Calculator
2 Pair of Reading Glasses
1 Childs Bike Helmet
1 Black CD Case with 31 CD's, Various Rap Artist
1 Pulsar Car Phone
1 Cordless Phone Receiver
1 Black Belt
1 Hammer
1 Ladies Wallet
1 Black Leather Fanny Pack
1 Black CD Case with 64 CD's, Various Rap Artist
1 Gray Tote Bag
1 Gray Cassette Case with 31 tapes, Various Artist
1 Alpine Car Stereo 590919581A
1 Purple Tape Case with 4 tapes, Various Artist
1 Large Plastic Storage Box
1 Red Igloo Cooler Bag
1 Red Colman Cooler
3 Mickey Mouse Banks
1 Pair of Mens Link Sport Pants, Size 38
1 Green Wallet
3 Pair of Black Gloves
1 Pair of Brown Gloves
1 Music Party CD
1 Pair of Reading Glasses with Blue Case
1 Gold in Color Bracelet
1 Silver in Color Necklace
1oz Bottle of Nokomis Perfume
2oz Bottle of Sand and Sable Perfume
1 Black Purse
1 Eternity Watch, Brown and Gold in Color

- 1 Smart One Modem A00300153868
- 1 Gray Tote Bag with 2 Pair of Reading Glasses, 1 Pair of Sun Glasses, and 1 Silver in Color Ring with the Initial K on it.
- 1 Blue and Red Baby Bag With Misc. Baby Items
- 4 CD's of Various Artist
- 2 Green Back Packs
- 1 Long Black Winter Coat

PUBLIC WORKS

SURPLUS LIST

1. Forks for Back-hoe
2. Rear Bucket for John Deere Back-hoe
3. Bobcat bucket with teeth (20)
4. Cement Mixer
5. Field Drag (3 pt. hitch)
6. HARDI 100 gallon sprayer (tractor mount)
7. Core Machine
8. Olathe Blower (tractor mount)
9. Aero Seeder, model 84 (walk behind)
10. Heavy Duty McClain Reel Mower, 24"
11. McClain Reel Mower, 20"
12. Honda Tiller
13. Poullar Chain Saw 4000
14. Echo Back Pack Blower (no power)
15. Boom Sprayer
16. Echo Back Pack Blower
17. Snapper Pro Hydro Mower, Kohler engine, 14 HP
18. John Deere Edger (walk behind)
19. Scotts Push Lawn Mower
20. Murry Push Lawn Mower
21. Aero Seeder, (tractor mount)
22. Bush hog, 4 ft. (Squeeler ?)
23. Craftsman Weedeater (3)
24. Echo Weedeater parts (2)
25. Metal Detector
26. Rescue Basket
27. Fold-up Stretcher
28. Push Stripper
29. Misc. Radio parts (2 boxes)
30. Rope
31. Scotts Push Mower
32. Murray Push Mower
33. Dresser
34. Air Conditioner
35. Peerless Pumps (2)
36. Double Bowl Sink
37. GE Washer
38. Ford Rear End
39. Ford Automatic Transmission
40. Ford Engine 4.6L, V8
41. Torque Converter
42. Service Meter
43. Spot Light on pole (2)
44. Fire Dept. Rotator Light
45. Misc. Ambulance Lights (1 box)
46. Bull Horn
47. Spool of wire cable, 3/8"
48. School Chairs
49. Timelasp Counter (4)
50. 6' Ladder, wood
51. 8' Ladder, wood
52. Power Vent
53. Caution Lights (2)
54. Grill and Bumper for Crown Victoria

- 55. Office Chair
- 56. Swimming Pool (9)
- 57. Fire Dept. Turn-out Jackets (3)
- 58. Fire Dept. Turn-out Pants (3)
- 59. First Aid Case
- 60. Propane Tank
- 61. Push Seed Spreader
- 62. Back-hoe Front Bucket
- 63. Tramont Fuel Pump, 'diesel' day pump
- 64. 80 Gallon Compressor

2000 Fire/Rescue Surplus List

All Located at Station 81

- 1 Air supply system (Located at Station 81)
- 1 Sandbag
- 1 Suggestion box
- 2 SAE-W3-82 Force 4 XL Light Bar plastic shell
- 1 Toaster oven Model # 39753
- 1 Life Pak Battery Model # LP5
- 1 Speco Speaker Model # SPC-10
- 2 Panasonic Cell phone Model # EB-2501
- 1 Antenna
- 1 Bag elastic bands for exercise machine
- 1 Box nails
- 5 Motorola radio chargers
- 1 Motorola MT500 radio Serial # 203AMC1086
- 2 Motorola Radios Model # H33LCU3124A HT440
- 1 Motorola radio HT90 Model # h33hmu3124an
- Pagers with chargers 56, 63, c-32, c-131, c-454, c-6, 47, c-19, c-8, c-54, c-60, c-5, c-2, c-1, c-7, 49, c-122
- 1 Pager charger
- 1 NEC cell phone # TRSE800-21A
- 1 Cell phone car adapter # EZ-2702-A
- 1 NEC cell phone # CH-1011-A
- 1 Mobile phone power pack # TR5E800-31B
- 1 55 gallon plastic drum
- 1 Tatung computer monitor Model # CM14UHE
- 1 Kanska computer monitor Model # GU-41484HMG
- 2 Pony CPU no model #
- 1 Standard CPU S/N # 456477
- 1 Keyboard
- 3 Computer mouses
- 2 ESC CPU's no model #
- 1 ISI airbottle 4500 psi
- 4 pr Turnout pants with liners
- 1 Turnout coat
- 1 Kanaka computer monitor
- 1 CTX computer monitor Model # 1565D
- 1 Mail box
- 1 Wooden long back board
- 1 Short back board
- 1 Army cot
- 2 Plastic trays
- 1 Free-standing light
- 1 Toaster
- Assorted couplings

- 1 Rotor
- 1 Suction (Ohmeda)
- 4 Spring assemblies
- 1 Small fire extinguisher mounting bracket
- 1 Hoover vacuum
- 1 Mop bucket with wringer
- 1 2 cycle generator with hydraulic hose (Jaws) Model # 70023
- 1 GE radio
- 1 Motorola speaker, mike, and radio head
- 1 Motorola radio Model # T45VBJ7000BK
- 1 Firefinder (Out of Service)
- 1 Panasonic VHS video camera PV2200
- 1 Motorola radio Model # T835PA
- 1 Box of Venturi masks
- 1 Set Air splints
- 4 Keyboards
- 1 Panasonic Cell phone
- 1 Small air bottle with regulator and case
- 1 Golf Cart
- 1 Glass coffee table
- Assorted pieces of wood
- 1 Westinghouse TV Model # WTV-12505
- 1 Box assorted radio cables
- 2 Chairs
- 1 High speed buffer
- 2 Ladders 14' and 24'
- 1 GE Gas Stove
- 1 Roper Dishwasher
- 1 Pace Tech Minipak
- 1 Leg splint
- 2 Recliners
- 2 Sofas
- 2 GE radio receivers Model # TT388A3
- 1 Commercial Popcorn machine
- 1 Whirlpool dishwasher
- 1 Bulletin board
- 1 Panasonic battery charger Model # EB-P0060
- 4 Duracell DR11 6V Batteries

NOTE: When Fire Department moves to new Station 81 there will be many more items that will be surplus.

Station 81 Surplus List

Old Leach Station

- 2 Desk
- 1 Bookshelf
- 1 4 drawer filing cabinet
- 2 2 drawer filing cabinet
- 1 4' wide base cabinet
- 1 5' wide wall cabinet
- 1 Desk
- 2 Cork boards
- 1 Coffee maker
- 1 TV stand
- 1 Free standing cabinet
- 1 Metal chair
- 1 Large Table
- 1 Coffee table
- 1 Chalk board
- 1 Dishwasher
- 1 Metal cabinet
- 1 Work bench
- 1 Double deep sink
- 1 Chest with lead weights

**City of Peachtree City
Surplus List**

General Items from Administrative Services, Finance & Developmental Services

Heavy Duty Stapler
Judge's Desk
8 Conference Chairs
Cash Box
Stackable Chair (gray)
2 Calculators
Pull out Computer Keyboard Tray
4 Ledger Binders
Plastic Floppy Disc Holder
Black & Decker Dustbuster
Bates Numbering Machine
AT&T Answering Machine
Fellowes 5 1/4" disk file with lock
Rolodex Business Card Files
2 Metal Index Card Files
4 Black Binders 8 1/2" X 10"
Box of Miscellaneous Parts & Cords

**City of Peachtree City
Surplus List**

Recreation Department, Kedron Fieldhouse & Library

16 metal folding chairs
7 metal chairs without arms
3 office side chairs with arms
1 desk chair
39 orange plastic stacking chairs
8 chair cushions – assorted sizes and colors
17 tables – assorted sizes and finishes
4 desks – one no legs
1 printer stand
1 file hanger
Roll of self-sticking labels
Minolta EP4230 desk copier
Sharp SF/8570 copier & toner
IBM Selectric II typewriter
Monroe adding machine
AT&T 2 line telephone
Radio Shack answering machine
Panasonic electric pencil sharpener
Pool table with rack, balls & 2 cue sticks and cover
Table tennis table with net, one bent leg
Water basketball goal
Water volleyball standard
47 blue & white floats
Parachute olive drab color – poor condition
Kieffer McNeil pace clock with stand
Canvas tent, green
Target with Velcro patches
2 Pictures & 6 Posters
Western tissue art centerpiece
24 – 8 oz. bottles liquid dye
6 Rubber stair treads
4 Globe light fixtures
2 Refrigerators, green & almond
Black & Decker belt sander
13 Rubber tubes various sizes
1 set of Accordion type room dividers
2 Kubota Lawn Mowers with deck and grass catchers

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager 
Director of Financial Services P.S.
Purchasing Agent 

FROM: Director of Leisure Services 
City Engineer

DATE: Sept. 5, 2000

SUBJECT: Consideration of Bid Recommendation: Riley Track/Football Field

Staff recommends awarding a design-build contract for \$350,000 to Sports Turf Company, Inc., for work related to constructing a new recreational football field surrounded by a 6-lane track at Riley Field. Because this is the first design-build contract the city has engaged in, background on the evolution of this project would be helpful to council.

This project was initially planned as separate design and construction contracts, whereby an engineering and design firm designs the facility and produces plans that are then used to bid the job out to general contractors. The PRAD (design) Group won the design contract and produced the bid documents. Bids from general contractors were opened on Feb. 8, 2000, and the lowest bidder was \$45,000 over our budget of \$350,000. The disparity between what the designer thought could be built for \$350,000 and what contractors actually said could be done caused the unacceptable budget-versus-cost difference. In addition, many of the 8 contractors who bid did not have the experience and qualifications that indicated they could complete the job satisfactorily.

Staff re-grouped to decide how best to handle the situation. Contracting regulations that existed at that time did not allow a municipality to negotiate significantly with the low bidder to bring the cost down to budget, nor could we pre-qualify bidders. We were also obliged to use the traditional two-contract (design and construction) system. However, House Bill 1079, Public Works Construction Contracts, changed that. Signed into law by Gov. Barnes on April 20, the legislation enables us to pre-qualify bidders as well as to use any construction delivery method, so long as a competitive process is used to award the contract. It also allows us to negotiate with the selected contractor after the contract is awarded to ensure we get the most of what we need for the money we have to spend. We decided that a **design-build method** would best suit our needs.

We sent the original plan holders (12 firms) information for pre-qualifying for the design-build project and from those 7 responded. The **design-build** method enabled us to put out a bid announcement to four pre-qualified general contractors for a design-build project with a known budget figure of \$350,000. The general contractors then worked with their own design partners to come up with a construction plan that would ensure the project was completed at budget.

Staff held pre-bid meetings with the four contractors to ensure a clear understanding of the project priorities. Our order of priorities was to first have a quality football field and track with proper drainage, then to address the lighting (we already have a fully-functional lighting system at the existing field), and last to provide recommendations on fencing. We included these four areas as base bid items, plus a 5th miscellaneous category. Our understanding was that \$350,000 would only go so far, and if we had to begin making concessions, it would be on the lighting and fencing before it was on the field or track quality.

Two contractors submitted bids: Sports Turf Company, Inc., and Tift-Way Sports, Inc. Staff held meetings separately with each company after bids were received to afford each the opportunity to discuss their general construction plan and answer questions we had.

Staff felt that the proposal Sports Turf presented was more in line with the priorities we had initially established, and that they were more thorough in accounting for associated work that would be required, such as demolition of existing fencing and other structures, addition of a handicapped ramp, goal posts and re-installing water fountains, as well as bonding. We have had experience with Sports Turf on other large projects, such as all the baseball fields at South 74 Baseball/Soccer Complex and reconstruction of two softball fields at Meade. In all cases, they have been exceptionally dependable and competent, both in their preparation for the projects and in their execution. In addition, grading of the site is going to be pivotal to the quality and durability of the track and football field. Sports Turf has proven in the past to be more highly qualified in this area than Tiftway, based on our experience with one small job that Tiftway has done for us.

Again, staff recommends awarding the contract for the Riley Field Track and Football Field project to Sports Turf, Inc. in the amount of \$350,000.

**CITY OF PEACHTREE CITY
BID TABULATION SHEET**

BID TITLE:

DATE:

BUDGET:

Aug. 25, 2000
\$357,000.00

BIDS OPENED BY:

WITNESSED BY:

TIME COMPLETED:

Kenya

Tracy Bassett

3:08 PM

Marche / Marche

Tracy Bessard

Cherry R McHugh

[illegible]

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager
Director of Developmental Services

FROM: Director of Leisure Services 

DATE: Sept. 26, 2000

SUBJECT: Adoption of Community Greenspace Program

Staff requests that the mayor and council adopt a resolution (attached) to support the Governor's Community Greenspace Program. The county and all participating cities are required by the grant requirements to adopt this resolution.

As you know the governor has developed a Community Greenspace Program that makes \$30 million dollars in grants available to the 40 fastest growing counties in the state and their municipalities. The intent is to use the money to obtain land that will be set aside as permanently protected greenspace in advance of development. The amount each county receives is based on its percentage of the state's total property tax levy on residential property. Based on that, Fayette County is eligible for \$754,000. This total is divided among participating municipalities on a per capita basis. Peachtree City is eligible for approximately \$251,000 (may vary somewhat depending on which population statistics are used).

Attached is an expanded summary of the Greenspace Program for council's information. Also attached is a draft copy of Peachtree City's input to the county, which includes pieces of property within the city that we may want to consider using this money to purchase. Tyrone and Fayetteville are preparing similar documents that will be forwarded to the county planner, Pete Frisina, by Oct. 19. He will be preparing the county package that will be forwarded to the state Greenspace Commission for consideration. The deadline to have applications in to state is Nov. 30, and we have set a Nov. 1 deadline for ourselves to have the county package completed.

City and county staffs have been coordinating with staff of the Department of Natural Resources, the staff agency on this project, for several months. Counties are not competing with each other for these grants; they are awarded based on each county meeting grant requirements. Indications are that for this first grant period, if a county gets their package in on time and has fulfilled the minimum requirements, the grant money will be awarded. Thus far, the state coordinator who has reviewed our initial information has said there should be no problem with Fayette County's package being approved.

Again, staff requests that the mayor and council approve the attached resolution so that we may continue with our application process.

Governor's Greenspace Program Peachtree City

City Description

Peachtree City, Georgia, established in 1959, is a master-planned community situated approximately 35 miles southwest of Atlanta. The city features a host of amenities including three golf courses, two lakes and many smaller ponds, a 2,200 seat amphitheater, a state-of-the-art tennis center, a year-round swimming and fieldhouse complex and numerous other recreational facilities. Pedestrians, cyclists and golf cart riders enjoy Peachtree City's unique system of nearly 100 miles of recreational paths. The path system connects neighborhoods, retail centers, churches, schools and recreation areas, using tunnels and bridges to safely cross major thoroughfares.

The city encompasses 15,637 acres, or approximately 24 square miles, in Fayette County. The population of 33,000 is roughly one-third of the county population.

Areas of rapid growth or redevelopment

Peachtree City is about 92 percent built out residentially, 74 percent commercially and 65 percent industrially. As a result, the areas within the city that are most rapidly growing or redeveloping are commercial and industrial. Approximately 100 acres in the northwest sector of the city, west of highway 74 was recently rezoned from industrial to residential, with a planned density of 350 homes.

Peachtree City's industrial park is situated along the city's western boundaries. Of the 2,161 acres set aside for industrial use, approximately 684 acres are still available for future industrial growth. Significant buffer zones and setbacks, especially along highways or protected watershed areas ensure the preservation of more than average greenspace.

City Goal for Greenspace:

It is Peachtree City's goal to not only meet, but exceed, the 20 percent goal for protected greenspace within the city.

To achieve this goal, the city has identified those areas of the city that are already considered protected greenspace areas. A detailed analysis of every plat in the city has revealed that the city currently has 3,703 acres of open space, or 23.7 % of the city's total 15,637 acres, of which 2,876 (18.3% of the total city acreage) are permanently protected.

The city government has obtained input from all relevant groups and individuals to identify areas that could potentially be considered as greenspace. Elected officials and staff will continue to solicit input while progressing through the procurement process.

Consistency of Comprehensive Plan with Greenspace Program

Peachtree City's Comprehensive Plan has, from the very onset more than 40 years ago, been a trendsetter in the area of designating and protecting greenspace. Elected officials and city staff have been diligent in sticking to that plan over the years, creating a city that has received national recognition as a "clean and green" city in which to work or live. Because the plan has remained focused on greenspace over the years, no amendments relative to that topic are anticipated at this time.

Existing Conditions

Unprotected Lands: The attached map depicts publicly or privately owned land that is not permanently protected but on which the city desires to obtain greenspace protection status. There are four primary parcels for which the city would like to consider obtaining permanent protection status. These are: Drake Field, which is owned by land development company Pathways Communities; the Kelly Drive Water Treatment Plant, which is owned by the Water Authority; a parcel of land owned by Pathways and lying between wetlands and local company Photocircuits; and a parcel of land in the Southwestern part of the city that borders a recreation area on one side and a creek on the other. All of these areas, if obtained and protected as greenspace, would meet the criteria of either contributing to enhanced water quality or providing natural, passive recreation areas.

Ten-Year Strategy to Achieve City's Goal

Attached is a copy of the city's most recently adopted existing and future land use maps (with legends) and applicable plans contained within the jurisdiction's comprehensive plan.

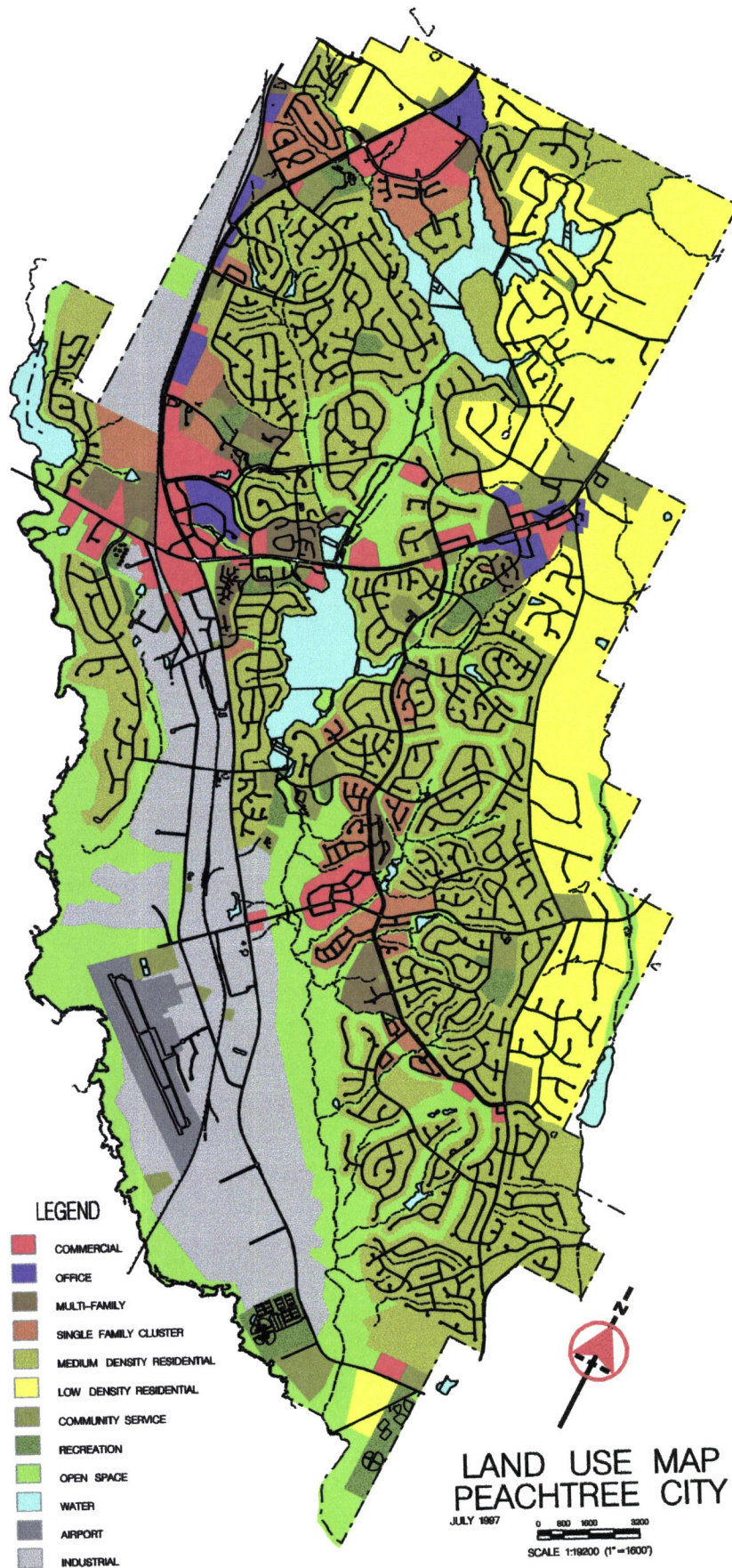
Following are the city's existing land-use ordinances, policies and regulations that will further the preservation of greenspace: Buffer Ordinance; Greenbelt Ordinance; Watershed Protection Ordinance. In addition to these vehicles, the city will also use the Southern Conservation Trust, which will utilize any or all of the following tools in their preservation program: incorporate the greenspace program into the comprehensive plan; enact performance-based zoning, such as conservation zoning, to supplement prescriptive zoning; provide for environmental overlay zones within the existing zoning ordinance; establish a transferable development rights program; amend subdivision regulations to specify the protection of steep slopes, wetlands or flood plains and to encourage setting aside recreational greenspace in neighborhoods in order to assist in the preservation effort.

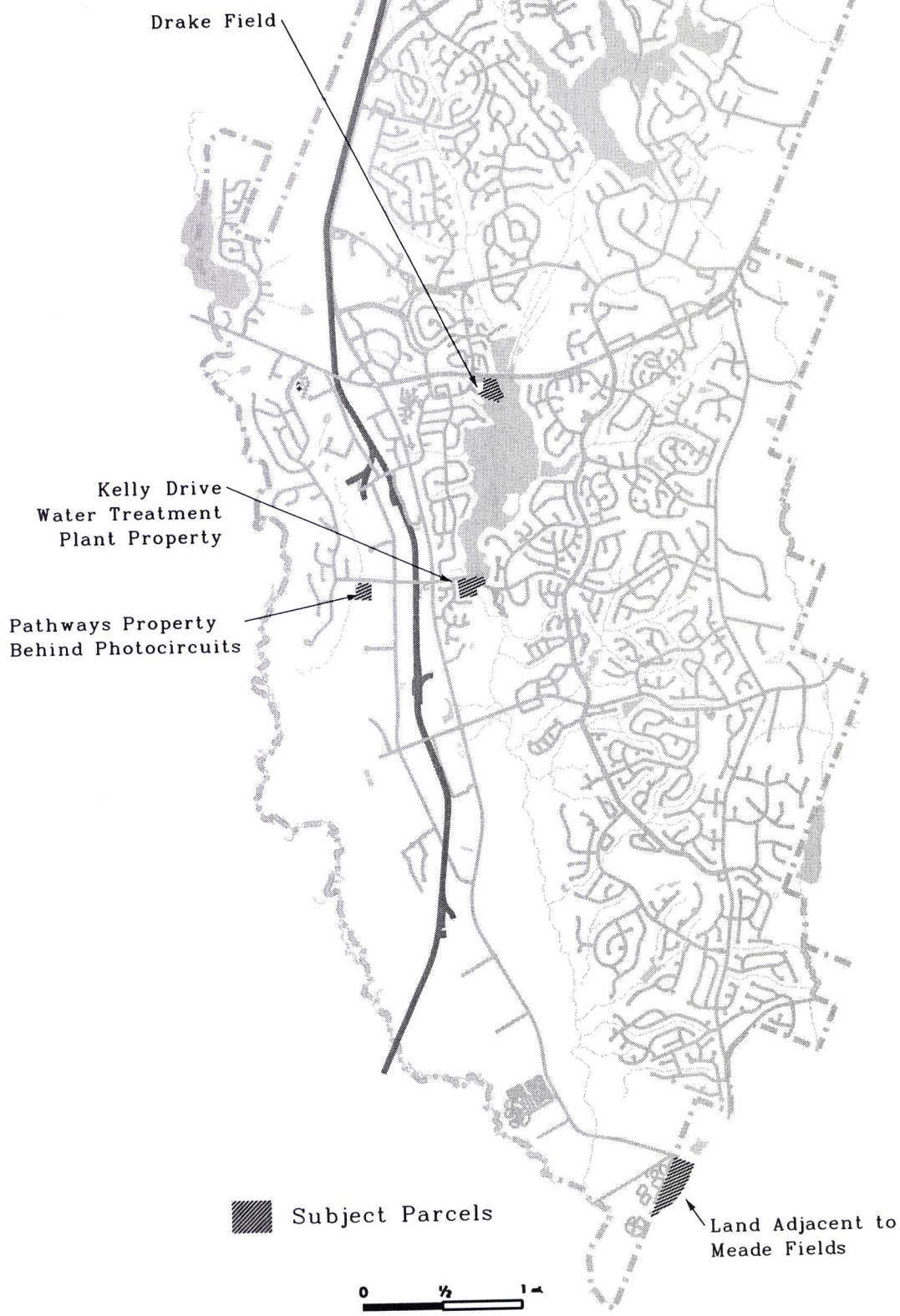
Barriers to Achieving Greenspace Goal

The city anticipates that the following legal and/or structural barriers may hinder or prevent achievement of the greenspace protection goal: permanent open space is currently subject to property tax if held publicly. Our goal would be to remove that barrier through legislation.

Source and Use of Funds

The city has set aside \$161,000 in its Land Acquisition Fund, which can be used to augment the Community Greenspace Grant. In addition, the city could consider including an appropriation of city funds from both the operating and capital budgets in order to fund necessary improvements, operations, maintenance and stewardship activities for the program.



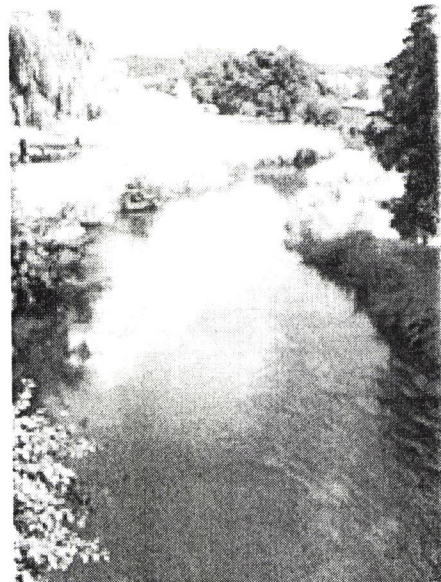


PEACHTREE CITY, GEORGIA

Proposed Greenspace Program Acquisitions



Georgia's Community Green Space Program



*A Report of the
Community Green Space
Advisory Committee*

December 15, 1999

The electronic version of this report is available
at website:

www.cviog.uga.edu/projects/projects.htm

Photo Credits

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Reid McCallister: 18

GEORGIA GREENSPACE PROGRAM
Grants to Counties Eligible to Receive Appropriated Funds,
Based on SFY-99 Levies of Residential Property Taxes:
Estimates Prepared by the Department of Natural Resources ¹
February 16, 2000

<u>County</u>	<u>Est. 1998 Population</u>	<u>Avg. Annual Growth</u>	<u>Grant Based on FY- 99 Taxes</u>
Barrow	40,344	1,328	\$ 149,000
Bartow	71,929	2,002	266,000
Bibb	156,086	765	515,000
Bryan	23,482	1,006	105,000
Bulloch	50,614	936	143,000
Camden	47,443	2,160	152,000
Carroll	83,021	1,450	258,000
Catoosa	50,547	1,010	168,000
Chatham	225,543	1,076	1,143,000
Cherokee	134,498	5,537	740,000
Clarke	90,630	380	367,000
Clayton	208,999	3,368	770,000
Cobb	566,203	14,807	3,677,000
Columbia	91,118	3,136	540,000
Coweta	85,028	3,897	397,000
DeKalb	593,850	6,002	3,422,000
Dougherty	95,309	-125	292,000
Douglas	89,843	2,340	412,000
Effingham	36,483	1,350	142,000
Fayette	88,609	3,274	754,000
Floyd	85,185	492	310,000
Forsyth	86,130	5,256	811,000
Fulton	739,367	11,302	5,816,000
Glynn	67,320	603	588,000
Gwinnett	522,095	21,148	3,008,000
Hall	119,210	2,973	626,000
Henry	104,667	5,741	584,000
Houston	105,808	2,075	428,000
Jackson	37,641	955	124,000
Lee	22,767	815	100,000
Liberty	59,162	802	142,000
Lowndes	85,231	1,156	275,000
Murray	32,682	817	92,000
Muscogee	182,752	434	591,000
Newton	57,847	2,005	265,000
Paulding	73,534	3,990	302,000
Richmond	191,329	201	618,000
Rockdale	68,305	1,777	380,000
Walton	54,485	1,987	260,000
Whitfield	82,039	1,197	268,000
TOTALS:	5,607,135		\$ 30,000,000

¹Actual amounts will be calculated from SFY-00 levies; the following amounts are estimates.

A county's greenspace program must:

- ▶ Promote the permanent protection of greenspace constituting at least 20 percent of the county's geographic area,
- ▶ Identify legal and structural barriers to the achievement of the 20-percent goal,
- ▶ Propose a ten-year strategy to mitigate or eliminate such barriers by such local actions as amendment of zoning and land use ordinances, local legislation to be enacted by the General Assembly, and local conservation and preservation ordinances,
- ▶ Identify, and commit to the employment of, existing local land use regulation which will help permanently protect greenspace, and
- ▶ Specify a program and method for allocating greenspace funds to, and cooperating with, any municipalities within the county which elect to participate.

To qualify for funds in a given fiscal year, an eligible county must submit its program for consideration by the Commission between July 1 and December 1 of that year. When the Commission finds that the greenspace program complies with the terms and conditions of the law, the State transfers monies from the Georgia Greenspace Trust Fund to the Community Greenspace Trust Funds established by the county and by any participating cities.¹ A county's share of the total funds available in any year is proportional to the amount of property tax it levied on residential property and returned to the State during the prior fiscal year: this tax levy is summed for all eligible counties, the total is divided into the county's levy, and this percentage is multiplied by the total funds available to determine the county's grant amount.² If cities participate in the county's greenspace program, the total grant amount available to the county is shared with those cities proportionally to the population within each jurisdiction. Late in the fiscal year, the Department of Natural Resources takes all appropriated funds which have not been granted pursuant to the above procedure and distributes them to the participating counties in amounts that are proportional to the grants already made. At least every two years, a county must revise and submit its program, together with a report of its progress toward protecting 20 percent of its land area as greenspace, for the Commission's re-approval.

The existence of the Georgia Greenspace Trust Fund may encourage philanthropic gifts of money and federal grants to preserve greenspace. These monies, and the interest earned on balances in the Fund, is to be made available to all cities and counties in the State for discretionary grants to preserve greenspace.

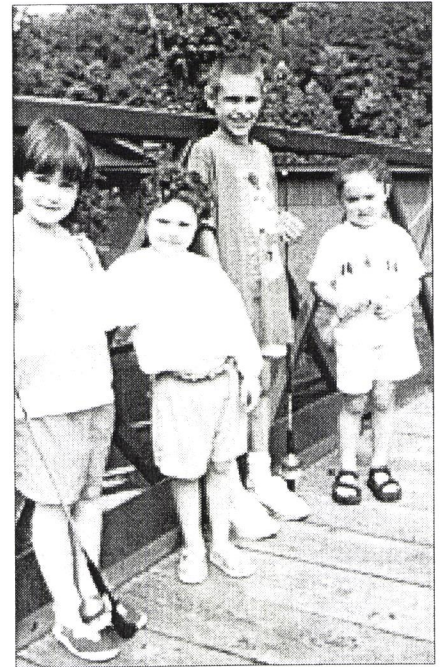
The Department of Natural Resources is authorized to develop rules to implement the bill's provisions, to audit any Community Greenspace Trust Fund which receives monies from the Georgia Greenspace Trust Fund, and to investigate the use of such moneys or properties obtained in whole or in part with them. The Department is authorized to match, from funds which it may have available, expenditures from any Community Greenspace Trust Fund which acquires property adjacent to, or in the watershed of, the Altamaha, Chattahoochee, or Flint rivers, or any other river which the Department may designate by regulation as eligible for a match. The Department may by agreement accept and administer as state parks, wildlife management areas, historic sites, natural areas, and similar areas lands which counties or cities have acquired in those watersheds using greenspace trust funds.

¹If the Commission finds the county's program does not comply with these terms and conditions, it notifies the county of the deficiencies and suggest ways of correcting them. The county may then revise and resubmit its program.

²Governor Barnes has requested \$30 million to fund the community grant program for FY-2001. A county which had five percent of the total residential property tax levy for all eligible counties would qualify for \$1.5 million.

- **Model Ordinances:** The Committee recommends that the Governor encourage local governments to adopt modern, flexible land use ordinances for performance-based zoning, conservation subdivisions, transferable development rights and environmental overlay zoning, such as the model ordinances being developed by The University of Georgia.
- **Uniform Subdivision Guidelines:** The Committee recommends that the Governor convene state and local officials whose work pertains to public health and safety (fire marshals, road commissioners, sanitarians) as well as land use planners and developers to develop uniform subdivision guidelines that protect human health and safety and promote the preservation of green space.
- **Financial and Technical Support for the Community Green Space Program:** The Committee recommends that adequate resources be provided to DNR and the University System of Georgia to develop a coordinated and comprehensive program to provide technical assistance to local governments and their partners in evaluating, drafting and implementing tools for green space protection. This program should provide general information about tools, including case studies, model ordinances and funding sources by means of workshops, websites, and resource papers, as well as more detailed assistance to a community as it actually develops a particular tool or set of tools.

The Committee believes that all of these recommendations are sound and that, if carried out, they will support an effective community green space program. The Committee wishes to thank Governor Barnes for the opportunity to assist in the development of his Community Green Space Program.



To create the Community Green Space Program, the Committee puts forth the following recommendation.

- **Creation of the Community Green Space Program and Fund:** The primary recommendation of the Committee is that the Governor work with the General Assembly to establish a new Community Green Space Program, to be administered by DNR and to be funded in part by a new Community Green Space Fund. The legislation should establish that it is the policy of the State to protect at least 20 percent of Georgia's land as green space. The focus of the program should be on high growth counties. The Community Green Space Fund should be used to provide financial support for local green space programs.

Due to local variability in natural conditions, demographics and other factors, decisions relating to community green space must be tied to the local planning and decision-making process. In addition to providing financial assistance, the State can assist local governments by removing unnecessary barriers that can hamper local efforts to provide community green space. The following recommendations are designed to provide technical assistance to local governments, remove impediments to program implementation, or improve existing green space tools.

- **Local Green Space Trust Funds:** The Committee recommends that Governor Barnes work with the General Assembly to enact legislation that will authorize local governments to create trust funds for green space protection, parks and greenways, pursuant to which the local governments could receive funds and other contributions within one budget year and carry them over for expenditure in another. The legislation should also clarify the provisions in law that allow local governments to receive and earmark gifts for specific purposes, and to establish segregated community trust fund accounts to reserve the proceeds of dedicated and non-dedicated funding sources which are received for land protection.
- **Special-Purpose Local Option Sales Taxes (SPLOST) Funds:** The Committee recommends that the Governor ask the Attorney General for a ruling that the acquisition of green space as defined in this report is authorized under the SPLOST statute. We further recommend, if a

Executive Summary

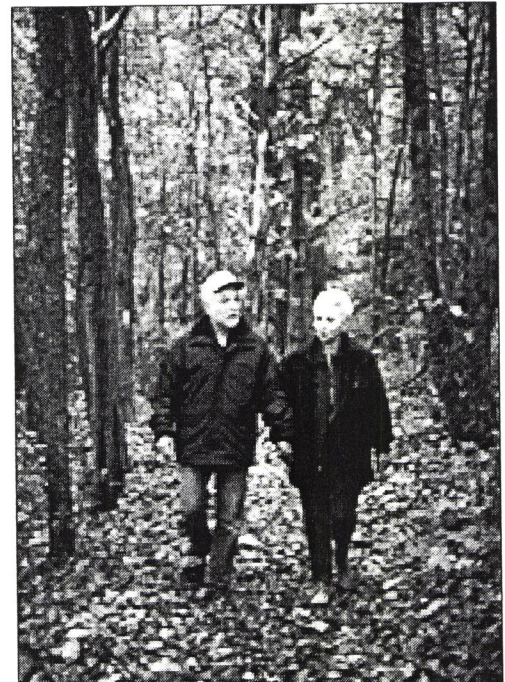
In August 1999, Governor Roy Barnes shared his vision of Georgia's communities laced with connected green space. The Governor's goal is to set aside 20 percent of the land in neighborhoods as green space, available for people to use on a daily basis. It recognizes the link between our physical and mental health, the health of our environment, our economic stability, and the choices we make regarding the use of our land.

Community green space is only one part of an overall program of preserving lands throughout the State for public purposes. It is obviously important that the State continue to be concerned about protecting and managing larger, more distant tracts of land such as state parks and wildlife management areas. But it is also important for people to have green space near where they live, work and go to school. Less than ten percent of the state funds spent on green space related programs during the past two decades has been used for community green space acquisition. In addition, the efforts of local governments to provide community green spaces have often had to defer to competing demands on local government budgets.

The materials reviewed by the Committee, the presentations to the Committee, and the discussions by Committee members have thoroughly documented the high value of community green space. Fundamentally, community green space which is proximate to where people live is a local asset that increases the community's desirability as a place to live and work. It is clearly in the interest of local governments to use this asset to improve their residents' quality of life and to maintain their economic competitiveness. The State can assist local governments in many ways.

Based on its deliberations, the Committee recommends that the Governor work with the General Assembly to create the Community Green Space Program. To accomplish this, the Committee recommends three courses of action:

- legislation be enacted creating the Community Green Space Program;



CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council
VIA: City Manager 
FROM: Director of Developmental Services 
DATE: September 28, 2000
SUBJECT: Proposed Outside Display Ordinance

Since the last meeting on this proposed ordinance, staff has been discussing its implications with representatives of the Chamber of Commerce and various local business owners. We are still conducting these discussions and making changes to the draft as appropriate. Therefore, staff requests that the agenda item be continued to the next meeting on October 19th to allow sufficient time to complete this process.

JBW/jir

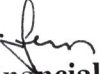
Attachments

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: City Clerk 

VIA: City Manager 
Director of Financial Services *ps.*

DATE: September 12, 2000

SUBJECT: Alcohol License -Sushi Yoshi

An application for an alcoholic beverage license is attached for your consideration. Sushi Yoshi, a new Japanese restaurant in Peachtree City will be located at 285 Highway 74 North. Ms. Atsuko Maeda has requested to be appointed as the Licensee and License Representative. She will be present at the meeting on October 2nd to answer any questions you may have.



Peachtree City

Georgia

State of Georgia

City of Peachtree City:

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

Atsuko Maeda

Name

5075 Cinnabar Drive Alpharetta, GA 30022

Address

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

James V. Murray

Signature

9-25-SE 2000

Date

Major M. K. Dukes

Witness



CITY OF PEACHTREE CITY
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
(770) 487-7657

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

Business Name: <i>Maeda Inc</i> <i>DBA Sushi Yoshi</i>	Business Location: <i>285 H.W.74 N. Peachtree City GA</i>	
Nature of Business: <i>Restaurant</i>	Mailing Address: <i>5075 Cinnabar Drive</i> <i>Alpharetta GA 30022</i>	Business Phone Number: <i>(770) 631-657663</i> <i>Cell (770) 619-0402</i>
Name of Licensee: <i>Atsuko Maeda</i>	Home Address: <i>5075 Cinnabar Drive</i> <i>Alpharetta GA 30022</i>	Home Phone Number: <i>(770) 619-0402</i>
Name of License Representative: <i>Atsuko Maeda</i>	Home Address: <i>5075 Cinnabar Drive</i> <i>Alpharetta GA 30022</i>	Home Phone Number: <i>(770) 619-0402</i>
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 provide complete information according to type of business entity (use separate sheet if necessary):		
Individual - Owner Name:	Home Address:	Phone Number:
Partnership - Partner's Names:	Home Addresses:	Phone Numbers:
Close Corporation Name: <i>Maeda, Inc</i>	Close Corporation Addresses: <i>5075 Cinnabar Drive</i> <i>Alpharetta GA 30022</i>	Phone Number: <i>(770) 619-0402</i>
Officers of Close Corporation: <i>Atsuko Maeda President</i> <i>Yoshikiyo Maeda Secretary</i> <i>Yoshikiyo Maeda Vice President</i>	Home Addresses: <i>5075 Cinnabar Drive</i> <i>Alpharetta GA 30022</i>	Phone Numbers: <i>(770) 619-0402</i>
Directors of Close Corporation:	Home Addresses:	Phone Numbers:
Stockholders of Close Corporation:	Home Addresses:	Phone Numbers:
Corporation Name:	Corporation Address:	Phone Number:
Name of GA Registered Agent named for service process: <i>Atsuko Maeda</i>	Home Address: <i>5075 Cinnabar Drive</i> <i>Alpharetta GA 30022</i>	Phone Numbers: <i>770 619 0402</i>
Is any person who will own an interest in the license/licenses an employee of the City of Peachtree City? <i>No</i>		



**AFFIDAVIT AND CRIMINAL HISTORY CONSENT FORM
FOR ALCOHOLIC BEVERAGE LICENSE APPLICATION
WITH THE CITY OF PEACHTREE CITY**

I, Atsuko Maeda (PRINT FULL NAME),
swear that I am at least 21 years of age and am competent to provide this Affidavit.

My address is: 5075 Cinnabar Drive Alpharetta GA 30022
ADDRESS CITY STATE ZIP

I have resided at this address for: 1 yr (PRINT LENGTH OF TIME)

Previous addresses for the last 10 years are as follows: _____

3368C Chelsea Park Village Lane Norcross GA 30091
1964 Spectrum Circle Marietta GA

My Social Security #: 60124 9398 My Driver's License #/State: GA 601249398

My Date of Birth is: 09/18/65 Race: Asian Sex: F

I have not, within 5 years prior to the date of this application, been convicted of, nor entered a plea of nolo contendere to, any felony or a misdemeanor relating to the sale or use of alcoholic beverages or illegal drugs.

I have / have not ever been ever arrested for a crime. If so, please list details below and the disposition of the arrest. Attach a separate sheet if necessary: No

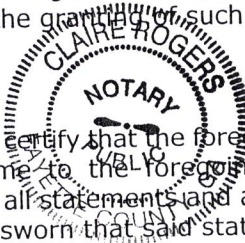
I have / have not ever had beneficial interest in any other alcoholic beverage business in this or any other state in which the alcohol license was denied, revoked or other disciplinary action taken. (Beneficial interest here means when a person holds the license in his own name or when he has a legal, equitable or other ownership interest in, or has any legally enforceable interest or financial interest, or derives any economic benefit from, or has control over a business.) If so, please describe in detail. Attach a separate sheet if necessary:

I am / am not the applicant for license representative. If so, I swear that I am a manager of the business and a resident of the State of Georgia.

I have read the Peachtree City Ordinance regarding the sale of alcoholic beverages and I understand and will comply with the rules and regulations.

I hereby authorize the PEACHTREE CITY POLICE DEPARTMENT to receive any criminal history record information pertaining to me, which may be in the files of any state or local criminal justice agency.

I solemnly swear, subject to criminal penalties for false swearing, that the statements and answers made by me to the foregoing questions in this application for city license for sale of alcoholic beverages are true, and no false or fraudulent statement or answer is made herein to procure the granting of such license.



[Signature]
SIGNATURE OF APPLICANT

I do hereby certify that the foregoing applicant is personally known to me, that he/she signed his/her name to the foregoing application after stating to me that he/she knew and understood all statements and answers made therein, and under oath actually administered to me, has sworn that said statements and answers are true.

NOTARY PUBLIC: Claire Rogers This 7 day of Sept, 2000 1999:

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council
VIA: City Manager 
FROM: Director of Developmental Services 
DATE: September 28, 2000
SUBJECT: Lexington Commons

The developer of the Lexington Commons project has requested that the moratorium on apartment development be lifted and he be allowed to make some changes to his master plan based on a recent reassessment of local market conditions.

Staff is prepared to provide Council with a brief update on this project at the meeting on October 5th. If Council has no objection to the proposed lifting of the moratorium and consideration of the proposed rezoning, there will be a public hearing before Council on the moratorium on October 19th. Following that, if the moratorium is in fact lifted, the Planning Commission will hold a public hearing on the rezoning request on October 23rd and the matter should be back before Council for a rezoning decision at the meeting on November 2nd.

JBW/jir

Attachments

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jim Basinger, City Manager 

FROM: Paul Salvatore, Director of Financial Services P.S.

DATE: September 29, 2000

SUBJECT: Setting of millage rate

In the course of holding what was to be the first of three public hearings on the notice of tax increase, on September 20, 2000, Council decided instead to roll-back taxes to cancel the effect of real property reassessments on our tax levy. Although this action was necessary to authorize staff to cancel the second and third public hearings on the notice of tax increase, it did not meet the requirements of giving fourteen days notice of a public hearing to set the millage rate. We had already placed an advertisement on September 13 for a public hearing to be held on October 5, 2000 regarding the setting of the millage rate in order to comply with state law. Therefore, we will still need to hold the October 5 public hearing to officially set the millage rate, as originally scheduled.

In addition, in order to be in *full* compliance with the new state law regarding the roll-back for reassessments, the net millage will need to be set at the *exact* rate of 3.836 instead of the rounded off rate of 3.84 voted on at the September 20 meeting. Council will also need to take action to set the LOST rollback millage rate at 4.296 and the gross millage rate at 8.132.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council
VIA: City Manager 
FROM: Director of Leisure Services 
DATE: Sept. 22, 2000
SUBJECT: New County/State Swimming Pool Regulations

Attached you will find a memo from Robert Kurbes, Environmental Health Specialist with the Fayette County Health Department, as well as a copy of "Michelle's Law," a proposed state law that would regulate the design, operation and maintenance of public swimming pools. The package also includes a draft of county regulations to be considered by the Fayette County Board of Health.

The state has passed the law, which will become effective December 31. At that time, any county that does not have its own approved regulations will be subject to the state regulations. Unfortunately, the state law has exempted subdivision, apartment and country club pools, which have proven to be the largest source of public complaints in the county, according to Mr. Kurbes.

Therefore, the County Board of Health wishes to adopt county regulations that would include subdivision, apartment and country club pools in order to ensure their ability to protect the health and safety of local citizens. The board will act on a draft of the county regulation on October 10, and it is likely that it will be approved. Once they approve it, the Health Department will ask that the Fayette County Commission and local municipalities adopt the regulation as a local ordinance that would provide for local enforcement.

Mr. Kurbes has requested to be on the agenda tonight to briefly explain the major points of the law and the proposed regulation, and how it will affect this community and its citizens.

cc: Recreation Administrator
Kedron Manager
Recreation Facilities Manager
Robert Kurbes

FAYETTE COUNTY HEALTH DEPARTMENT

140 Stonewall Avenue West • Suite 105 • Fayetteville, Georgia 30214
Phone (770) 460-5730 ext 415 • Fax (770) 461-7907

September 18, 2000

Mr. Randy Gaddo
Peachtree City Recreation Department
Peachtree City, GA 30269

Dear Mr. Gaddo:

On behalf of the Fayette County Board of Health, I would like to thank you and Jim Basinger for taking time from your busy schedules to meet with me to discuss public swimming pool regulations. Jim Miller and Sherrie McHugh were also able to attend this meeting. As you requested, I would like to summarize the information:

The State of Georgia has passed a public swimming pool law (Michelle's Law) that will require public swimming pool regulations be developed and implemented by the Department of Human Resources. These regulations will become effective 12/31/00. The Board of Health is currently considering a local proposed public swimming pool regulation for the following reasons:

- 1) The Board of Health desires to protect the health and safety of the local population.
- 2) As the Fayette County Board of Health has no public swimming pool regulation, our department would be required to utilize the state regulations.
- 3) The state law will exempt subdivision, apartment and country club pools. As these pools have accounted for a majority of public swimming pool complaints and concerns received by our department over the past several years, our proposed rule will include subdivision, apartment and country club pools.

- 4) By establishing a local ordinance, the Board of Health will maintain local control and enforcement options for the public swimming pool program.

A draft of the proposed regulation has been presented to the Board of Health and they have called a meeting for October 10, 2000 to act on the regulation. It is likely that it will be approved by the Board of Health. Once the board approves the regulation, we will be requesting that the Fayette County Commission and the local municipalities adopt the regulation as a local ordinance, which would provide for local enforcement like we have established with our Tourist Accommodation, Food Service Establishment and On-site Sewage Disposal (septic tank) system program. Peachtree City has adopted these other program regulations as local ordinances.

I respectfully request to have this topic placed on the next available Peachtree City Council agenda in order to explain the law, proposed regulation, and what it all means to the council and the community. This will provide an opportunity to review it a timely manner, and be in a position to consider it for adoption as a local ordinance as soon and the Board of Health adopts the regulation.

If you have any questions, or I can be of any assistance to you, please do not hesitate to contact me at (770) 631-0743 Ext. 5150. I look forward to being able to present this to the city council.

Sincerely,



Robert F. Kurbes
Environmental Health Specialist III

Rfk

Xc: file

CHAPTER 45

MICHELLE'S LAW

Sec.		Sec.	
31-45-1.	(Effective December 31, 2000) Short title.	31-45-8.	(Effective December 31, 2000) Inspections by the county board of health.
31-45-2.	(Effective December 31, 2000) Purpose.	31-45-9.	(Effective December 31, 2000) Suspension or revocation of permit.
31-45-3.	(Effective December 31, 2000) Definitions.	31-45-10.	(Effective December 31, 2000) Rules and regulations.
31-45-4.	(Effective December 31, 2000) Issuance of permits; terms of expiration.	31-45-11.	(Effective December 31, 2000) Enforcement of rules and regulations.
31-45-5.	(Effective December 31, 2000) Operation permit required for each public swimming pool.	31-45-12.	(Effective December 31, 2000) Inspection of unregulated pools.
31-45-6.	(Effective December 31, 2000) Construction of public swimming pools.	31-45-13.	(Effective December 31, 2000) Applicability of chapter.
31-45-7.	(Effective December 31, 2000) Notification for inspection.		

Effective date. — This chapter becomes effective December 31, 2000.

Code Commission notes. — Ga. L. 2000, p. 1269, § 1, Ga. L. 2000, p. 526, § 1, and Ga. L. 2000, p. 549, § 3 all enacted a Chapter 43 of Title 31. Pursuant to Code Section 28-9-5, in 2000, the chapter enacted by Ga. L.

2000, p. 526, § 1 has been redesignated as Chapter 44 of Title 31 and the Code sections therein redesignated accordingly. The chapter enacted by Ga. L. 2000, p. 549, § 3 has been redesignated as Chapter 45 of Title 31 and the Code sections therein redesignated accordingly.

31-45-1. (Effective December 31, 2000) Short title.

This chapter shall be known and may be cited as "Michelle's Law." (Code 1981, § 31-45-1, enacted by Ga. L. 2000, p. 549, § 3.)

Code Commission notes. — Ga. L. 2000, p. 126, § 1, Ga. L. 2000, p. 526, § 1, and Ga. L. 2000, p. 549, § 3 all enacted a Chapter 43 of Title 31. Pursuant to Code Section 28-9-5, in 2000, the chapter enacted by Ga. L. 2000, p. 526, § 1 has been redesignated as Chapter

44 of Title 31 and the Code sections therein redesignated accordingly. The chapter enacted by Ga. L. 2000, p. 549, § 3 has been redesignated as Chapter 45 of Title 31 and the Code sections therein redesignated accordingly.

31-45-2. (Effective December 31, 2000) Purpose.

The purpose of this chapter is to protect the public health and safety through the proper design, operation, and maintenance of public swimming pools. (Code 1981, § 31-45-2, enacted by Ga. L. 2000, p. 549, § 3.)

Code Commission notes. — Ga. L. 2000, p. 126, § 1, Ga. L. 2000, p. 526, § 1, and Ga. L. 2000, p. 549, § 3 all enacted a Chapter 43 of Title 31. Pursuant to Code Section 28-9-5, in 2000, the chapter enacted by Ga. L. 2000, p. 526, § 1 has been redesignated as Chapter

44 of Title 31 and the Code sections therein redesignated accordingly. The chapter enacted by Ga. L. 2000, p. 549, § 3 has been redesignated as Chapter 45 of Title 31 and the Code sections therein redesignated accordingly.

31-45-3. (Effective December 31, 2000) Definitions.

As used in this chapter, the term "public swimming pool," "swimming pool," or "pool" means any structure, chamber, or tank containing an artificial body of water used by the public for swimming, diving, wading, recreation, or therapy, together with buildings, appurtenances, and equipment used in connection with the body of water, regardless of whether a fee is charged for its use. The term includes municipal, school, hotel, or motel pools and any pool to which access is granted in exchange for payment of a daily fee. This chapter shall not apply to a private pool or hot tub serving a single-family dwelling and used only by the residents of the dwelling and their guests. This chapter also shall not apply to apartment complex pools, country club pools, subdivision pools which are open only to residents of the subdivision and their guests, therapeutic pools used in physical therapy programs operated by medical facilities licensed by the department or operated by a licensed physical therapist, nor to therapeutic chambers drained, cleaned, and refilled after each individual use, nor to religious ritual baths used solely for religious purposes. (Code 1981, § 31-45-3, enacted by Ga. L. 2000, p. 549, § 3.)

Code Commission notes. — Ga. L. 2000, p. 126, § 1, Ga. L. 2000, p. 526, § 1, and Ga. L. 2000, p. 549, § 3 all enacted a Chapter 43 of Title 31. Pursuant to Code Section 28-9-5, in 2000, the chapter enacted by Ga. L. 2000, p. 526, § 1 has been redesignated as Chapter 44 of Title 31 and the Code sections therein redesignated accordingly. The chapter enacted by Ga. L. 2000, p. 549, § 3 has been redesignated as Chapter 45 of Title 31 and

the Code sections therein redesignated accordingly.

Pursuant to Code Section 28-9-5, in 2000, "single-family dwelling" was substituted for "single family dwelling" in the third sentence and a comma was inserted following "licensed physical therapist" and following "each individual use" in the fourth sentence.

31-45-4. (Effective December 31, 2000) Issuance of permits; terms of expiration.

(a) On or after December 31, 2000, a permit shall be obtained from the county board of health in the county in which a public swimming pool is located prior to construction or continued operation of a public swimming pool. When the ownership of a public swimming pool changes or if the pool is leased by the owner, it shall be the responsibility of the new owner or lessee to secure a permit issued in his or her name.

(b) Unless suspended or revoked, a swimming pool operation permit shall be valid for the period of operation specified in the application, but in no event shall it be valid for more than 12 months. (Code 1981, § 31-45-4, enacted by Ga. L. 2000, p. 549, § 3.)

Code Commission notes. — Ga. L. 2000, p. 126, § 1, Ga. L. 2000, p. 526, § 1, and Ga. L. 2000, p. 549, § 3 all enacted a Chapter 43 of Title 31. Pursuant to Code Section 28-9-5, in 2000, the chapter enacted by Ga. L. 2000, p. 526, § 1 has been redesignated as Chapter

44 of Title 31 and the Code sections therein redesignated accordingly. The chapter enacted by Ga. L. 2000, p. 549, § 3 has been redesignated as Chapter 45 of Title 31 and the Code sections therein redesignated accordingly.

31-45-5. (Effective December 31, 2000) Operation permit required for each public swimming pool.

A separate application for an operation permit must be submitted for each public swimming pool. The owner or operator shall apply annually to the county board of health for an operator's permit. A form must be obtained from the county board of health to provide:

- (1) The owner's name, address, and telephone number;
- (2) The operator's name, address, and telephone number;
- (3) The street address of the public swimming pool;
- (4) The physical location of the public swimming pool;
- (5) The type of public swimming pool;
- (6) The construction date, if applicable;
- (7) The proposed operating dates;
- (8) The type of disinfection; and
- (9) The signature of the owner or a designated representative of the owner. (Code 1981, § 31-45-5, enacted by Ga. L. 2000, p. 549, § 3.)

Code Commission notes. — Ga. L. 2000, p. 126, § 1, Ga. L. 2000, p. 526, § 1, and Ga. L. 2000, p. 549, § 3 all enacted a Chapter 43 of Title 31. Pursuant to Code Section 28-9-5, in 2000, the chapter enacted by Ga. L. 2000, p. 526, § 1 has been redesignated as Chapter 44 of Title 31 and the Code sections therein redesignated accordingly. The chapter en-

acted by Ga. L. 2000, p. 549, § 3 has been redesignated as Chapter 45 of Title 31 and the Code sections therein redesignated accordingly.

31-45-6. (Effective December 31, 2000) Construction of public swimming pools.

Construction of public swimming pools and additions and alterations to such pools may start only upon issuance and receipt of a permit pursuant to Code Section 31-45-4 and shall be in compliance with plans and data submitted in accordance with Code Section 31-45-5 and other data approved by the county board of health of the county in which each pool is located. (Code 1981, § 31-45-6, enacted by Ga. L. 2000, p. 549, § 3.)

Code Commission notes. — Ga. L. 2000, p. 126, § 1, Ga. L. 2000, p. 526, § 1, and Ga. L. 2000, p. 549, § 3 all enacted a Chapter 43 of Title 31. Pursuant to Code Section 28-9-5, in 2000, the chapter enacted by Ga. L. 2000, p. 526, § 1 has been redesignated as Chapter 44 of Title 31 and the Code sections therein redesignated accordingly. The chapter enacted by Ga. L. 2000, p. 549, § 3 has been redesignated as Chapter 45 of Title 31 and the Code sections therein redesignated accordingly. Pursuant to Code Section 28-9-5, in 2000, "31-45-4" was substituted for "31-43-4" and "31-45-5" was substituted for "31-43-5" in this Code section.

31-45-7. (Effective December 31, 2000) Notification for inspection.

A permittee shall notify the county board of health at the time of completion of the construction of a public swimming pool to permit inspection before the pool is placed in operation. (Code 1981, § 31-45-7, enacted by Ga. L. 2000, p. 549, § 3.)

Code Commission notes. — Ga. L. 2000, p. 126, § 1, Ga. L. 2000, p. 526, § 1, and Ga. L. 2000, p. 549, § 3 all enacted a Chapter 43 of Title 31. Pursuant to Code Section 28-9-5, in 2000, the chapter enacted by Ga. L. 2000, p. 526, § 1 has been redesignated as Chapter 44 of Title 31 and the Code sections therein redesignated accordingly. The chapter enacted by Ga. L. 2000, p. 549, § 3 has been redesignated as Chapter 45 of Title 31 and the Code sections therein redesignated accordingly.

31-45-8. (Effective December 31, 2000) Inspections by the county board of health.

Each public swimming pool shall be inspected by the county board of health to determine compliance with this chapter and with the rules and regulations adopted by the Department of Human Resources. Pools which open on or after April 1 and which close on or before October 31 shall be inspected at least once during the period of operation. All other pools shall be inspected at least twice a year. (Code 1981, § 31-45-8, enacted by Ga. L. 2000, p. 549, § 3.)

Code Commission notes. — Ga. L. 2000, p. 126, § 1, Ga. L. 2000, p. 526, § 1, and Ga. L. 2000, p. 549, § 3 all enacted a Chapter 43 of Title 31. Pursuant to Code Section 28-9-5,

in 2000, the chapter enacted by Ga. L. 2000, p. 526, § 1 has been redesignated as Chapter 44 of Title 31 and the Code sections therein redesignated accordingly. The chapter enacted by Ga. L. 2000, p. 549, § 3 has been redesignated as Chapter 45 of Title 31 and the Code sections therein redesignated accordingly.

31-45-9. (Effective December 31, 2000) Suspension or revocation of permit.

A permit for a public swimming pool may be suspended or revoked by the county board of health for failure to comply with the provisions of this chapter and the rules and regulations adopted by the Department of Human Resources. (Code 1981, § 31-45-9, enacted by Ga. L. 2000, p. 549, § 3.)

Code Commission notes. — Ga. L. 2000, p. 126, § 1, Ga. L. 2000, p. 526, § 1, and Ga. L. 2000, p. 549, § 3 all enacted a Chapter 43 of Title 31. Pursuant to Code Section 28-9-5, in 2000, the chapter enacted by Ga. L. 2000, p. 526, § 1 has been redesignated as Chapter 44 of Title 31 and the Code sections therein redesignated accordingly. The chapter enacted by Ga. L. 2000, p. 549, § 3 has been redesignated as Chapter 45 of Title 31 and the Code sections therein redesignated accordingly.

31-45-10. (Effective December 31, 2000) Rules and regulations.

(a) The Department of Human Resources shall adopt and promulgate rules and regulations concerning the construction and operation of public swimming pools. The Department of Human Resources shall classify public swimming pools on the basis of size, usage, type, or any other appropriate factor and shall adopt requirements for each classification. The rules shall include requirements for:

- (1) Submission and review of plans prior to construction;
- (2) Application, review, expiration, renewal, and revocation or suspension of an operating permit;
- (3) Inspection;
- (4) Design and construction including materials, depth and other dimensions, and standards for the abatement of suction hazards; and
- (5) Operation and safety including water source, water quality and testing, fencing, water treatment, chemical storage, toilet and bath facilities, measures to ensure the personal cleanliness of bathers, safety equipment, and sewage and other waste-water disposal.

Public swimming pools constructed or remodeled prior to December 31, 2000, that do not meet specific design and construction requirements of the rules for public swimming pools adopted by the Department of Human Resources shall not be required to comply with design and construction requirements other than requirements related to the abatement of suction hazards. Public swimming pools constructed or remodeled prior to December 31, 2000, shall comply with all other rules for public swimming pools adopted by the Department of Human Resources by January 1, 2003.

(b) No single drain, single-suction outlet public swimming pool shall be allowed to operate unless a protective cover is properly installed. (Code 1981, § 31-45-10, enacted by Ga. L. 2000, p. 549, § 3.)

Code Commission notes. — Ga. L. 2000, p. 126, § 1, Ga. L. 2000, p. 526, § 1, and Ga. L. 2000, p. 549, § 3 all enacted a Chapter 43 of Title 31. Pursuant to Code Section 28-9-5, in 2000, the chapter enacted by Ga. L. 2000, p. 526, § 1 has been redesignated as Chapter

44 of Title 31 and the Code sections therein redesignated accordingly. The chapter enacted by Ga. L. 2000, p. 549, § 3 has been redesignated as Chapter 45 of Title 31 and the Code sections therein redesignated accordingly.

31-45-11. (Effective December 31, 2000) Enforcement of rules and regulations.

Each county board of health and its duly authorized agents are authorized and empowered to enforce compliance with the provisions of this chapter and the rules and regulations relating to public swimming pools adopted and promulgated by the Department of Human Resources and, in connection therewith, to enter upon and inspect the premises of a public swimming pool at any reasonable time and in a reasonable manner. (Code 1981, § 31-45-11, enacted by Ga. L. 2000, p. 549, § 3.)

Code Commission notes. — Ga. L. 2000, p. 126, § 1, Ga. L. 2000, p. 526, § 1, and Ga. L. 2000, p. 549, § 3 all enacted a Chapter 43 of Title 31. Pursuant to Code Section 28-9-5, in 2000, the chapter enacted by Ga. L. 2000, p. 526, § 1 has been redesignated as Chapter

44 of Title 31 and the Code sections therein redesignated accordingly. The chapter enacted by Ga. L. 2000, p. 549, § 3 has been redesignated as Chapter 45 of Title 31 and the Code sections therein redesignated accordingly.

31-45-12. (Effective December 31, 2000) Inspection of unregulated pools.

Notwithstanding any provision of Code Section 31-45-13 regarding the applicability of this chapter to the contrary, a resident or owner of an apartment complex that is not subject to regulation under this chapter or local ordinance may request that the county board of health inspect a pool at such apartment complex. Upon receipt of such a request, the county board of health shall have the authority to inspect such pool at any reasonable time and in a reasonable manner and issue a report on the condition of such pool. (Code 1981, § 31-45-12, enacted by Ga. L. 2000, p. 549, § 3.)

Code Commission notes. — Ga. L. 2000, p. 126, § 1, Ga. L. 2000, p. 526, § 1, and Ga. L. 2000, p. 549, § 3 all enacted a Chapter 43 of Title 31. Pursuant to Code Section 28-9-5, in 2000, the chapter enacted by Ga. L. 2000, p. 526, § 1 has been redesignated as Chapter

44 of Title 31 and the Code sections therein redesignated accordingly. The chapter enacted by Ga. L. 2000, p. 549, § 3 has been redesignated as Chapter 45 of Title 31 and the Code sections therein redesignated accordingly.

Pursuant to Code Section 28-9-5, in 2000, "31-45-13" was substituted for "31-43-13" in this Code section.

31-45-13. (Effective December 31, 2000) Applicability of chapter.

The provisions of this chapter shall apply only in those counties where local rules and regulations governing public swimming pools are not in effect on December 31, 2000. Nothing in this chapter shall be construed to limit the authority of a county to adopt an ordinance or resolution regarding public swimming pools that applies to apartment complex pools. (Code 1981, § 31-45-13, enacted by Ga. L. 2000, p. 549, § 3.)

Code Commission notes. — Ga. L. 2000, p. 126, § 1, Ga. L. 2000, p. 526, § 1, and Ga. L. 2000, p. 549, § 3 all enacted a Chapter 43 of Title 31. Pursuant to Code Section 28-9-5, in 2000, the chapter enacted by Ga. L. 2000, p. 526, § 1 has been redesignated as Chapter

44 of Title 31 and the Code sections therein redesignated accordingly. The chapter enacted by Ga. L. 2000, p. 549, § 3 has been redesignated as Chapter 45 of Title 31 and the Code sections therein redesignated accordingly.

FAYETTE COUNTY HEALTH DEPARTMENT

140 Stonewall Avenue West • Suite 105 • Fayetteville, Georgia 30214
Phone (770) 460-5730 ext 415 • Fax (770) 461-7907

Public Swimming Pool/Spa Program Fees

- A) Public Swimming Pool/Spa Plan Review Fee: \$300.00
(Includes initial pool/spa permit)
- B) Public Swimming Pool/Spa Annual Permit Fee: \$100.00

RULES

FAYETTE COUNTY BOARD OF HEALTH

SWIMMING POOLS, SPAS
AND RECREATIONAL WATER PARKS

TABLE OF CONTENTS

290-5-57-.01	Definitions	290-5-57-.14	Air Blower and Air Induction Systems
290-5-57-.02	Scope	290-5-57-.15	Water Supply and Waste Water Disposal
290-5-57-.03	Provisions	290-5-57-.16	Disinfectant Equipment and Chemical Feeders
290-5-57-.04	Structural Design	290-5-57-.17	Chemical Operational Parameters
290-5-57-.05	Dimensional Design	290-5-57-.18	Specific Safety Features
290-5-57-.06	Decks and Deck Equipment	290-5-57-.19	Dressing Facilities
290-5-57-.07	Circulation Systems	290-5-57-.20	Recreational Water Parks and Special Purpose Pools
290-5-57-.08	Filters	290-5-57-.21	Food Service
290-5-57-.09	Pumps and Motors	290-5-57-.22	Operation and Management
290-5-57-.10	Return Inlets and Suction Outlets	290-5-57-.23	Compliance Procedures
290-5-57-.11	Surface Skimmer Systems		
290-5-57-.12	Lighting and Electrical Requirements		
290-5-57-.13	Heaters and Temperature Requirements		

290-5-57-.01 DEFINITIONS. The following definitions shall apply in the interpretation and enforcement of this chapter.

(a) "Abrasion Hazard" means a sharp or rough surface that would scrape the skin by chance during normal use.

(b) "Accessible" means easily exposed for inspection and the replacement of materials and/or parts with the use of tools.

(c) "Air Induction System" means a system whereby a volume of air (only) is induced into a hollow ducting in a spa floor, bench, or other location. The air induction system is activated by a separate air power blower.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(m) "Brominator" means a device to apply or to deliver a bromine disinfectant to water at a controlled rate.

(n) "Cartridge" A depth, pleated, or surface-type filter component with fixed dimensions that is designed to remove suspended particles from water flowing through the filter.

(o) "Chemical Feeder" means a mechanical device for applying chemicals to pool or spa water.

(p) "Chloramine" means a compound formed when chlorine combines with nitrogen or ammonia that causes eye and skin irritation and has a strong, objectionable odor.

(q) "Chlorinator" means a device to apply or to deliver a chlorine disinfectant to water at a controlled rate.

(r) "Chlorine Generator" means equipment that generates chlorine, hypochlorous acid, or hypochlorite on site for disinfection and oxidation of water contaminants.

(s) "Circulation Equipment" means the mechanical components that are part of a circulation system in a pool or spa. Circulation equipment may be, but is not limited to categories of pumps, hair and lint strainers, filters, valves, gauges, meters, heaters, surface skimmers, inlet/outlet fittings, and chemical feeding devices. The components have separate functions, but when connected to each other by piping, perform as a coordinated system for purposes of maintaining pool or spa water in a clear, sanitary and desirable condition for using.

(t) "Circulation System" means an arrangement of mechanical equipment or components, connected by piping to a pool or spa in a closed circuit. The function of a circulation system is to direct water from the pool or spa, causing it to flow through the various system components for purposes of clarifying, heating, purifying and returning the water back to the original body of water.

(u) "Clarifier" means a chemical that coagulates and neutralizes suspended particles in water. There are two types: inorganic salts of aluminum or iron and

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(ee) "Disinfectant" means energy or chemicals to kill undesirable or pathogenic (disease-causing) organisms that have a measurable residual at a level adequate to make the desired kill.

(ff) "Diving Board" means a recreational mechanism for entering a swimming pool, consisting of a semirigid board that derives its elasticity through the use of a fulcrum mounted below the board.

1. Jump Board - A recreational mechanism that has a coil spring, leaf spring or comparable device located beneath the board which is activated by the force exerted in jumping on the board.

2. Stationary Diving Platform - Stationary diving platforms are used for diving and are constructed or located on site. They may be natural or artificial rocks, pedestals or other items.

(gg) "DPD (Diethyl-p-phenylene diamine)" means a reagent and test method that specifically measures bromine or free available and total chlorine; producing a series of colors from pale pink to dark red.

(hh) "Effective Filter Area" means total surface area through which the designed flow rate will be maintained during filtration.

(ii) "Effluent" means the water that flows out of a filter, pump or other device.

(jj) "Feet of Head" means a basis for indicating the resistance in a hydraulic system, equivalent to the height of a column of water that would cause the same resistance (100 feet of head equals 43 pounds per square inch).

(kk) "Filter" means a device that removes undissolved particles from water by recirculating the water through a porous substance (a filter medium or element).

(ll) "Filter Element" means a device within a filter tank designed to entrap solids and conduct water to a manifold, collection header, pipe, or similar conduit and return it to the pool or spa. A filter element usually consists of a septum and septum support, or a cartridge.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(vv) "Orthotolidine (OTO)" means an colorless reagent that reacts with chlorine or bromine to produce a series of yellow-to-orange colors which indicate the amount of chlorine or bromine in water.

(ww) "Overflow System" means a system for the removal of pool/spa surface water through the use of overflows, surface skimmers and surface water collection systems of various design and manufacture.

(xx) "pH" means a value expressing the relative acidity or basicity of a substance, such as water, as indicated by the hydrogen ion concentration.

(yy) "Pool" means any artificial water holding structure with a closed-loop circulation of water through a water treatment system with a return to the structure.

1. "Private Pool" means any constructed pool, permanent or nonportable, that is intended for noncommercial use as a swimming pool by not more than one (1) owner family and their guests and that is over twenty-four inches (24") in depth, has a surface area exceeding 250 square feet and/or a volume over 3,250 gallons.

2. "Public Swimming Pool" means any structure, chamber, or tank containing an artificial body of water used by the public for swimming, diving, wading, recreation, or therapy, together with buildings, appurtenances, and equipment used in connection with the body of water, regardless of whether a fee is charged for its use. The term includes municipal, school, hotel, or motel pools and any pool to which access is granted in exchange for payment of a daily fee. The term shall also include pools and spas operated by or serving camps, churches, day care centers, group home facilities of twelve or more clients, institutions, parks, state agencies, apartment complexes, subdivisions, condominiums, country clubs, mobile home parks, recreational vehicle parks, associations, health clubs, special purpose pools, and recreational water park attractions.

3. "Therapeutic Pool" means a pool used in physical programs operated by medical facilities licensed by the department and operated by a licensed physical therapist.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(hhh) "Removable" means capable of being disassembled with the use of only simple tools such as a screwdriver, pliers or wrench.

(iii) "Return Inlet" means the aperture or fitting through which the water under positive pressure returns into a pool or spa.

(jjj) "Return Piping" means that piping through which water is returned to the pool.

(kkk) "Ring Buoy" means a ring-shaped floating buoy capable of supporting a user.

(lll) "Shallow Areas" means portions of a pool or spa with water depths five feet or less.

(mmm) "Shock Treatment" means the practice of adding significant amounts of an oxidizing chemical to water to destroy ammonia and nitrogenous and organic contaminants in water.

(nnn) "Skimmer Weir" means the part of a skimmer which adjusts automatically to small changes in water level to assure a continuous flow of water to the skimmer.

(ooo) "Slip Resisting" means a surface that has been treated or constructed so as to significantly reduce the chance of a user slipping. The surface should not be an abrasion hazard.

(ppp) "Sodium Hypochlorite (NaOCl)" means a clear liquid form of an inorganic chlorine compound obtainable in concentrations of 5 to 16% available chlorine.

(qqq) "Spa" means a hydrotherapy pool of irregular or geometric shell design. (See also Hydrotherapy Spa.)

(rrr) "Special Purpose Pool" means any pool operated for recreational play and other special purposes, including, but not limited to, wave or surf-action pools, activity pools/interactive pools, wading pools and play areas. These include, but are not limited to the following:

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(ttt) "Suction Piping" means that piping through which water is removed from the pool.

(uuu) "Surface Skimming System" means perimeter-type overflows, surface skimmers and surface water collection systems of various design and manufacture which permit the continuous removal of floating debris and surface water to the filter.

(vvv) "Test Kit" means a device used to monitor specific chemical or agent residual or demands in pool or spa water.

(www) "Time Clock" means a mechanical device that automatically controls the periods that a pump, filter, chlorinator, heater, blower and other electrical devices are running.

(xxx) "Total Alkalinity" means the ability or capacity of water to resist change in pH; also known as the buffering capacity of water. Measured with a test kit and expressed as ppm.

(yyy) "Total Available Chlorine (TAC)" means the sum of both the free available and combined chlorines.

(zzz) "Turbidity" means the cloudy condition of water due to the presence of extremely fine particulate materials in suspension that interfere with the passage of light.

(aaaa) "Turnover Rate" means the period of time (usually in hours) required to circulate a volume of water equal to the pool or spa capacity.

(bbbb) "Vacuum" means the reduction of atmospheric pressure within a pipe, tank, pump or other vessel. Vacuum is measured in inches of mercury. One inch of mercury is equivalent to 1.13 feet of head. The practical maximum vacuum is 30 inches of mercury or 33.9 feet of head.

(cccc) "Waterline" The waterline shall be defined in one of the following ways:

1. Skimmer System - The waterline shall be at the midpoint of the operating range of the skimmers when there are no users in the pool or spa.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

290-5-57-.03 Provisions.

(1) Permit:

(a) It shall be unlawful for any person to operate a public pool, spa or recreational water park, without having first obtained a valid operating permit from the health authority pursuant to this Chapter;

(b) Permits are invalidated by change of ownership;

(c) Each individually treated pool will operate under a separate permit;

(d) Prior to the issuance of a permit to new or existing public pools, spas or recreational water park attractions, the applicant shall provide evidence of satisfactory compliance with the provisions of these rules and all other provisions of laws which apply to the location, construction and maintenance of the pool, spa or recreational water park and the safety of persons therein;

(e) The permit shall be prominently displayed at all times, as close to the main entrance as practicable, as determined by the health authority.

(f) The permit shall be the property of the health authority and shall be returned within seven days to the local health authority when the pool, spa or recreational water park ceases to operate, has a change of ownership, or where the permit is revoked.

(2) Application for Initial Operating Permit:

(a) The management of a public pool, spa or recreational water park shall submit to the health authority an application to operate a swimming pool, spa or recreational water park attraction at least fourteen (14) days prior to the starting of construction.

(b) The application shall be prepared in duplicate on forms provided by the Department. The original shall be forwarded to the health authority and copy retained by the management.

(3) Plans:

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(h) The swimming pool, spa or recreational water park owner or agent shall notify the health authority at specific, predetermined stages of construction and at the time of completion of the pool to allow inspections.

(i) A construction permit is valid for twelve (12) months from the date of issue. After this time the health authority may require resubmission of plans and specifications and issuance of a new construction permit if project has not begun or has not been completed.

290-5-57-.04 STRUCTURAL DESIGN.

(1) The structural design and materials used shall be in accordance with generally accepted good structural engineering practices.

(2) Sand or earth shall not be permitted as an interior finish in a swimming pool or spa.

(3) In climates subject to freezing temperatures, the pool or spa shell and appurtenances, piping, filter system, pump and motor and other components shall be designed and constructed so as to facilitate protection from damage due to freezing.

(4) The surfaces within the pool or spa intended to provide footing for users shall be designed to provide a slip-resistant surface that is ridged, and puncture and tear resistant.

(5) The roughness or irregularity of such surfaces shall not be constructed so as to cause injury or discomfort to the feet during normal use.

(6) The colors, patterns or finishes of the pool interior shall not obscure the existence or presence of objects or surfaces within the pool.

(7) Swimming pools and spas as well as all appurtenances shall be constructed of materials which are nontoxic to man and the environment; which are impervious and enduring; which can withstand the design stresses; and which will provide a watertight structure with a smooth and easily cleaned surface without cracks or joints, excluding structural joints, or to which a smooth, easily cleaned

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(8) Roofs or Canopies over pools or spas shall be constructed so that water run-off does not drain into the spa.

290-5-57-.05 DIMENSIONAL DESIGN.

(1) No limits are specified for the shape of swimming pools, spas or recreational water parks attraction except that consideration shall be given to shape from the standpoint of safety and circulation of the water.

(a) There shall be no protrusions, extensions, means of entanglement or other obstructions in the swimming area which can cause the entrapment or injury of the user.

(b) There shall be construction tolerances allowed on all dimensional designs. Overall length, width and depth in the deep end of a swimming pool may vary plus or minus three inches ($\pm 3"$). All other overall dimensions in a swimming pool and in a spa may vary plus or minus two inches ($\pm 2"$), unless otherwise specified. The designed waterline shall have a maximum construction tolerance at the time of completion of the work of plus or minus one-fourth ($\pm 1/4"$) for pools and spas with adjustable weir surface skimming systems and of plus or minus one-eighth inch ($\pm 1/8"$) for pools and spas with nonadjustable surface skimming systems.

(c) The size of pools shall be governed by the requirements of the activities for which the installation is intended.

(2) **Walls:** Walls shall not be greater than 11° from plumb for a minimum depth of two feet nine inches (2'9") from the waterline in deep areas or two feet three inches (2'3") in the shallow areas. Below these depths the wall may be radiused to join the floor.

(3) **Floor Slopes:** Floor slopes in pools shall, as a minimum, be in compliance with the following.

(a) All slopes shall be uniform.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

at the points of separation of diving, slide and amusement areas shall be visually set apart with a rope and float line, depth markers and a four inch (4") minimum width row of floor tile, painted line or similar means of a color contrasting with the bottom. In diving pools with a constant slope, the shallow area shall be visually set apart from the deep area with a rope and float line, depth markers and a four inch (4") minimum width row of floor tile, painted line or similar means of a color contrasting with the bottom. The health authority may waive the need for a rope and float line in swim-out areas or similar construction where deemed necessary.

(5) Diving areas in pools shall conform to the minimum water depths, areas, slopes and other dimensions shown in Rule .05(6). If a wall exists, then it shall conform with the 3:1 slope in the Point D dimension and the $L_{1,2,3,4}$ dimensions.

(a) When diving equipment is installed, it shall conform to the specifications set forth in Rule .06(7) and shall be located in the diving area of the pool so as to provide the minimum dimensions as shown in Rule .05(6).

(b) The tip of the diving equipment shall be located at Point A, which is the reference point of all other dimensions.

(c) There shall be a completely unobstructed clear vertical distance of thirteen feet (13') above any diving board measured from the center of the front end of the board. This area shall extend horizontally at least eight feet (8') behind, eight feet (8') to each side and sixteen feet (16') ahead of Point A.

(d) Public pools with diving facilities in excess of three (3) meters in height or pools designed for platform diving shall comply with the dimensional design requirements of FINA, U.S. Diving, National Federation of State High School Associations (NFSHSA), or similar authority.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(b) Minimum dimensions for points given in diagram (a).

POOL TYPE	RELATED DIVING EQUIPMENT		MINIMUM DIMENSIONS								MINIMUM WIDTH OF POOL AT:		
	MAX. DIVING BOARD LENGTH	MAX. BOARD HEIGHT OVER WATER									PT.A	PT.B	PT.C
			D ₁	D ₂	R	L ₁	L ₂	L ₃	L ₄	L ₅			
VI	10'	26" (2/3 meter)	7'-0"	8'-8"	5'-8"	2'-8"	8'-0"	10'-5"	7'-0"	28'-0"	16'-0"	18'-0"	18'-0"
VII	12'	30" (3/4 meter)	7'-8"	9'-0"	6'-0"	3'-0"	9'-0"	12'-0"	8'-0"	28'-0"	18'-0"	20'-0"	20'-0"
VIII	18'	1 Meter	8'-8"	10'-0"	7'-0"	4'-0"	10'-0"	15'-0"	2'-0"	31'-0"	20'-0"	22'-0"	22'-0"
IX	16'	3 Meter	11'-0"	12'-0"	8'-6"	6'-0"	10'-6"	21'-0"	0	37'-5"	22'-0"	24'-0"	24'-0"

L₃, L₄ and L₅ combined represent the minimum distance from the tip of board to pool well opposite diving equipment.

For board heights exceeding 3 meters see Article 4.5.2.

*NOTE: Placement of boards shall observe the following minimum dimensions. With multiple board installations minimum pool widths must be increased accordingly.

Deck Level Board to Pool Side	8'
1 Meter Board to Pool Side	10'
3 Meter Board to Pool Side	11'
1 Meter or Deck Level Board to 3 Meter Board	10'
1 Meter or Deck Level Board to another 1 Meter or Deck Level Board	8'
3 Meter to another 3 Meter Board	10'

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(8) **Underwater Seat Benches:** Underwater seat benches in pools, when provided, shall have a maximum horizontal seat bench depth of twenty inches (20") below the waterline, be visually set apart by having the outer 2" of each seat painted in a contrasting color, have a slip-resisting surface, and shall be located fully outside of the required minimum diving water envelope if the pool is intended for use with diving equipment. Underwater seat benches shall be permitted in the deep end of the pool only if they are either completely recessed, shaped to be compatible with the shape of the pool wall, or in a corner of the pool.

(9) **Maximum User Load and Pool Size:** Maximum user load at all public pools except spas, shall be in accordance with table (a) below. Tables (b) 1. and 2. are to be used only to establish the minimum pool size allowable:

(a) The user load shall be the maximum number of people allowed in the swimming pool at one time. Use of the table in calculating the bathing load shall be cumulative.

	Shallow Instruction or Wading Area	Deep Area (not including the Diving Area)	Diving Area (per each diving board)	Entry Area for all other devices including slides.
Pools with Minimal deck areas (smaller than the pool surface area)	18 square feet per user	20 square feet per user	300 square feet per user	150 square feet per device
Pools with deck area at least equal to water surface, up to twice the surface area of the water	15 square feet per user	18 square feet per user	300 square feet per user	150 square feet per device
Pools with deck area at least twice the water surface area	12 square feet per user	15 square feet per user	300 square feet per user	150 square feet per device

(b) Maximum bathing load per number of living or dwelling units shall be used only to establish the minimum pool size allowable. The use of these tables in calculating the bather load shall be cumulative. These tables do not apply to spas.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(a) Wading pools shall have a maximum water depth of twenty-four inches (24"). The water depth at the perimeter shall not exceed eighteen inches (18"). Water depths may be reduced from the above maximums and brought to zero at the most shallow point.

(b) Walls in wading pools shall be vertical or within 11° of vertical except for the lower six inches (6") which shall be radiused to the floor. Walls shall not extend more than six inches (6") above the waterline at any point.

(c) Floors of wading pools shall be uniform, sloped to drain with a maximum slope of one (1) foot in twelve (12) feet.

(11) **Spa Water Depth:** The maximum water depth in a spa shall be four feet (4') measured from the waterline. Exceptions may be made for spas designed for a special purpose.

(a) Multi-level seating in a spa may be provided, but the maximum water depth of any seat or sitting bench shall be twenty-eight inches (28") measured from the waterline.

(b) The spa shall be provided with a suitable handhold around its perimeter in areas where water depths exceed three feet six inches (3'6"). Handholds shall be provided no further apart than four feet (4') and may consist of any one or a combination of the following options.

1. Coping, ledges, radiused flanges or decks along the immediate top edge of the spa shall provide a suitable slip-resisting handhold located not more than twelve inches (12") above the waterline; or

2. Ladders, steps or seat ledges; or

3. A secured rope or railing at or not more than twelve inches (12") above the waterline.

(c) The slope of the floor in a spa shall not exceed one foot in twelve feet (1':12') vertical to horizontal.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(h) A four foot (4') minimum, continuous unobstructed deck, which may include the coping, shall be provided around at least 50 percent or more of a spa.

(i) The minimum slope of the deck(s) shall be one-eighth inch per one foot (1/8":1').

(j) The maximum voids between adjoining concrete slabs, and/or between concrete slabs and expansion joint material, shall be three-sixteenths inch (3/16") of horizontal clearance with a maximum difference in vertical elevation of one-fourth inch (1/4").

(k) Construction joints where pool coping meets deck(s) shall be watertight and shall not allow water to pass to the ground beneath.

(l) The areas where the deck(s) join the pool and spa coping shall be designed and installed so as to protect the coping and its mortar bed from damage as a result of reasonable movement of adjoining deck(s).

(m) Joints in deck(s) shall be provided to minimize the potential for cracks due to a change in elevations, separation of surfaces or movement of the slab.

(n) The areas where the deck(s) join(s) concrete work shall be protected by expansion joints to protect the pool adequately from the pressures of relative movements.

(o) Deck(s) shall be edged, have a radius, or be otherwise relieved to eliminate sharp corners.

(p) Deck(s) shall be sloped to effectively drain either to perimeter areas or to deck drains. Drainage shall remove pool and spa splash water, deck cleaning water and rain water without leaving standing water.

(q) Site drainage shall be provided so as to direct all perimeter deck drainage as well as general site and roof drainage away from the pool. When required, yard drains shall be installed to prevent the accumulation or puddling of site water in the general area of the deck(s) and related improvements.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(u) A hose bibb and a vacuum breaker shall be provided for washing down the entire deck area.

(v) The deck area will be kept clean of all trash and debris.

(2) **Entry/Exit:** All pools except spas, shall have at least two (2) means of entry/exit located so as to serve both ends of the pool. These shall consist of ladders, stairs or recessed treads, or a walking entry and may be used in combination. All treads shall have slip-resisting surfaces.

(a) Where water depths are twenty-four inches (24") or less at the pool wall, such areas shall be considered as providing their own natural mode for entry/exit.

(b) For pools or water areas over thirty feet (30') in width, both sides of the deep portions of the pool shall have entries/exits provided.

(c) A means of entry/exit for the shallow end shall be located between the shallow end wall and the cross section at Point C, while a means of entry/exit for the deep end shall be between the deep end wall and the cross section at Point B as shown in Rule .05(6).

(d) A means of entry/exit shall be provided at a minimum of every seventy-five (75) linear feet of pool wall or fraction thereof.

(e) Stairs, ladders and recessed treads shall be located so as not to interfere with racing lanes if applicable.

(3) **Pool Stairs:** The design and construction of protruding and recessed pool stairs shall conform to the following:

(a) Step treads shall have a minimum unobstructed horizontal depth of ten inches (10") and a minimum unobstructed surface area of two hundred forty (240) square inches.

(b) Risers at the centerline of the treads shall have a maximum uniform height of ten inches (10"), with the bottom riser height allowed to vary from two inches (2") to not more than ten (10").

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(5) **Recessed Treads:** The design and construction of recessed treads in the pool wall shall conform to the following.

(a) Recessed treads at the centerline shall have a uniform vertical spacing of twelve inches (12") maximum and seven inches (7") minimum.

(b) The vertical distance between the pool coping edge, deck or step surface and the uppermost recessed tread shall be a maximum of twelve inches (12").

(c) Recessed treads shall have a minimum depth of five inches (5") and a minimum width of twelve inches (12").

(d) Recessed treads shall drain into the pool to prevent the accumulation of dirt.

(e) Each set of recessed treads shall be provided with a set of handrails/grabrails/handholds to serve all treads and risers.

(6) **Spa Entry/Exit:** Spas shall have a means of entry/exit at a minimum of every fifty (50') or portion thereof, where water depths are greater than twenty-four inches (24").

(a) Rules .06 (4) and (5) shall apply to ladders and recessed treads in spas.

(b) Spas shall be equipped with at least one handrail (or ladder equivalent) for each fifty feet (50') of perimeter or portion thereof, to designate the point of entry and exit.

1. Handrails shall be installed in such a way that they cannot be removed without the use of tools.

2. The leading edge of a handrail in the spa shall be no more than eighteen inches (18") plus or minus three inches (± 3 ") horizontally from the vertical plane of the bottom riser (where applicable).

3. The outside diameter of handrails shall be between one inch (1") and one and none-tenths inches (1.9").

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

equipment higher than one (1) meter shall have guard rails which are at least thirty-six inches (36") above the diving board and extend to the edge of the pool wall.

(7) **Diving Equipment:** Diving equipment shall be designed for swimming pool use and shall be installed in accordance with the manufacturer's recommendations.

(a) Diving equipment manufacturers shall provide installation instructions and specifications with each unit.

(b) A label shall be permanently affixed to the diving equipment or jump board and shall include:

1. manufacturer's name and address,
2. board equipment length,
3. identification as to diving or jump board,
4. fulcrum setting specifications (if applicable).

(c) Diving equipment shall have slip-resisting tread surfaces.

(d) Diving equipment shall be permanently anchored to the pool deck. The edge of the board at the tip end shall be level with the water surface. The tip end of the board over the pool water surface may be higher than the butt end of the board.

(e) Maximum board height over the water shall have plus three inches (+3") tolerance.

(f) The maximum construction tolerance of the tip of the board from Point A as shown in Rule .05(6) shall be plus or minus three inches ($\pm 3"$). The diving equipment shall be in compliance with Rule .05(5).

(8) The requirements of the U.S. Consumer Product Safety Commission (CPSC) Standard for Swimming Pool Slides as published in the Code of Federal

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

Wading/Interactive Play Pools (maximum depth, 24 inches)	60 minutes
Slide Plunge Pools, Flumes and All Other Plunge/Falling Entry Pools	60 minutes
Wave Pools	3 hours
Continuous Water Course/Rivers	4 hours
Water Attraction/Equipment Pump Reservoir Tanks	30 minutes
Dual Use Swimming Pools (swimming pools with a slide or other feature and has an average depth exceeding 24 inches)	4 hours

(d) Timing devices will be allowed for the purpose of turning off the circulation system during times when a pool is not being used. Timing devices must be set to provide at least one complete turnover immediately prior to the pool reopening.

(e) Water clarity shall be maintained. (Clarity is a function of proper filtration and maintenance of proper chemical operational parameters.) When standing at the pool's edge at the deep end, the main drain covers or a standard black and white disc shall be clearly visible. When standing at a spa's edge, the deepest portion of the spa floor shall be visible in a still condition.

(f) Circulation system components which require replacement or servicing shall be accessible for inspection, repair, or replacement and shall be installed in accordance with the manufacturer's instructions.

(g) Where equipment sizing falls within the scope of NSF International testing, materials and equipment used in the circulation system shall comply with the appropriate requirements of NSF International Standard 50.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(a) A pressure or vacuum gauge or other means of indicating system condition shall be provided in the circulation system in an easily readable location.

(b) A flow meter measuring the rate of flow through the filter system with an appropriate range readable in gallons per minute (GPM) and accurate within ten (10) percent actual flow shall be provided. The flow indicator shall be capable of measuring from one-half to at least one and one-half times the design flow rate. The gauge shall be located after the filtering equipment and in such location on the return line, so as to measure the total amount of water returning to the pool according to the manufacturer's installation specifications.

(5) **Water Clarity and Chemistry:** The circulation system shall be capable of maintaining water clarity and water chemistry requirements and shall operate 24 hours per day, except when an automatic timing device is installed that will allow at least one complete turnover, immediately prior to beginning the next period of operation.

(6) **Instructions:** Operation and maintenance instructions shall be provided for the circulation system.

290-5-57-.08 FILTERS.

(1) **Design:** Filters shall be designed so that after cleaning per manufacturer's instructions, the system can provide the water clarity noted in Rule .07(1)(c)

(a) Filter sizing shall be per NSF International Standard 50 with the specific maximum flow rates per surface area based on media used.

(b) Filters shall be designed so that filtration surfaces can be inspected and serviced.

(2) **Internal Pressure:** On pressure-type filters, a means shall be provided to permit the release of internal pressure.

(a) Any filter incorporating an automatic internal air release as its principal means of air release shall have lids which provide a slow and safe release of pressure as a part of its design.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(4) **Safe Operation:** The design and construction of the pump(s) and component parts shall provide safe operation.

(5) **Pump Seal:** Where a mechanical pump seal is provided, components of the seal shall be corrosion-resisting and capable of operating under conditions normally encountered in pool operation.

(6) **Capability:** Motor(s) shall be capable of operating the pump under full load with a voltage variation of plus or minus ten (± 10) percent from the nameplate rating. If the maximum service factor of the motor is exceeded (at full voltage), the manufacturer shall indicate this on the pump curve.

(7) **Overload Protection:** All motors shall have thermal or current overload protection, either built in or in the line starter, to provide locked rotor and running protection.

(8) When the pump is below the waterline, valves shall be installed on permanently connected suction and discharge lines, located in an accessible place outside the walls of the pool, where they shall be readily and easily accessible for maintenance and removal of the pump.

(9) Pressure or vacuum gauges shall be installed on all public pools and spas.

(a) The vacuum gauge shall be installed after the filter and before the pump, as close to the pump return inlet as possible while still maintaining an accurate reading.

(b) The pressure gauge shall be installed downstream from the pump on the face piping ahead of the filter or on top of the filter in the area of greatest filter pressure.

290-5-57-.10 RETURN INLETS AND SUCTION OUTLETS.

(1) **Location:** Return inlet(s) and suction outlet(s) shall be provided and arranged to produce a uniform circulation of water and maintain a uniform disinfectant residual throughout the pool or spa. Where skimmers are used, the

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(4) **Entrapment Avoidance:** If the suction outlet system, such as a filtration system, booster system, automatic cleaning system, solar system, etc., has a single suction outlet, or multiple suction outlets which can be isolated, each suction outlet shall protect against user entrapment by as many of the following as necessary.

- (a) An antientrapment device installed immediately upstream of the pump,
- (b) An antivortex cover,
- (c) A twelve inch by twelve inch (12"x 12") grate or larger.
- (d) Other means.

(5) Where provided, the vacuum cleaner fitting(s) shall be located in an accessible position(s) at least six inches (6") and no greater than eighteen inches (18") below the minimum operating water level or as an attachment to the skimmer(s).

290-5-57-.11 SURFACE SKIMMER SYSTEMS.

(1) A surface skimming system shall be provided on all swimming pools and spas and shall be designed and constructed to skim the pool or spa surface when the water level is maintained within the operational parameters of the system's rim or weir device. Surface skimming devices shall comply with NSF International Standard 50.

(2) Skimming devices shall be designed and installed so as not to constitute a hazard to the user.

(3) **Automatic Surface Skimmers:** Where automatic surface skimmers are used as the sole overflow system in pools, at least two (2) surface skimmers shall be provided for the first five hundred (500) square feet or fraction thereof of the water surface area and one (1) skimmer shall be provided for each additional five hundred (500) square feet of surface area. In spas, one (1) skimmer shall be provided for each one hundred (100) square feet of surface area. Nominal recessed areas such as stairs, swimouts, spas, etc., shall not be considered in the

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

2. For all public pools 800 sq. ft. or larger of surface area, at a minimum, one and one half (1.5) watts per sq. ft. of surface area is required. The lighting shall be evenly spaced around the pool to prevent glare.

3. In all diving pools and all pools over 1000 sq. ft. with diving areas to 12 feet in depth, two (2) watts per sq. ft. of surface area is required. In all pools with diving wells deeper than 12 feet, it is required to provide at least three (3) watts per sq. ft. of surface area, within the diving well.

(c) For outdoor pools, when not being used for night swimming or recreation, a minimum of 10 foot candles shall be maintained at the surface of pool and deck areas. Motion detector type lights are acceptable.

(2) No switches, starters, panel boards or similar electrical equipment shall be located in areas readily accessible to bathers while in the pool or on the designated deck area.

(3) No overhead wiring shall pass within twenty (20) feet (horizontal distance) of the pool enclosure. No electrical outlets shall be located within ten (10) feet of the pool edge.

290-5-57-.13 HEATERS.

(1) **Sizing:** A heater will be properly sized according to the volume of water, square footage of surface area and manufacturer's recommendations.

(2) **Water Temperature:** The owner/operator shall routinely check the in-pool or in-spa water to ensure that the temperature does not exceed 104°F. If adjustments are necessary, those adjustments shall be performed in accordance with manufacturer's instructions or by a qualified technician. A thermometer shall be available to measure the temperature of the water. It may be attached or floating or available to the operator at all times.

(3) **Installation:** The heater(s) shall be installed in accordance with all federal, state and local codes as well as the manufacturer's recommendations.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

quantity and shall comply with all requirements of the Georgia Safe Drinking Water Act of 1977 and the "Rules for Safe Drinking Water" promulgated by the Department of Natural Resources. The water supply serving the pool which may come from a variety of sources, shall meet the requirements of Rule .17 before the user uses the pool.

(2) No direct mechanical connection shall be made between the potable water supply and the swimming pool, chlorinating equipment or the system of piping for the pool, unless it is protected against backflow and back-siphonage in a manner approved by the Health Authority or through an air gap meeting the latest American National Standards Institute Standard A112.1.2 or other equivalent means approved by the Health Authority.

(3) An over-the-rim spout, if used, shall be located under a diving board, adjacent to a ladder or otherwise properly shielded so as not to create a hazard. Its open end shall have no sharp edges and shall not protrude more than two inches (2") beyond the edge of the pool.

(4) Backwash water may be discharged into a sanitary sewer through an approved air gap or into an approved subsurface disposal system or by other means approved by the Health Authority.

290-5-57-.16 DISINFECTANT EQUIPMENT AND CHEMICAL FEEDERS.

(1) Disinfectant equipment and chemical feeders, hereafter referred to jointly as "equipment," shall comply with the requirements of NSF International Standard 50. The disinfection equipment shall be capable of precisely introducing a sufficient quantity of an approved disinfecting agent to maintain the appropriate recommended guidelines as outlined in Rule .17 of this Chapter.

(a) Every pool and spa shall be required to have at least one (1) unit of disinfectant agent equipment in compliance with Rule .16(1)(b). Additional units may be required to maintain chemical and physical parameters of the pool water.

(b) The pool or spa water shall be continuously disinfected by a disinfecting agent that imparts an easily measured residual. The disinfecting agent used shall

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(b) Gas chlorination equipment shall be located so that equipment failure or malfunction will have minimum effect on evacuation of pool patrons in an emergency.

(c) Gas chlorine feeders (chlorinators) shall be activated by a booster pump using recirculated water supplies via the recirculation system., The booster pump shall be interlocked to the filter pump to prevent feeding of chlorine when the recirculation pump is not running.

(d) The chlorinator, cylinders of chlorine and associated equipment shall be housed in a reasonably gas-tight and corrosion-resisting housing having a floor area adequate for the purpose. Cylinders shall always be stored in an upright position and properly secured so they can not tip over if bumped.

(e) All enclosures shall be located at or above ground level. The enclosure shall be provided with a motor-driven exhaust fan capable of producing at least one air change per minute. This fan must be located at the lower part of the enclosure and there must be louvers of good design near the top of the enclosure for admitting fresh air. A warning sign, stating "Chlorine Gas" shall be posted on doors. Doors to the chlorine room shall open away from the pool and be equipped with a viewing window located so that the chlorinator and the inside of the enclosure can be clearly seen prior to entering.

(f) Electrical switches for the control of artificial lighting and ventilation systems shall be on the outside of the enclosure adjacent to the door.

(g) Facilities shall include a scale suitable for weighing the cylinders.

(h) Connections from the cylinders to the system depend on the type of chlorinator to be used and shall comply with the chlorinator manufacturer's recommendation.

(i) An automatic chlorine leak detector and alarm shall be installed in the chlorinator room.

(j) Respirators approved by the National Institute for Occupational Safety and Health (NIOSH) shall be provided for protection against chlorine. Occupational

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(5) **Test Kits:** Every pool shall be supplied with an accurate and reliable testing kit capable of measuring any agent that is introduced into the water of the pool, for the determination of pH, free available chlorine (FAC) ,total available chlorine (TAC) if chlorine is used, bromine or other chemical disinfectant residuals, cyanuric acid (if used), total alkalinity, calcium hardness, copper and silver (if a copper or copper/silver ionization unit has been installed). The local health authority shall, upon request, be supplied a field testing kit for any agents introduced into the water supply. If a field testing kit is not available, the agent cannot be introduced until standards for testing have been established by, and written approval has been obtained from, the health authority. The Orthotolidine test (OTO) shall be unacceptable since it cannot distinguish FAC and TAC.

(6) **Daily Record:** A daily record will be kept of all chemical testing and temperatures recorded for all spas and self inspections performed.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

	<u>Minimum</u>	<u>Ideal</u>	<u>Maximum</u>	<u>Comments</u>
(1) Disinfectant Levels (con't)				
Combined chlorine, ppm	None	None	0.2	High combined chlorine results in reduced chemical efficacy. Take remedial action to establish break point chlorination (See Remedial Practices below). Other signs of combined chlorine: -Sharp chlorine odor -Eye irritation -Algae growth
Bromine, ppm	2.0	Pool 3.0-5.0 Spa 4.0-6.0	Pool 8.0 Spa 10.0	In a spa, during hours of operation, test the water hourly and record results. Maintain this range continually and shock treat at the end of the daily use.
Iodine, ppm	Levels not established	-----	-----	Note: Local health department officials should be consulted before use.
(2) Chemical Values				
pH	7.2	7.4-7.6	7.8	If pH is: Too High: -Low chlorine efficiency -Scale formation -Cloudy water Too Low: -Rapid dissipation -Eye discomfort -Plaster and concrete etching -Corrosion of metals & vinyl liner damage

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

	<u>Minimum</u>	<u>Ideal</u>	<u>Maximum</u>	<u>Comments</u>
(2) Chemical Values (con't)				
Total dissolved solids, ppm	300	1000-2000	3000	These values are offered as guidelines rather than absolute values to indicate concern for accumulation of impurities in the course of operation. Excessive high TDS may lead to hazy water, corrosion of fixtures, etc., and can be reduced by partial draining with addition of fresh water. High initial TDS may indicate poor water quality due to corrosive mineral salts, humus or organic matter. Consult local water authority. Increasing TDS indicates build up of impurities to be controlled by partial drain/refill with fresh water.
Calcium hardness, ppm, as CaCO ₃	150	200-400 to balance water	500-1000+	Operations of pools, spas and hot tubs at maximum hardness will depend on alkalinity (buffering) requirements of the sanitizer used. Maximum alkalinity and lower pH must be used with maximum hardness (over 500 ppm)

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

	<u>Minimum</u>	<u>Ideal</u>	<u>Maximum</u>	<u>Comments</u>
(4) Stabilizer (if used)				
Cyanuric acid, ppm	10	30-50	100	If stabilizer is: Too High: Too Low: -May exceed local health department regulation -Chlorine Residual rapidly destroyed by sunlight -May reduce chlorine efficacy Note: Stabilizer is not needed in indoor or brominated pools and spas.
Superchlorination frequency	Pool-Monthly	Pool-Every other week Spa - Daily	Pool-Weekly when the temperature is over 85°F	Note: Some high use pools may need superchlorination three times a week or more as a preventative measure or when combined chlorine is over 0.2 ppm.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

	<u>Minimum</u>	<u>Ideal</u>	<u>Maximum</u>	<u>Comments</u>
(5) Remedial Practices (con't)				
Water replacement				Water in spas that have high bather use may require partial or complete replacement of water periodically to dilute dissolved solids, to maintain water clarity and to do necessary routine maintenance.
Foam	None	None	None	Foam may harbor persistent microorganisms. If foaming is not adequately controlled, consider daily shock treatment, water replacement or an appropriate antifoam agent. Follow manufacturer's directions.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(8) Oxidizers	<u>Minimum</u>	<u>Ideal</u>	<u>Maximum</u>	<u>Comments</u>
Ozone, low output generators	--	--	0.1	Serves as oxidizer of water contaminants.
Contact concentration mg/L when ozone is injected and not removed prior to entry into pool.	0	0	0.05	Indoor installations should have adequate ventilation.
Above pool and spa levels				
(9) Oxidizer Reduction Potential				
ORP	650 MV	--	--	When chlorine or bromine is used as the primary disinfectant, ORP can be used as a supplemental measurement of proper sanitizer activity. The use of ORP testing does not eliminate or supersede the need for testing the sanitizer level with standard test kits and ORP reading may be affected by a number of factors including (1) pH, (2) probe film and (3) cyanuric acid. Follow manufacturer's recommendations.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(a) Depth markers on the vertical pool wall shall be positioned to be read from the water side.

(b) Depth markers on the deck shall be within eighteen inches (18") of the water edge and positioned to be read while standing on the deck facing the water.

(c) Depth markers shall be slip-resisting.

(d) Depth markers shall be installed at the maximum and minimum water depths and at all points of slope change.

(e) Depth markers shall be installed at intermediate increments of water depth not to exceed two feet (2'), nor spaced at distances greater than twenty-five foot (25') intervals.

(f) Depth markers shall be arranged uniformly on both sides and both ends of the pool.

(g) Depth markers on irregularly shaped pools shall designate depths at all major deviations in shape as well as conform to the foregoing articles.

(h) Depth markers shall have a four inch (4") minimum height. Numbers shall be of contrasting color to the background on which they are applied, and the color shall be of a permanent nature.

(4) **Depth Markers for Spas:** Public spas shall have permanent depth markers with numbers a minimum of four inches (4") high plainly and conspicuously visible from all obvious points of entry and in conformance with (a) thru (f) below and be in accordance with ANSI/UL 969 "Marking and Labeling Apparatus".

(a) There shall be a minimum of two depth markers per spa, regardless of spa size or shape.

(b) Depth markers shall be spaced at no more than twenty-five feet (25') intervals and shall be uniformly located around the perimeter of the spa.

(c) Spas shall have the maximum water depth clearly marked on the deck wall.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

the requirements will be provided as deemed necessary by Health Authority. The following will be provided:

(a) A light, strong pole not less than twelve feet (12') long, including a body hook shall be provided.

(b) A minimum one-fourth inch (1/4") diameter throwing rope as long as one and one-half (1 1/2) times the maximum width of the pool or fifty feet (50'), whichever is less, to which has been firmly attached a ring buoy with an outside diameter of approximately fifteen inches (15") or a similar flotation device which is U.S. Coast Guard approved, shall be provided.

(c) A telephone which is hard wired and affixed, with posted names and phone numbers of the nearest available police, fire, ambulance service and/or rescue unit, and /or 911, if available.

(9) **Barriers:** All outdoor swimming pools and spas shall be provided with a barrier.

(a) The top of the barrier shall be at least 48" above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 4" measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches.

(b) Openings in the barrier shall not allow passage of a 4" diameter sphere.

(c) Solid barriers which do not have openings such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

(d) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1 1/4 inches in width. Where

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(k) Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

(l) A spa with a safety cover which complies with ASTM F1346, "Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs" shall be exempt from the provisions of this section. Swimming pools with safety covers shall not be exempt from the provisions of this document.

(10) **Warning/Safety Signs For Swimming Pools:** Signs shall be provided as follows:

(a) The words "No Diving" shall be permanently visible at the edge of the deck for water 5 feet or less. Placement should conform to that outlined for depth markers in Rule .18 (3)(a) thru (h).

(b) Where no lifeguard is on duty, a sign shall be placed in clear view at or near the entrance to the pool and shall state in clearly legible letters at least four inches high "WARNING - NO LIFE GUARD ON DUTY".

(c) The same sign in (b) or an additional sign will state the following rules in clearly legible letters at least two (2) inches high:

1. Unattended solo bathing is prohibited.
2. Children shall not use pool without an adult in attendance.
3. No glass articles allowed in or around pool.
4. No food, drink or wrappers shall be permitted within ten (10) feet of the swimming pool or spa.
5. No running or rough play allowed.
6. No spitting, spouting of water or blowing nose in pool.
7. No "cut-offs" or "exposed" diapers allowed.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

4. Risk of Drowning - Use caution when bathing alone. Overexposure to hot water may cause nausea, dizziness and fainting. Lower water temperatures are recommended for extended use (exceeding 10-15 minutes) and for young children.

5. Risk of Drowning - Do not allow the use of or operate spa if the suction fitting is missing, broken or loose.

6. Risk of Child Drowning - Unsupervised use by children is prohibited.

7. Risk of Injury - Before entering, check spa temperature before each use. The spa temperature should not exceed 104°F.

8. Risk of Injury - Enter and exit slowly.

9. Risk of Injury - Keep all breakable objects out of the spa area.

10. Risk of Shock - Never place electrical appliances (telephone, radio, tv., etc.) within five feet (5') of the spa.

11. Risk of Shock - The spa shall not be operated during severe weather conditions, i.e. electrical storms, tornadoes, etc.

(12) In all swimming pools built prior to December 31, 2000 which have floor slopes greater than that allowed in this chapter of which have other construction variance to this chapter, the health authority may require a warning sign stating the possible hazard, to be posted in public view.

(13) **Obstructions and Entrapment Avoidance:** There shall be no obstructions that can cause the user to be entrapped or injured. Types of entrapment can include but not be limited to such things as wedge or pinch-type openings and rigid, nongiving cantilevered protrusions.

(14) No less than one (1) drinking fountain shall be provided and available to users at the pool site.

(15) A minimum of one (1) rinse shower shall be provided on the pool deck of all public pools and spas with bather loads of 50 or less. An additional rinse shower shall be provided for each additional one hundred (100) bathers.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(5) An adequate number of three-fourths inch (3/4") hose bibbs shall be provided for flushing down the dressing facility interior.

(6) **Lavatories:** Lavatories and toilets shall be provided for all public pools and spas. The minimum criteria for lavatories and toilets for public pools shall be based upon the maximum bathing load as established.

(a) All public pools shall provide one (1) water closet, one (1) lavatory and one (1) urinal for the first fifty (50) male users. One (1) additional water closet, lavatory and urinal shall be provided for each additional one hundred fifty (150) male users or major fraction thereof.

(b) All public pools shall provide two (2) water closets and two (2) lavatories for the first fifty (50) female users. One (1) additional water closet and lavatory shall be provided for each additional one hundred (100) female users or major fraction thereof.

(c) All spas shall provide at least one (1) water closet and lavatory for each sex.

(d) Soap dispensers for providing either liquid or powdered soap shall be provided at each lavatory. The dispenser shall be of all metal or plastic type with no glass permitted in these units.

(e) At least one (1) paper towel dispenser or hand blow dryer shall be provided for every three lavatories.

(f) An unbreakable mirror shall be provided over each lavatory.

(g) Toilet paper holders shall be provided at each water closet combination.

(h) Soap, paper towels and toilet tissue shall be provided in all dispensers.

(i) Fixtures shall be installed in accordance with local plumbing codes and shall be properly protected against back-siphonage.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(a) Wading pools must be located at the shallow end of the main pool and must be separated from it by a separate barrier or fence meeting the requirements of this code.

(b) Underwater lights are prohibited in wading pools.

(4) Water slides.

(a) A water slide must consist of one or more flumes, falling-entry pools or slide runouts, a pump reservoir, and facilities for the disinfection and chemical treatment of the water.

(b) The structural design of a water slide and the materials used in its construction must conform with generally accepted structural engineering practices and must provide a sound, durable structure that will safely sustain all the dead loads, live loads, liquid hydrostatic and earth pressures encountered.

(c) Any components or accessories of a water slide that come into contact with bathers must be assembled, arranged and finished so that their external surfaces and edges do not present an injury hazard to the skin of users under casual contact.

(d) The owner of a water slide and the registered engineer who designs the slide are responsible for the safe design and construction of the entire facility.

(e) Flumes.

1. Each flume of a water slide must be water-tight. Its surfaces must be inert, nontoxic, smooth and easily cleaned.

2. If a tube-type flume is used, it must be designed or ventilated to prevent a hazardous concentration of toxic disinfectant fumes under all circumstances of operation.

3. All curves and turns in a flume must be:

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

exit for each intersecting flume must not be less than twenty (20') feet, or thirty (30') feet if any user exits a flume at high speed.

(g) **Exit into falling entry pool:** If users exit the flume of a water slide into a falling-entry pool:

1. The flume must be horizontal and perpendicular to the wall of the pool at the point of exit.

2. The flume must be designed with an exit system that provides for safe entry into the falling-entry pool or slide runout with an exit grade for the last ten (10) feet, that does not exceed 10%. Present practices for safe entry include a water backup, a deceleration distance, and body attitude control. Other methods are acceptable as long as safe exit velocities and proper body altitudes are assured under normal use and

3. The flume exit must be flush with the vertical wall of the pool at the point of exit and not more than 2 inches above, nor less than 6 inches below, the normal operating level of the pool.

4. The distance between:

- (i) The side wall of the pool and that portion of the flume exit nearest the wall must be not less than 5 feet at the point of exit;

- (ii) The centerline of the flume and the centerline of any adjacent flume must not be less than 6 feet at the point of exit;

- (iii) The point of exit and the side of the pool opposite the bathers as they exit, excluding any steps, must not be less than 20 feet, if the flume ends above or below the normal operating water level of the pool.

(h) **Falling-Entry pools:**

1. If a splash pool is used at a water slide, it must be located at the base of the slide.

Swimming Pools, Spas and Recreational Water Parks **Chapter 290-5-57**

(iiii) Have a slip-resistant surface;

(iiiii) Be separated from the flume by a physical barrier that is located far enough from the flume to prevent it from being contacted by users of the flume.

(k) **Slide runouts.**

1. Slide runouts, if used, must have an exit opening or step, unless one or both of the walls of the runout are not more than 12 inches in height.

2. Slide runouts must be designed with adequate length and water depth and sloped so as to bring the user to a safe stop.

(l) **Pump reservoirs.**

1. Pump reservoirs used in water slides must have sufficient volume to contain not less than 2 minutes of combined flow from all water treatment and flume pumps or must contain enough water to ensure that the fall-in-entry pool will maintain a constant water depth.

2. The interior of pump reservoirs must be water-tight with a hard trowel or equivalent, slip-resistant finish.

3. Pump reservoirs must be accessible only to authorized persons. Intakes to the slide pump must be designed to allow cleaning without danger of trapping the operator.

(m) **Control of water.**

1. A surge-free automatic water makeup system with a manual override must be provided and constructed so that the normal operating water level of the falling-entry pool is maintained at all times. An approved backflow prevention device must be provided.

2. The velocity of water at the weir or inlet grate must not exceed 1 ½ feet per second.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

14. Failure to shower before using the slide.

(o) Precautions for safety.

1. At all times while a water slide is open for use, an attendant must be on duty at each falling-entry pool or runout. The attendant shall serve as the safety director of the slide. In that capacity, the attendant shall control crowds, keep bathers moving through the pool or runout in an orderly fashion, and control any unsafe behavior in the lower flumes, in the pool or runout, or on the decks at the base of the slide.

2. At all times while the slide is open for use, an attendant must be on duty at each entrance to a flume. The attendant shall control bathers near the entrance, regulate the departure of each bather down the slide and control any unsafe behavior in the upper flumes.

3. Radio communication, or other means of communication acceptable to the health authority, must be provided between the flume entry attendant and the splash pool or slide runout attendant.

4. Each water slide must have a means to allow the flume entry attendant to monitor the slide exit.

(5) **Activity pools.** Amusement devices used in activity pools must be designed and maintained so that their surfaces are smooth, nontoxic and easily cleanable. The devices must not pose a safety or health hazard to users and must not interfere with circulation or disinfection of the water.

(6) Wave pools.

(a) The generation of waves more than 3 feet in height in a wave pool, regardless of the depth of the pool, must not continue for more than 15 minutes at a time.

(b) The wave pool must not be used if the main drain is not clearly visible from the deck with the wave generating equipment turned off.

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

(c) An approved method of exit must be provided at least every two hundred (200') feet along the watercourse.

(d) A deck must be provided along at least one side of the watercourse.

(e) The design velocity of the water in a watercourse ride must not exceed 2 miles per hour.

290-5-57-.21 FOOD SERVICE.

(1) Food Service facilities shall comply with provisions of Article 13 of O.C.G.A. Chapter 26-2 and the rules and regulations adopted thereunder.

(2) Eating, drinking and smoking shall not be permitted within the waters of the pool, spa or recreational water park but are permitted on the deck area at a distance of least ten feet horizontally away from the water's edge.

(3) Food and beverage(s) shall only be served in nonbreakable containers.

(4) Covered trash containers shall be provided where food and/or beverage(s) are available and allowed to be consumed.

290-5-57-.22 OPERATION AND MANAGEMENT. All swimming pools and spas covered by this Chapter shall be maintained under the supervision and direction of a properly trained operator who shall be responsible for the sanitation, safety and proper maintenance of the pool and all physical and mechanical equipment and records.

(1) Training for the operator can be obtained by completion of the National Swimming Pool Foundation's Certified Pool/Spa Operator's Course or state or local training course, if available or similar course as approved by the Georgia Department of Human Resources, Division of Public Health, Environmental Health Section.

(2) Upon completion of any swimming pool or spa, the manager and his operators shall be given complete written and oral instructions by the builder as

Swimming Pools, Spas and Recreational Water Parks Chapter 290-5-57

modify the suspension or to continue the suspension with or without conditions. If the suspension is not rescinded, the permit holder will have the right on request to an evidentiary hearing. If a hearing is not requested, upon correction of all violations, the owner may request an inspection to reinstate permit.

(a) Items that are considered substantial and imminent health hazards include the following:

1. During operation, disinfectant levels are less than the minimum given in Rule .17. If the level of the disinfectant used is not given in Rule .17, the disinfectant must be approved and kept at levels determined necessary by the health authority.
2. During operation, the pH is less than the minimum or more than the maximum levels allowed in Rule .17.
3. The pump, automatic disinfectant equipment or other equipment necessary for continuous filtration and disinfection of the swimming pool, spa or recreational water parks attraction is not working.
4. The water turbidity is such that the main drain cover or a standard black and white disc laying on the bottom of the deepest portion of the pool cannot be seen.
5. Other hazards as determined by the health authority.

(b) All other violations of items on the inspection report will be corrected as deemed appropriate by the health authority.

(c) In lieu of suspension or revocation of a permit, a swimming pool, spa or recreational water park attraction may be allowed to voluntarily close until such time as the violations are corrected.

(3) **Notice of Hearing:** For the purpose of this Chapter, a notice of hearing is properly served when delivered in person or by registered or certified mail to the owner or authorized agent of the swimming pool, spa or recreational water park.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council
FROM: City Manager 
DATE: September 29, 2000
SUBJECT: Process of Filling Authority/Commission Vacancies

Councilman Tennant asked that this item be added to the agenda for discussion. A copy of the ordinance concerning this matter is attached.

ARTICLE V. BOARDS, COMMISSIONS AND AUTHORITIES*

*State law reference(s)--Development Authorities Law, O.C.G.A. § 36-62-1 et seq.

DIVISION 1. GENERALLY

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

(a) *Commission and authority selection process.*

- (1) The administrative services division 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, to be appointed by the mayor, and the chief administrative officer.
- (3) The chief administrative officer 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 personnel office.
 - b. Select and recommend to the extent possible a representative cross section of the citizenry as appropriate to serve on the commission/authority.
 - c. Forward the recommended selections to the city council.

(b) *Applicant eligibility requirements.* Applicants must:

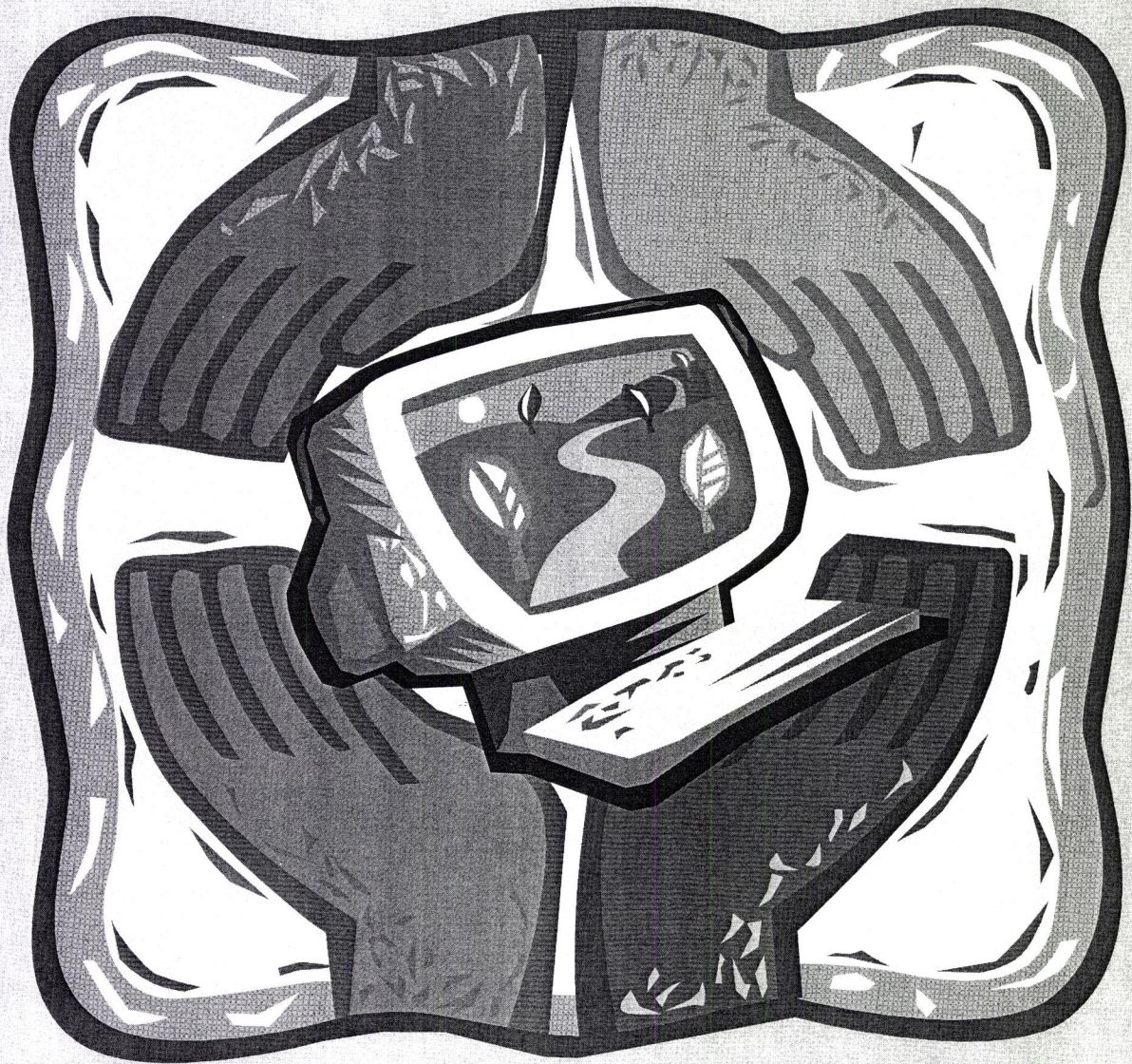
- (1) Be a legal resident of the state and have been a resident of the city for at least six months prior to the date of the application;
- (2) Not be an elected official of any governmental jurisdiction in the county or employee of the city; and
- (3) Meet any other qualifications established by the enabling legislation creating the particular commission or authority.

(c) *Filling of unexpired terms.* If a member of a commission or authority resigns before completing his term of office, the city council can appoint an interim member to fill an unexpired term of six months or less from the pool of previous applicants.

(d) *Attendance criteria.* Each 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 regularly scheduled meetings, shall be immediately dismissed from the commission or authority by the mayor based on a recommendation by the chairman. However, the chairman may excuse an absence for medical reasons.

(Code 1980, § 2-8)

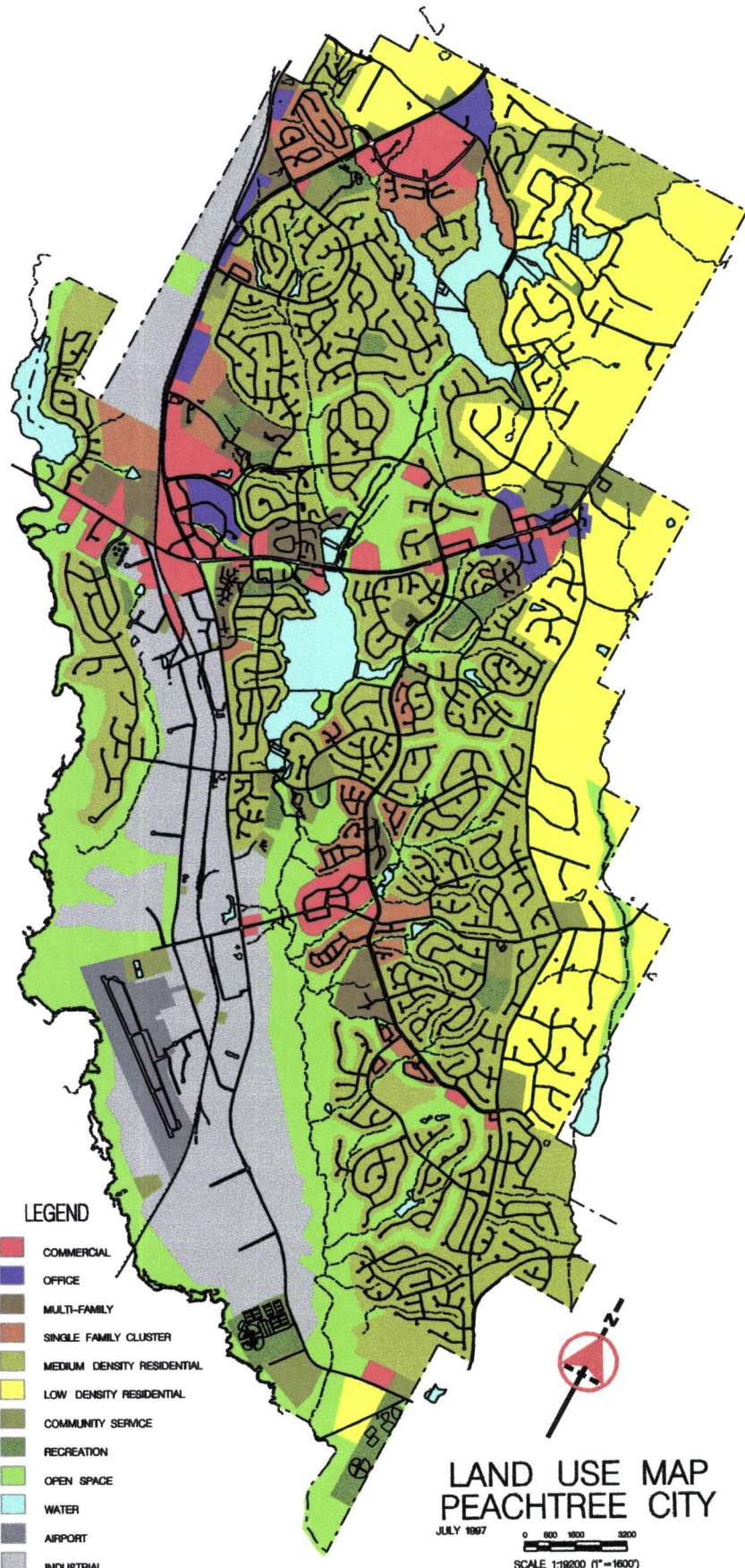
Tips on Electronics Recycling



**THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS,
OFFICE OF ENVIRONMENTAL MANAGEMENT**

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LAND USE MAP
PEACHTREE CITY

JULY 1997

0 800 1600 3200

SCALE 1:19200 (1"=1600')

CITY OF PEACHTREE CITY

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