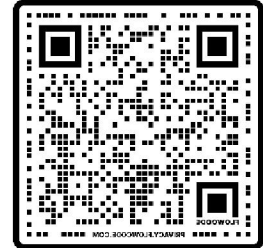




CITY COUNCIL OF PEACHTREE CITY
REVISED MEETING AGENDA
SEPTEMBER 15, 2022
6:30 p.m.

Peachtree City
Mayor & City Council
Kim Learnard, Mayor
Phil Prebor, Post 1
Mike King, Post 2
Frank Destadio, Post 4

SCAN TO VIEW PACKET



- I. Call to Order
- II. Pledge of Allegiance
- III. Moment of Silence
- IV. Announcements, Awards, Special Recognition
- V. Presentations
 - 1. Clayton State University New Peachtree City Location Dr. Jill Lane, CSU
- VI. Public Comment
- VII. Agenda Changes
- VIII. Minutes
 - August 18, 2022, Special Called Meeting Minutes
 - August 18, 2022, Regular Meeting Minutes
 - August 18, 2022, Executive Session Minutes
 - August 19, 2022, Special Called Meeting Minutes
 - August 29, 2022, Special Called Meeting Minutes
 - August 30, 2022, Special Called Meeting Minutes
 - August 30, 2022, Special Called Workshop Minutes
- IX. Consent Agenda
 - 1. Brand Name CPL for Architectural and Construction Management Services
 - 2. FY22 Budget Amendment for Fund 208 and purchase of Crime Scene Mapping System
 - 3. Rescind City Tree Trimming and Removal Service Agreement from Superior Tree Service and award it to Ricardo's Tree Service.
 - 4. Official Intent Resolution (Reimbursement Resolution)
 - 5. Approve Skid Steer Loader Purchase
 - 6. 309 Corrigan Trace Cart Path Culvert Replacement
 - 7. 119 Shirewood Park Cart Path Culvert Replacement
- X. Old Agenda Items
- XI. New Agenda Items
 - 09-22-01 Re-Appointment of Kenneth Hamner and Scott Ritenour to the Planning Commission, Appointment of Felicia Reeves to fulfill the remainder of Paul Gresham's term and Appointment of Andrew Kriz as the alternate on the Planning Commission (Learnard)
 - 09-22-02 Appointment of Jill Mitchell to the CVB Board (Learnard)
 - 09-22-03 Appointment of William Beckwith to the Airport Authority and Miranda Shockley as the Alternate for the Airport Authority. (Learnard)
 - 09-22-04 Master Lease Purchase- Lease Schedule #1 (Salvatore)

This agenda is subject to change at any time up to 24 hours prior to the scheduled meeting
This meeting will be held in Council Chambers at City Hall, 151 Willowbend Road



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SCAN TO VIEW PACKET

09-22-05	Ordinance #1200- Departments Amendment & Organizational Chart Update (Strickland)
09-22-06	First Reading- Ordinance #1201- Alcohol Amendment- Mixed Drink to go/ Corkage (Julio)
09-22-07	First Reading- Ordinance #1202 – Massage Establishments Ordinance (Moon)
09-22-08	Consider MRR Grant Application for Modernization (MOD) of Elevator at library (Prouty)
09-22-09	SPLOST 2023 Official Project List (Strickland)

XII. Public Hearings

XIII. Council/Staff Topics
Public Communication Update (Julio)
Proposed Signage and Lighting options for the DLT at SR54/74 intersection (Borkowski)

XIV. Executive Session

XV. Adjourn

City Council of Peachtree City
Special Called Meeting Minutes
Thursday, August 18, 2022
9:00 a.m.

The Mayor and Council of Peachtree City met for a special called meeting on Thursday, August 18, 2022, the second of three required public hearings on the 2022 millage rates. Mayor Kim Learnard called the meeting to order at 9:05 a.m. Council members attending: Gretchen Caola, Frank Destadio, and Mike King. Phil Prebor was absent. Learnard explained that, while the presentation slides were visible to Livestream viewers, lightning had struck camera equipment, so Council was not visible. Audio was unaffected.

Financial Services Director Paul Salvatore showed the City's millage rates over the past 10 years, pointing out there had been a gradual reduction from 7.178 in 2012 to the current 6.043 mills, which was what was proposed for fiscal year (FY) 2023. That decrease of 1.135 mills equaled about \$3.7 million in today's dollars. Millage was broken into two parts: Maintenance and Operations (M & O), which was 6.043 mills, and bond, which was 0, since all bond debt had been paid off.

Anyone whose house had increased in assessed value over the past year would see a tax increase. The total digest increased by 17.59%, he stated, and 12.6% of that was due to reassessments of existing property. The balance came from new growth in the digest, mainly on the west side.

Salvatore had created a chart to illustrate the financial impact on citizens. It displayed various home values, from \$100,000 to \$500,000, along with what the City tax bill would be with the 6.043 millage rate. He broke it down into monthly increments to show the impact on escrow payments. The chart also showed what the tax bill would be if there was a full rollback. A full rollback would cost the City about \$2 million, Salvatore pointed out, so Staff did not recommend it because of increased costs due to supply chain shortages, labor shortages, and inflation.

Salvatore said that completed his presentation; now they could entertain comments from the public, followed by Council discussion.

The Mayor opened the public hearing.

Charles Whitlock said he had lived in Peachtree City for 27 years and wondered if the senior homestead tax exemption would be raised, noting that many seniors would find it difficult to pay these higher taxes. It might force them to move from the City.

He commended the Public Works and Public Safety departments for their work.

Eric Irvin also expressed concern that seniors might be pushed out of their homes due to higher property taxes, combined with inflation. He said he did not want to see Peachtree City become a community that only the very wealthy could afford. He mentioned the SPLOST as another tax, as well. He wanted accountability into how these funds were being spent, noting that a lot of money was wasted on speed humps. He said he could support increases if he was assured the money would go to things like Public Safety. Irvin also said he wanted to thank Prebor for explaining some things about the budget to him.

There were no further comments, and Learnard closed the public hearing.

Caola said she appreciated the detail Salvatore had provided in his budget discussion, breaking down pay raises and such. It was all public information. She asked the average assessed value of a home in Peachtree City, and Salvatore said it was about \$450,000.

How was the rollback calculated? Destadio asked Salvatore, who replied that a rollback took back the impact that reassessment had on the tax bill. This year, they would need a millage rate of 5.366 mills for a full rollback. One mill was about \$3.2 million, and he used that figure to come up with the \$2 million he said the City would lose in a rollback.

Destadio stated he was pleased with the budget they had adopted, noting there had been raises for Public Safety employees. They were looking at cost of living raises for all City employees. He mentioned that Social Security payments were set to increase, with next year's increase being the largest in 40 years, which would help residents on a fixed income. He said they were certainly not trying to push people out of the City.

King recalled that eight years ago they were looking at debt that was 25 to 40% of the city's annual revenues. Now it was only 8%, and they took out that loan because the interest rate was less than what they would get from keeping the money and investing it. Being able to pay as you go and not have to accrue debt was a big advantage. He said he could not say enough about the benefits of SPLOST to pay for roads and paths.

King noted that the tax increase amounted to just \$135 annually on a \$500,000 house, which he thought was not bad in a time of greater than 8% inflation. King said he would be glad to talk with any citizen who had concerns about the budget or anything else.

Destadio noted the lighting strike of the day before, saying that security cameras were struck, then lighting went down the coaxial cables and into the building, destroying what he called the "brains of the operation." Each cost more than \$6,000 three years ago. They were using the two they had and would have to buy two more. This did not account for the cameras. Happenings like this were why they needed the reserve funds that some people had questioned.

There being no further business, Destadio moved to adjourn the meeting at 9:25 a.m. King seconded. Motion carried unanimously.

Martha Barksdale, Recording Secretary

Kim Learnard, Mayor

City Council of Peachtree City
Meeting Minutes
Thursday, August 18, 2022
6:30 p.m.

The Mayor and Council of Peachtree City met in regular session on Thursday, August 18, 2022. Mayor Kim Learnard called the meeting to order at 6:30 p.m. Council members attending: Gretchen Caola, Frank Destadio, and Mike King. Phil Prebor was absent.

Announcements, Awards, Special Recognition

Southern Crescent Technical College - Peachtree City Location

Learnard introduced Dr. Irvin Clark, III, president of Southern Crescent Technical College, which just opened a Fayette County campus in the former Booth Middle School. He brought with him Kimberly Register, the dean of the Allied Health programs.

Clark explained that their mission was workforce development and making sure the workforce needs of their industry partners were met. In Fayette County, this was accomplished through credit programs, economic development programs, and adult education programs. They worked with companies in the region to prepare students for emerging workforce trends. He noted that the school was accredited by the Southern Association of Colleges and Schools (SACS), and the nursing program had recently received national accreditation for, Register stated; that process took almost four years.

In Fayette, they would be sharing space with their partners, the Fayette County School System and Clayton State University, Clark continued. Dual enrollment was an important component, and they had served more than 2,400 students since 2015. Fayette students made up more than 10% of their population, and Clark said they expected that to double with the opening of the local campus.

He said academic program offerings were selected based on what they had defined as specific needs in Fayette County. They all were either in a high demand industry sector, science, technology, engineering, and mathematics (STEM), or transferable to the University of Georgia. The Georgia Film Academy was included, as were paralegal studies, business management, and cybersecurity. Mechatronics, which many Fayette industry partners had requested, was starting in fall 2023, as was an associate's program in nursing. Register explained that talks with industry partners had shown a need for registered nurses, and this program would begin with about 30 students.

Southern Crescent Technical College had articulation agreements, which meant programs could transfer, with many colleges in Georgia, including the University of Georgia, Fort Valley State University, and Valdosta State University. Students would be able to earn a two-year degree, then go on to work on a bachelor's degree at one of these schools. Clark said he expected those agreements to grow.

The Fayette Center was going to offer a Corporate College that would provide workforce training that aligned with the needs of industry partners. It had three components: small business development, the Leadership/Professional Development Institute, and the Rockwell Automation Academy, which could help train workers for Fayette's high-tech industries on a schedule that fit with the businesses' needs. Training opportunities offered included safety, health, and environment, leadership/opportunity enhancement, computer skills, and industrial maintenance. Clark said this showed what a diversity of programs they had.

Destadio asked Clark about a welding program, saying people had expressed an interest to him regarding that as a good career. It was offered at other campuses, Clark said, and if they found an interest in Fayette County, they would certainly offer it here.

Clark invited all Fayette residents to learn more about the programs and get information on applying by visiting sctech.edu.

2023 SPLOST Group Project Recommendations

City Clerk Yasmin Julio explained that this group had been meeting multiple times a month since February to vet and prioritize the list of potential Special Purpose Local Option Sales Tax (SPLOST) projects for Council to consider for the 2023 SPLOST. The group consisted of Pam Kemp, Jay Scheibler, Kenneth Hamner, Allison Powell, Phil Crane, and David Conner, who could not be present.

SPLOST was a penny tax, a sales tax, and could be called a fair tax, Kemp remarked, and people who shopped and dined in Fayette contributed to the SPLOST, even if they did not live in the county. There were only two counties in Georgia that did not have a SPLOST as of 2017.

SPLOST money could only be spent on capital outlay projects, not on personnel or ongoing maintenance, Kemp explained. The SPLOST referendum was set for March of 2023. Kemp said it had been a pleasure to serve with the five other group members, and she pointed out that all four of the men in the group were McIntosh High graduates. All told, the group had more than 100 years of collective residency in Peachtree City.

The 2017 SPLOST was set to end in July 2023, and if the referendum was approved in March, the 2023 SPLOST would dovetail in without a break in funds being collected. It, too, would be a six-year SPLOST, and projections were that it would collect \$210 million over that period. Peachtree City's portion of that would be \$67 million. In the 2017 SPLOST, they estimated Peachtree City would collect \$45 million, but it came in more than \$50 million, so it was probable that this SPLOST would exceed expectations as well. But \$67 million was the figure they had worked off of.

Projects were divided into four categories: roads, paths, public safety, and recreation. Kemp showed pie charts that compared the percentages of money allocated to each category in 2017 and what was proposed for 2023. In 2017, almost \$2 million was devoted to the dam and spillway. That was a one and done project, so that money this time was put towards recreation. Recreation in 2017 was about \$1 million; the proposal for 2023 was \$3.3 million. Roads and the multi-use path system were the big items, followed by public safety.

There was a countywide SPLOST passed in 2006, Kemp reported, but then another one failed in 2013. So when the 2017 SPLOST passed, it was the first in more than a decade. The group decided to build this SPLOST on the backbone of the 2017 SPLOST. They also worked with the philosophy of balancing the cost of a project with how many citizens would be impacted.

Staff put together a citizens' survey that got more than 1,200 responses, which Kemp said was outstanding, and she noted that the responses seemed to reinforce that they were going in the right direction with the emphasis on continuing the paving program and on public safety. They would refer to the citizen responses throughout the presentation. Kemp explained that the questions pushed respondents to say whether they would support a project or not, with no middle ground.

Hamner presented requests regarding Public Safety, which was Fire, Emergency Services (EMS), and Police. The first Fire project request was to replace a 2004 Quint 84 vehicle that was currently being used in reserve. The cost was \$1.5 million, and the new vehicle would last about 20 years. The proposal also included plans to upgrade hydraulic extrication equipment and other equipment that was nearing the end of its service life.

They also wanted to replace two fire engines and purchase a new engine for a new station. They would be replacing a 2007 and a 2008 vehicle, plus purchasing the new unit, for a total cost of about \$2.250 million. One of the vehicles being replaced would move into reserve, and the other would be sold at auction, Hamner continued. The new unit would be in service for 10 years, then moved to reserve for another five. Some equipment could be transferred, but some new equipment would be required.

They were recommending replacement of two ambulances, a 2013 and a 2015 unit, at a cost of \$900,000. One of the vehicles would move into reserve with about 100,000 miles on it, he reported, but it should serve for another 25,000. The lifespans of the new vehicles would be 10 years, then they would be moved into reserve for another five years.

The next project got some of the highest ratings on the survey. That was for washer/dryer units for turnout gear in all six fire stations. Hamner explained that exposure to chemicals released by burning materials put firefighters at increased risk of cancer and other chronic diseases, so having these specialized washers was a safety issue for firefighters. They were also recommending replacement of a 2001 generator at station 84 for \$100,000. Generators had about a 20-year lifespan and had been replaced at other stations in the last three or four years.

They were requesting replacement of long-term EMS equipment, which they did when new ambulances were purchased, for \$70,000. Digital radio replacements at a cost of \$135,000 were on the list, as well as extrication equipment for \$75,000.

They were also recommending two new fire stations. Station 85 would serve the south side. The animal shelter property had been acquired for this expansion. The total cost would be \$2.5 million. A new Station 82 was proposed for the east side for \$2.8 million. The current station, in the Fresh Market area, was about 42 years old, and the lifespan of a fire station was about 50 years without renovations. Station 82 was not planned to have the number of staff it currently had and to be servicing as much as it was today, Hamner remarked. The thought was not to renovate the station, but to build a new station around the Carriage Lane area to cover the eastern expansion of the city. Hamner displayed two maps that showed how coverage areas would expand with the new stations.

A new prisoner transportation vehicle was recommended for the Police to replace a 2003 Ford van, which was no longer reliable. Prisoners were now being transported by 2s in patrol vehicles. A new vehicle would allow one officer to transport multiple subjects. The new vehicle would have three partition inserts and security cameras. The cost would be \$85,000.

A new specialized transport vehicle was needed to replace the current vehicle, which was a repurposed 1998 ambulance. The new vehicle, which would cost \$350,000 would have armored

protection and could be used in multiple ways, including protection of citizens in harm's way and to transport tactical officers to or from hostile situations.

Next on the list was an outdoor pole barn storage area for \$55,000. Hamner said it would provide protection for vehicles of all types and also for seized vehicles stored on premises. It would be high enough for a bus to fit underneath. Another project was enhancements to the evidence storage room at \$120,000. The department had outgrown the current space, and this new storage system would increase storage capacity by 40%, he remarked.

They were also recommending a pop-up security trailer for the Police at a cost of \$43,000. This would be used at large public events, such as the Air Show. Its increased visibility was a deterrent to crime, and its portability allowed flexibility in its uses. A \$30,000 real-time crime station with multiple monitors that could stream from many sites around the city was another project. It could also be used in conjunction with special event security.

They also recommended a portable vehicle life for \$10,000 that would allow officers to safely investigate the undercarriage of a vehicle. Digital replacement radios for \$140,000, and a drone for \$30,000 were also on the list.

Another popular project was additional K-9 officers at a cost of \$120,000. Right now, Peachtree City Police had two K-9 officers, but they were approaching retirement in a few years. This request would replace them and add two more K-9s to the force, providing K-9 coverage 80% of the time. This cost covered the purchase and initial training. Ongoing costs would come from the General Fund budget.

Hamner concluded by noting the Public Safety portion of the SPLOST came out to \$11,445,000, and about 91% of that, \$10,462,000, was going to the Fire Department, due to the two new fire stations. About \$983,000 was earmarked for Police purchases and projects. The survey showed that Public Safety was a popular category, he reported; 72% of respondents said they Definitely Would or Probably Would support all of the group's recommendations.

Scheibler said he would be talking about what was planned for the City's signature amenity, the multi-use path system. The group proposed adding an additional three miles of paving over what was in the General Fund. This was a continuation of what the current SPLOST covered, for an annual total of 10 miles. The paving cycle called for each path to be paved every 10 to 12 years, he stated. The allocated amount was \$3.4 million, which was 17% more than in the 2017 SPLOST due to increased paving costs. He showed a map of the path network that indicated the paving progress.

Path paving was a unique process due to the width and the tight spaces, so contracting big asphalt companies to do it was not economical--it was done in house. Scheibler said the current SPLOST had replaced one set of paving equipment, but now they needed to replace another set. City parking lots were also paved with this equipment. The project list included replacement of a 2005 asphalt spreader for \$210,000, a 2007 dump truck for \$115,000, and a 2015 skid-steer for \$75,000. They wanted to purchase a new robotic slope mower for \$95,000.

There were 36 bridges and 29 tunnels in the path network, he continued, which were inspected annually with maintenance work performed for visual appearance and safety. The SPLOST would allot \$875,000 for this maintenance. He mentioned that a lot of the tunnels had limited sight distance

on their approaches and exits, and they would like to alter the paths to make collisions less likely. If that was not practical, they could add motion-sensing caution lights or replace the tunnel. The group was proposing spending \$3.5 million to see what could be done. He mentioned the short height of the Crosstown tunnel as an example, plus several with limited sight distances.

Making at-grade road crossings and curb transitions smoother, as well as adding or replacing signage as needed and improving gutter drainage was another project, and they were allotting \$500,000 for that.

There was a lot of input on making the new Booth Middle School more path-accessible, he reported. There were several options, but all would be challenging. They had set aside \$4 million for a connection across SR 54 for Booth and McIntosh High. That included feasibility studies, land acquisition, and construction. Scheibler showed an aerial photo depicting existing paths and potential routes.

In total, this SPLOST would provide \$12.8 million to the multi-use path system. The survey showed that citizens overwhelmingly supported these projects, with an 80% approval rate.

Powell said she moved from Peachtree City a few years ago, and when she returned, she noticed all of the road projects and how much better things looked around town. That was thanks to the 2017 SPLOST, which currently funded about eight miles of road paving a year. They were proposing continuing paving at that pace: about eight miles per year from SPLOST for a total of 15 miles from all funding sources. The \$30 million they were proposing was 33% more than in the 2017 SPLOST due to changes in paving costs.

With the 2017 SPLOST, they had exceeded the goals and paved about 18 miles per year on average, or 72 of the 193 road miles in the city. Almost 15 miles were planned to be paved this year. This SPLOST funding would keep the roads on a 12–13-year repaving cycle. Maintaining this cycle prevented the roads from falling into severe disrepair and requiring the more extensive, and expensive, full depth reclamation.

Paving was the most expensive project in the SPLOST, but it was also one of the most well-supported, coming in third overall on the survey, after new ambulances and path paving.

Smaller projects tied into roads included replacing the 2011 street sweeper for \$190,000. The SPLOST group also thought it would be an interesting bit of placemaking to add more street signs designating the individual villages. There were a few existing signs, one in Glenloch and another in Aberdeen. The \$180,000 was not a lot, but the group thought it would add to the Peachtree City spirit.

The group was earmarking \$2 million for intersection improvements at Peachtree Parkway and Robinson Road. People who did not frequent that area might not be aware, but Powell said delays were increasing. A traffic study was conducted on May 17, 2022, and it showed the intersection to be failing during a.m. and p.m. peak hours. This would get worse without any modifications.

The traffic study looked at adding turn lanes in the north and south directions and also at constructing a hybrid roundabout or a traffic signal. Both the roundabout and the traffic signal would

result in significant improvements for the long-term. Many steps would be needed, but the \$2 million would get them started, Powell remarked.

Again, Powell noted that \$32 million was a big chunk of the proposed SPLOST. The survey showed that the paving portion was very popular, but, since there were only three projects, the overall approval rating was brought down by the street signs, which was one of the least popular projects on the survey. She said the dollar amount was not on the survey, so people might not have realized the small cost, plus, it might not have been explained well. She asked Council not to rely solely on the survey results. The intersection work was ranked in the high 70s for support.

Many of the recreation projects were not tied to hard and fast dollar amounts, Crane began, but some were, such as permanent restroom structures at Drake Field and Battery Way. They were proposing six stalls at Drake Field for \$400,000 in a design that would match the pavilion. At Battery Way, the structure would have two stalls and cost \$200,000.

The City had 12 tot lots and 11 playgrounds, he remarked, many of which were outdated; some lacked accessibility according to the Americans with Disabilities Act (ADA). A playground advisory group was currently meeting, so they were proposing consulting with that group on how to best spend \$1.2 million for upgrades.

The next project suggestion, a Lake Peachtree recreation area, started out as several smaller projects, which was how the \$570,000 cost was arrived at, Crane explained. This involved developing a dedicated swim area; the lake was no longer a county reservoir, so swimming was allowed. They were looking at a location near Picnic Park that could include swim access, beach volleyball, benches, and shade structures.

At 110 Kelly Drive, better known as the old community garden, the group proposed redevelopment without any specific plan for what it would be. With the success met by Drake Field, they felt that something might be needed on the south side of the lake. Suggestions included restrooms, a food truck area, a sodded area for bocce ball, cornhole and so on. They suggested \$1 million, which was enough to get the restroom built and get a clean field and a pavilion. This was one of the lower ranked projects on the survey, but Crane attributed that to being not very well defined.

Recreation projects got a 66% approval rating, he stated. One of the comments was a request for more bike parking, which he said the city was looking into but had run into supply chain issues.

In conclusion, Kemp stated that it appeared people really liked the ideas put forth, with an overall 71% approval rating on the survey. The best SPLOST, she said she had learned, was a list that would get past the voters. The group kept that in mind as they were discussing these proposals.

In a SPLOST list, there was a list of Tier 1 projects that, by State law, had to happen. If they were declared unfeasible, the money had to be returned. That was not true for Tier 2 projects. They could include projects they would like to see in Tier 2, but if the funding was not there, they would not be done, but no money had to be returned. They allocated \$60 million for Tier 1 projects, leaving \$7 million in contingency/Tier 2 funds. They had put together a list of what could be considered Tier 2 projects including \$5 million for additional street resurfacing, \$2 million for additional path resurfacing, and \$380,000 for pickleball courts.

Julio clarified that the \$67 million was for Tier 1 projects. If, like in 2017, more money came in than was anticipated, that was what could be used for Tier 2, Kemp added. If some projects came in under budget, that money could be used for Tier 2.

Kemp again showed the pie chart that explained the spending breakdown by dollar amount and percentage. She concluded by reiterating that SPLOST allowed governments to fund capital projects that otherwise would have to be paid for from the General Fund or not at all. A SPLOST lessened the burden on the General Fund, freeing up that money for other uses.

Learnard said it was her understanding that the County wanted their list by October. Council did not have to do anything tonight but would be working with the group in the meantime to finalize the list. A workshop was tentatively scheduled for Aug. 30 to do just that, she noted. She thanked the group, calling them "amazing" and noting that every one of these items was thoroughly researched and how they had worked with staff. Learnard remarked that they had been to every corner of the community and a successful SPLOST had something for everybody.

Public Comment

Julio said there were seven speakers signed up, and each would be allowed two minutes as per policy.

Jan Lindstrom reminded Council that she had been before them previously to ask for stricter laws regarding the tethering of animals. She read information from the American Humane Society about the negative physical and psychological consequences of tethering on dogs.

Jed Lindstrom first thanked the SPLOST group for their presentation, saying it was phenomenal. He, too, spoke at the previous Council meeting about tethering and asked Council to update the tethering laws. He said he had looked at what neighboring counties were doing. Coweta mirrored State law in that the dog must be on at least a 10-foot leash, tethered for no more than four hours, and not between the hours of 10 p.m. and 6 a.m. Clayton County allowed up to 12 hours, but not at night. Henry County prohibited tethering altogether. Spalding also regulated how tight a collar could be.

Trisha Sellin of The Estates said there was a problem with traffic at peak times of the day, which she said could be solved if traffic flowed more efficiently with a roundabout at Peachtree Parkway and Robinson Road. Traffic backed up that intersection, so cars cut through their neighborhood, she stated. She recounted several near accidents and said this problem should have been addressed years ago. Council needed to make changes throughout Peachtree City to keep up with the growth and development, she remarked.

Peachtree City had a speeding problem, both on the roads and on the paths, Keith Larson remarked, citing recent citizen complaints regarding Kedron Hills and Planter Ridge, among others. Speed control measures with public input needed to be implemented. A traffic calming policy was adopted in January 2021, but it did not identify specific measures and applied only to streets. The policy ignored the best practices recommended by the Federal Highway Administration, Larson continued, by removing routine community participation in the process including meetings of an appointed traffic calming advisory group like they tried last summer with the path committee. He

asked Council to revise the traffic calming policy to restore transparency and trust by using a best practices management policy for both the paths and the streets.

Suzanne Brown said the former Council established a path committee in 2021 to look at safety concerns. They made many recommendations close to the end of 2021 including the possibility of some speed bumps to see if they were effective. Neither the current or former Council voted on the speed bumps; the purchase and installation were done by City staff, primarily the former City Manager, who Brown said left before the issue exploded. She speculated he may have handled things in such a manner as to harm Council member Caola, and the current Council had never pointed out that they never voted on or directed the placement of the speed bumps and that citizens should not be blaming Caola. Instead, Brown continued, they allowed citizens to attack a member of Council and falsely blame her for something she did not do. She said it was possible they allowed this to personally hurt Caola. Brown stated they let a "cancel culture" mob attack her in such a way that was "morally repugnant." Council knew the truth, Brown stated, adding that was Jon Rorie's parting gift.

Cindy Kilpatrick also spoke about the need for an upgraded tethering law. She said the current ordinances were much too vague. The Police did not have the ordinances they needed to properly address these situations. She wanted to see stronger, clearer rules in this progressive city.

Mary Chamberlain wanted to remind Council of the promises they made in their oaths of office.

Agenda Changes

None

Minutes

- 1. August 4 Council Meeting Minutes**
- 2. August 4, 2022, Executive Session Minutes**
- 3. August 11, 2022, Special Called Meeting Minutes**

Destadio moved to approve the August 4, 2022, Council Meeting Minutes, the August 4 Executive Session Minutes, and the August 11 Special Called Meeting Minutes with the amendment of a typographical error ("sad" instead of "said") on page 5 of the August 4 Council minutes. King seconded. Motion carried unanimously.

Consent Agenda

- 1. Brand Name Building Maintenance Services (BMS) for Janitorial Services**
- 2. Superior Tree Service, LLC for City Tree Trimming and Removal Services**
- 3. Request Title Change for Library Administrator to Director of Library Services**
- 4. Ordinance #1199 – Radar List Update**
- 5. Establish Court Ambassador Positions**

King moved to accept Consent Agenda items 1-5. Caola seconded. Motion carried unanimously.

Old Agenda items

07-22-05 Adopt 2022 Comprehensive Plan Update

Destadio said he had a motion. He appreciated the efforts put forward by Planning and Economic Development Director Robin Cailloux, but there were aspects of this plan that he strongly disagreed with. He said he had talked to other members of Council about this and moved to approve the plan

with the removal of the section under Future Land Use on page 45 with respect to the mixed use development and changing the 15-minute walking distance on page 41 to a 15-minute cart path ride. Caola confirmed what he was asking and seconded the motion.

Learnard said they had not had Council discussion yet, and she asked Cailloux if she had a brief summation of what was proposed? Cailloux wanted to remind them that this had been a very public process, and she presented a lengthy list of ways this had been a community-driven plan, including public workshops, steering committee meetings held twice a month starting in February, 12 notices on the weekly email updates that had more than 7,000 subscribers, Facebook ads, newspaper ads, and digital display at the City Hall.

The public hearing before Council was held on July 12, and the Plan was submitted to the State the next day. They sent it back with some comments that were format-based, not content-based. She said she brought up some of the comments Council had after the July 12 meeting about modifications the State could accept and asked about removal of mixed use. The State said that would be something they could not approve because of the extensive public process that went into developing the Plan.

Tonight, she continued, they were here for the final adoption, after which, if adopted, the State would issue the Qualified Local Government (QLG) status. Cailloux said that was important because it not only allowed them to get loans, but to collect impact fees. Impact fees over the past 18 months totaled \$2.55 million, Cailloux stated. She said it also impacted how the Police were allowed to run radar and probably had some other consequences.

King emphasized that they were running the risk of losing \$2.55 million over a Plan. He reminded them that this was just a plan; any plan could be adopted or amended. They just had to go through the process, Cailloux remarked. Having mixed use in the Plan did not deny any one landowner from asking for a rezoning for mixed use, King noted, nor did it require Council to approve or deny that request. Why were they risking \$2 million to the City to put in some changes that really did not mean that much?

If they included the three-story, 39-foot mixed use, Caola asked, did that give them the green light or make it any easier? No, Cailloux replied, what it did was limit the kind of mixed use that they could get. Staff regularly met with property owners, and many times they asked for mixed use of five to eight stories, which was the standard, she stated. Right now, they had to tell them, that there was nothing about mixed use development in the Comp Plan, and while she did not think Council would approve it, she could not speak for them. They typically either said "we're done" or "I'm going to risk it." Calistoa was an example of that, she noted. Staff was diligent in their review, yet the developers continued to push it forward. If they had it in the Comp Plan, they could point to that and say "maximum three or four stories."

Caola asked about rezoning the Kmart on Crosstown? Cailloux said it was always in the power of Council.

Destadio addressed King, saying people should look at the photos in the proposed plan, which to him looked like Alpharetta or Marietta. He said a former boss had lived in Roswell for many years, but moved when developers moved in. Destadio said he talked to him recently, and no one could afford

to raise a family there anymore. It was a crowded weekend destination. He said he believed the citizens did not want Peachtree City to become a destination. They moved from those places and had said they would leave if it was approved here. People wanted homes where they could afford to raise a family.

Learnard reminded Destadio that this was a Council discussion, not a rallying of the troops.

Destadio emphasized that the photos in the Plan were more than just multi-family; they showed a whole different concept coming to Peachtree City. He stated that he did not think it would be that difficult to absorb a \$2 million loss considering what they were raising up in taxes.

Destadio said he was also told that they could use the current Comprehensive Plan until this update was re-done. The QLG status would be lapsed, Cailloux stated; it had to be updated every five years, and that timeframe had passed. The State understood they were working towards it, but it would lapse if they started over.

So taking out the mixed use would be considered a massive overhaul? Caola asked. Cailloux replied that other than reviewing the checklist of required elements such as water, transportation and so on, the State's main goal for comprehensive planning was to take public input and incorporate that into the results. If they showed this public input, but then did not include it in the results, Cailloux continued, they would ask "why" and "how" and she would not be able to justify it.

She would be able to say the City Council did not approve it, Destadio remarked, and Cailloux said that was what she would have to say.

Could they talk about this for another week? Caola asked.

No, Learnard replied. Cailloux had narrowed down what the community had said, the Mayor continued, adding that she attended most of the public workshop and steering committee meetings, but not all. Council appointed a steering committee that was comprehensive in their work, their research, their diligence, their public communication. There were hearings, workshops, posts on the front page of the City website for six months, 12 notices in the Weekly Updates, 12 notices on the Facebook page, two paid Facebook ads, newspaper ads, digital displays, information at City Hall/court/library, livestreaming, videos posted online. Learnard said they did everything known to man to solicit reasonable public input and public comment. The committee and Cailloux synthesized that information into the document before them.

Learnard said neither she nor anyone on Council were city planners. She was not going to second guess the information that had come in from the citizens. There were reasons why they went through this process. She respected the process and the professionals who brought decades of professional expertise to this effort. Learnard added that she had never heard of another city that would take that result and decide they did not like it and remove an entire section, especially given that the Land Use section could or could not be referred to in the future. It did not enable City Councils of the future to grant this type of development any easier than they could right now.

Learnard asked Caola if she objected to three or four stories? Caola said she was not comfortable with four. Could they make it three? Learnard asked, adding that the purpose of the 15-minute radius

from the village center was to identify the outer boundary of the villages and, with that, the limits of certain kinds of development. They wanted more dense development in the village centers and less dense development further out. Setting a 15-minute walk as the standard limited that radius.

It was good to set limits on development, the Mayor said, and Caola pointed out it would be redevelopment. It would in some cases, Cailloux responded, but there were some lots on SR 74 going north that were commercial and were right behind homes. She had talked to some property owners who wanted to rezone to commercial to expand their uses. They were outside that 15-minute walk radius. If they were to expand the radius, it would be harder for staff not to recommend approval. They would have to find other reasons not to recommend.

Caola said she did not want to lose the certification nor the \$2 million in impact fees.

A golf cart could go 19 mph, the Mayor went on, so, if you took a quarter of that, it was about five miles. If they changed the limit to a 15-minute cart ride from the village center, it would cover almost everywhere in Peachtree City.

Destadio interrupted her, saying she was soliciting. He started to say there was a vote, but she stopped him, saying he was out of order. She continued, saying there was no comparison between a 15-minute cart ride and a 15-minute walk. A change would cause the loss of the impact of being a limiting factor to keep density at a certain level. And to protect existing single-family homes, Cailloux added.

Learnard asked Caola to reconsider her vote.

Destadio said he made a motion, and Caola seconded. If she wanted to pull the second back, that was up to her. She did not need the Mayor to solicit her to do it her way. He said he asked for a second, got it, now they should vote.

King asked Caola if she was willing to write the check for the difference? She said she did not want to take from the City's coffers, and King said it was her money out there.

A citizen in the audience began to speak, and Learnard called her out of order. She continued, and the Mayor asked that she be escorted out.

Caola said she did not want to negatively affect the Police. She was not comfortable with four stories; she did not want to see the old Kmart rezoned. She would agree to three stories in certain areas. She added that she was not a fan of the Partners rezoning, but that might be okay. Caola expressed a wish that Prebor was present.

The Mayor asked City Attorney Ted Meeker and Cailloux what would happen in the event of a 2-2 tie? They could make another motion, Cailloux stated.

Learnard said they had a motion and a second. Was there any other discussion? There was none, and she called the question. Destadio voted in favor. Caola asked if they would have to wait six months to bring this back? Cailloux said they would not. Meeker said they could vote on another

motion, and Julio noted that the motion could not be exactly the same. Caola, King, and Learnard were opposed, and the motion was denied 1-3.

King moved that the Comprehensive Plan be approved as presented. Caola asked if they could change the four stories to three? King retracted his motion and moved that they approve the Comprehensive Plan as written with the exception of reducing the four-story limit to three. Caola seconded. Motion carried 3-1, with Destadio voting in opposition.

The Mayor called for a five-minute break, saying they would re-convene at 8:20 p.m.

Public Hearing

08-22-03 2022 Millage Rate

This was the third and final public hearing on the millage rate, Financial Services Director Paul Salvatore said, adding that he liked to begin with a review of the millage rate over the past 10 years. It went from 7.175 in 2012 to the current 6.043, a reduction of 1.135 mills, or about \$3.7 million. There was a full rollback in 2021 that amounted to what would be \$610,000 now.

Millage was broken into two parts: Maintenance and Operations (M & O), which was 6.043 mills, and bond, which was 0, since all bond debt had been paid off.

Anyone whose house had increased in assessed value over the past year would see a tax increase. The total digest increased by 17.5%, he stated, noting that happened to be the increase in Public Safety expense. About 12.6% of that was due to reassessments of existing property, while the rest came from new growth in the digest, mainly on the west side.

Salvatore had created a chart to illustrate the financial impact on citizens. It displayed various home values, from \$100,000 to \$500,000, along with what the City tax bill would be with the 6.043 millage rate. He also had calculated the difference annually and monthly. The chart showed what the tax bill would be if there was a full rollback, which would cost the City about \$2 million. Staff did not recommend a rollback because of increased costs due to supply chain shortages, labor shortages, and inflation.

Learnard opened the public hearing.

Chris Parker asked Salvatore if he had said that if SPLOST did not pass there would need to be a .8 millage rate increase? Not in FY 2023, Salvatore said, but in 2024. Parker pointed out that in the data over the past decade they had not seen a decrease of more than .5 mills. A .8 increase would be painful to the citizens, so he would recommend that if it came to that, they split it to .4 over two years. He recalled the 50% reserve in their budgeting, although 30 to 35% was typical, and even recommended. The extra 15% would accommodate splitting that millage rate increase should it be necessary.

No one else wished to speak, and Learnard closed the public hearing.

Council had no comments.

New Agenda items

08-22-04 Approval of 2022 Millage Rate

Now that they had held the three required public hearings and done the proper advertising, Salvatore said they were ready to take action to adopt the millage rate. Staff's recommendation was to adopt the M & O millage rate of 6.043.

King moved to approve New Agenda item 08-22-04, Approval of 2022 Millage Rate at 6.043 mills. Caola seconded. Motion carried unanimously.

Caola stated that she had just noted that on the Consent Agenda, Waterwood Bend was on the radar list as a school zone, and it was no longer a school zone. Learnard said they would check into that, and Caola said she had sent it to Police Chief Janet Moon. Moon said the cover memo noted that they would remove the old Booth Middle School school zones.

08-22-05 Resolution to adopt the annual Capital Improvements Element update

This update of the Capital Improvement Plan (CIP) was required annually, Cailloux stated, and it was adoption of a document that was approved in the last fiscal year because this always came after the audit. It included the CIP from the adopted FY 2021 budget and the FY 2021 impact fee financial report. There was nothing new in this, she stated, it was a collection of information that had already been approved by Council. They had to include this audit to prove they spent the impact fees like they said they would.

The required public hearing was held on June 16, and she transmitted it to the State on June 17. It was approved on July 17, and now she was asking Council to adopt it.

Destadio asked about the first page of the charts, which listed the beginning impact fee as of September 30, 2019, as \$3,902,520. The impact fees collected for 2021 was another \$1.348 million, so the impact fee balance as of September 2021 was \$3.610 million. That was money they had already collected through 2021?

He said he was talking about Table 0. Cailloux explained that a weird thing happened the last time they adopted this. It translated from Excel into pdf, and somehow the numbers got off. If you added them manually, it added up to the correct number, but for whatever reason, it put the wrong number in the table. The State caught that this year and asked them to update the table from last year.

Destadio said he was not challenging that. As of the end of 2019, they had \$3.902 million, and the impact fee for 2022 was \$2.820 million. For 2021, it was \$1.347 million, and totaled \$3.610 million at the end of September 2021. He recalled their conversation earlier that said they would lose impact fees if they did not approve the Comprehensive Plan. Would they lose that \$3 million or was that already collected and cleared for use? That was collected and audited, Cailloux stated.

There was a list of Parks and Recreation cart paths, Destadio went on, that included a lot of paths he did not even know about. The expansion for the Police Department, which was one of Caola's concerns, had previous impact fees collected of \$8,400 through 2022 with impact fees that she was concerned about losing identified through 2026 at \$683,000.

This was money that had been collected, not future projections, Cailloux explained. Destadio said he understood, but could they use that \$3 million? His point, he stated, was that they had a lot of impact

fees, and whatever they were expected to lose would not come out of the \$3 million they already had.

Right, Cailloux responded, it would be future impact fees. So they would not have lost the Police stuff, Destadio continued; that money was in the current balance. Cailloux told him there were a lot more projects than they had money for. But there was a balance of \$3 million, Destadio reiterated.

But the money for the Police could only be used for the Police, Cailloux stated, and Destadio said he understood—the cart path funds could only be used for the cart path.

King moved to approve New Agenda item 08-22-05 Resolution to adopt the annual Capital Improvements Element update. Caola seconded. Motion carried unanimously.

08-22-06 Adoption of FY2023 Budget - CVB

Convention and Visitors Bureau (CVB) Director Kym Hughes said revenues were budgeted at a 2% increase over 2022 to match the City budget. Personnel expenses would increase by 19% to include the Executive Director, Sales Manager, full-time Staff Assistant, and one part-time Visitors Center Representative as of October 1. This increase was due to adding back the full-time Staff Assistant and un-funding three part-time positions as part of the post-COVID recovery from the hit to the hotel/motel tax.

Advertising, printing and binding, operating supplies, and trade show expenditures would remain the same as this year, she continued, as would professional development. Tourism events were still eliminated, which Hughes said was hard for them, but they hoped to schedule some ticketed events if revenues continued to improve.

The beginning fund balance for 2022 was \$224,420, she stated. The hotel/motel tax transfer was about \$546,000, or 87% of their revenue, with about \$14,250 coming from gift shop sales and other sources. The use of reserves was currently budgeted at \$67,707.

Under expenses, administrative and general operations totaled about \$49,000, while sales and marketing promotion were \$243,000. The lion's share was for contract labor--\$355,351. That was 53% of the budget.

Looking at the transfers for 2022, Hughes pointed out a State operative grant of \$29,000. That was a one-time thing, and it was done during the fiscal year, so it impacted two budget cycles. The total grant was \$59,000. It was awarded at the end of June/first of July, she explained, and about \$30,000 was counted towards FY 2022. Hughes said \$18,000 would come out of the fund balance.

Under expenditures, she noted that professional services included many expenses. Advertising was the main thing they did, and that required staff. Tourism events was another item. She said they were going to have to address postage costs. This year, they reduced the size of their brochure to save money, even though the pre-COVID size was more functional. They were seeing an increase in the requests for information, so postage expenditures might change.

They were projecting to use \$67,000 of the fund balance, which would increase this year. They were above what they had projected, and Hughes reminded Council that they did a budget amendment in January.

The beginning fund balance was estimated to be \$200,947, with estimated revenues in FY 2023 of \$560,418, and appropriations of \$628,125, with the difference of \$67,707 coming from the fund balance, leaving \$133,240. That would probably be higher at the end of the year.

July and August were their big months, Hughes noted, saying a report came in today showing local hotels at 67% occupancy. People were still traveling. Gas prices had leveled off, and she said she expected travel to continue.

King asked if she had an estimate for revenue for the next fiscal year? Weekends were doing fine, Hughes reported, but they needed to pull in more traffic during the week. She could not make a prediction, though. Staffing was important, and Hughes said she talked to Clark with Southern Crescent Technical College that evening. Their help would be huge for them, she said. She said she mentioned that the State Department of Tourism was focused on workforce development right now. It was hard for some of these properties to maintain staffing to clean the rooms, and there were jobs in sales and marketing, too.

She told King they had lost a lot of corporate travel, but leisure travel was increasing. They were having to balance their marketing budget, and she said they were still adapting to the changes.

Destadio moved to approve New Agenda item 08-22-06, Adoption of FY2023 Budget. King seconded. Motion carried unanimously.

08-22-07 Adoption of FY2023 Budget - Keep Peachtree City Beautiful

Keep Peachtree City Beautiful (KPTCB) Executive Director Al Yougel reflected that it had been a long time since KPTCB's founding in 2008. He said he had lived in Peachtree City for 31 years, the last 28 in one of the 21 subdivisions that was responsible for their own street maintenance. He contracted for trash and recycling service and did not put any of his trash in the containers on the cart path system, he reported. Not everyone could say that.

Projected revenues for KPTCB, based on the audited 990 numbers for 2021, were the same, except for the Line Creek litter/trash contract, Yougel explained. They visited Line Creek weekly, and the Mayor pointed out that he meant the Line Creek Nature Area.

Every household in Peachtree City with trash service paid \$4 a year in franchise fees to their waste haulers, and that was passed on to PTCB. They were not required to have trash service, and about 1,300 to 1,600 homes did not. What did they do? Learnard asked. Some put trash in the woods, some in the dumpsters around the city, but much of it went into the 132 trash cans along the cart paths. During COVID, he added, people were working from home and did not have access to the dumpsters at their work, so there was even more household trash being dumped in Peachtree City.

There were three approved residential waste haulers in the City—Pollard, GFL, and Republic--and Yougel said he would add a fourth—KPTCB. He estimated that half to two-thirds of the cart path cans

was household trash. There were 11 non-residential providers, and some of the trash they collected fell out of their trucks onto the roadside.

KPTCB's contracts with the City included operating the compost facility on Rockaway Road, as well as picking up litter along 83 miles of streets and emptying trash and picking up litter on the cart paths. COVID had impacted courts, and, therefore, the number of people sentenced to community service, he observed. Learnard asked if they were caught up, and Yougel said court had gone to two days a week to try to catch up, and that had helped them. Prior to COVID they did 20,000 hours of court-mandated community service. Now there were under 10,000.

Another COVID-related change was the impact of online shopping and the trash generated from shipping materials. The year before COVID, they collected 320,000 pounds of cardboard; during COVID, it jumped to 500,000. Last year, Yougel reported, they collected 760,000 pounds. They had to buy their own compactor to handle that. Now, the first three community service people who showed up had to run the compactor.

There was a recycling station by Public Works, and Yougel said they would like to do more. They had taken over aluminum can collection from the Fire Department, but he stated that cardboard ran their life. He invited Council to visit them at 8 on a Monday morning and see what the night traffic had done.

As for expenses, the increase in the cost of gasoline was the biggest. They had increased contract labor, but that was needed with the addition of Line Creek.

Yougel said they had a comfortable arrangement with the City, and he thanked Council, saying they got their vehicles at a reasonable price, got repair shop rates, and gasoline for the price the rest of the City got.

He showed the revenues at \$150,528 and expenses at \$145,946 with a fund balance of 38%. That balance should grow if commodity prices, such as for cardboard, continued to rise. But if they had to have the cardboard hauled away because they could not keep up, expenses would go up, too, Yougel cautioned.

Caola moved to approve New Agenda item 08-22-07, Adoption of FY2023 Budget - Keep Peachtree City Beautiful. King seconded. Motion carried unanimously.

08-22-08 Consider initiation of text amendment to Article XIII, Amendments

Destadio recalled that he served on the Planning Commission for 11 years and during most of that time, they had a public hearing and then a vote. That vote was the recommendation to Council on those public hearing items. There were other votes, as well, on such items as landscaping and building facades that came under the Planning Commission's purview.

A little over a year ago, the former City Council made a text amendment to Article XIII that eliminated the public hearing aspect of the Planning Commission. He said he was still on the Planning Commission at that time, and it was confusing to all of them. The explanation given to them was that it was against the law to have two public hearings. They Commission adapted as well as they could through public workshops at the end of their meetings. Previously, in addition to formal public hearings, there could

also be a workshop which was intended to be a give and take with people who wanted to come in and share concept drawings or things like that. Often, Destadio continued, members such as Aaron Daily or Paul Gresham, who were architects, would get involved. That system worked very well. Now, what used to be public hearings were handled under the workshop section at the end of the meeting.

Destadio said he decided to start looking more into this, and he was proposing they approve a text amendment to reestablish a public hearing at Planning Commission meetings. He noted that Fayetteville and Tyrone held two public hearings—one with the Planning Commission and another with Council. He said he felt citizens deserved to be able to state their opinion at a public hearing that they could attend. These meetings were held on different days, and it might not be possible to attend both.

He said Council was supposed to receive some comments or summary that came out of the workshop to indicate how the Commissioners felt on the matter. But, he continued, he had only seen two since he had been on Council, and he was sure there had been more workshops in that time.

It was obviously not working as planned, and since these other cities were holding two public hearings, he did not think it was against the law. He wanted Council to discuss this.

Learnard said she had no documents, and Caola said she did not either. Destadio said Interim City Manager Justin Strickland was supposed to bring some documents, but he was absent.

King pointed out that they had never taken the Planning Commission's ability to vote off the table. That did not happen. It was a campaign slogan used last fall, he stated, that came out of nowhere. They could still vote. What they took away, he continued, was the ability to do a public hearing because it was a quasi-judicial hearing that they thought was a duplication of effort. He said Meeker could elaborate. They had public hearings with Council because they were represented by counsel. The Planning Commission was not. He said he would be in favor if they decided to fund a lawyer for the Planning Commission. But, as it was right now, he could not support a change.

Destadio stated that King was right that they could still vote, but it was for landscaping and building facades, because it fell under the purview of the Commission. They did not vote on the public hearing aspects.

King said he was referring to Destadio's campaign rhetoric about not voting. It got many citizens involved, and it was not correct. Destadio said he disagreed, stating that the Planning Commission no longer voted for anything that was going to go on to the Council. Previously, they had voted "yes" or "no" on a recommendation to the Council. That no longer happened. Even if it was supposed to happen, it no longer did, he told King. He did not know how the workshops ended now because he never saw anything from their workshops.

Caola said she believed the majority of Planning Commission meetings this year had been cancelled. She knew they were supposed to get summaries, but she kept getting the "notify me" emails said the Planning Commission meeting was cancelled. She told Destadio it was not that they were not getting the reports, the meetings were not happening.

Destadio remarked that he had looked, and he did not believe every meeting had been cancelled. Regardless, every other city had a quasi-judicial hearing and did not have this problem. They were the only city in the county that did not allow the Planning Commission to vote.

Meeker asked Cailloux if they were not making recommendations on rezonings? Cailloux replied that they stated if they were for or against and what their concerns were. At the last one workshop, which was for the townhomes on MacDuff Parkway, they summarized that they were all in support, even though they did not technically vote. But, at the end of the workshop, Chairman Michael Link summarized what he heard, giving the opportunity for Commissioners to speak up. Cailloux also noted that Staff took notes that were projected at the time so everyone could see. The Commission was making recommendations.

Where did that go? Destadio asked, and Cailloux replied that it was in the staff report that went to Council. Destadio said he did not see them and asked other Council members if they had? Cailloux responded that there had been only two held this year, the MacDuff townhomes and Partners Pizza rezonings. Caola said she remembered getting one, but not the other.

Learnard stated that she was in support of the formal process. That meant a public hearing so they could more formally solicit public input and give recommendation to Council. She said she appreciated that very much when she was on Council for eight years, she remarked. She knew there was more staff time involved in that, and she would better like to understand what was involved to restore the process that the Planning Commission had before. For instance, she said, when she was a Council member, if it was a 4-1 vote, she could call the Commissioner who voted against and discuss.

They did not have the documents in front of them, the Mayor remarked, and Destadio said he did not think they would vote. Meeker said he thought there would be consideration, and what Council could do was vote to initiate a text amendment to restore the public hearing process before the Planning Commission. He said that was his understanding when he talked to Strickland earlier in the week, and Destadio said it was his, also.

Basically, Meeker said, they would have to call for a text amendment to restore what was previously in the Zoning Ordinance. Staff would prepare the text amendment, and they would go through the whole process of a public hearing like any text amendment.

Learnard asked for a motion, and Meeker asked if she wanted him to phrase it? He said it should be a motion to initiate a text amendment to restore the public hearing process for the Planning Commission. So moved, Destadio said, with Caola seconding. The motion passed 3-1, with King dissenting.

Council/Staff Topics

1. Mixed Drinks to go & Corkage Ordinance

When COVID hit, Julio explained, an executive order from the Governor allowed mixed drinks to go at restaurants so the drinks could be served, but people did not have to eat in the establishments. When that order expired, Senate Bill 236 was passed in 2021. Staff was advised to work on an ordinance to encompass the new State laws. They heard from restaurants asking if Council planned any changes to the ordinance? They told them they were, but it was not moving forward right away. Julio said they wanted to allow the new City Manager to come in, but now they were hearing more and more from restaurants, so they decided not to wait.

State law allowed non-alcoholic beverages mixed with distilled spirits, known as a mixed drink, to be sold at restaurants that currently had a retail consumption off premises license for distilled spirits. The drink must be in a tamper-proof container, and not have any openings, such as input for a straw. It was not regular to-go packaging. It also had to be sealed by the restaurant that sold the product to ensure that laws regarding open containers were not violated.

The law allowed local jurisdictions to make their own decisions, Julio continued, so Council did not have to approve this, but they could always make a change in the future to allow mixed drinks to go.

They were also looking to change the part of the ordinance regarding corkage, which was brown bagging--in this case, wine. Any restaurant with a license to serve wine could allow, if they chose to, someone to come in with their own bottle. The ordinance would then allow the restaurant to charge a corkage fee for opening and serving this bottle. If it was not entirely consumed, State law allowed for it to be re-corked and taken home. Restaurants would not be required to participate. The ordinance would provide guidelines and set a minimum corkage fee.

Julio said they had already started writing the ordinance and if Council was interested in moving forward, they would continue to draft it. This involved the City Clerk's office, where alcohol licenses were issued, but also the Police Department and Municipal Court to make sure they conformed to State laws. They would share a draft copy with Council when complete and get feedback, then incorporate any changes and eventually bring it to Council for adoption.

Caola asked what surrounding towns had this and what negative issues were they looking at? There were two sections of the State law, Julio replied. One allowed beer or wine to be sold as take-home. This ordinance only applied to mixed drinks—drinks that did not originally come as sold in a manufacturer's container, such as a margarita. She said she had not heard of any issues specific to this law. Of course, if someone were pulled over, and they had opened that seal, they could receive a citation. The City was looking at adding other components that were not part of State law, such as adding businesses that offered painting while drinking and defining areas for drinking outside an establishment. They would also add definitions such as what was considered curbside and who could deliver.

Julio said she didn't know of any nearby cities that had this. They had mostly gotten feedback from restaurants wanting clarity.

Destadio asked how they would keep an underage kid from ordering a drink from Uber Eats? Right now, Julio said, there was no City ordinance to regulate that. They could order a beer if they wanted to. If it was a mixed drink, they would have to meet the State requirements for checking identification. Uber would have a contract with the restaurant and could lose that if they were found in violation.

Would the outdoor consumption apply to walking around with a drink at The Avenue? Destadio continued. That was not allowed, Julio replied. They were creating a designation for an outdoor area, but technically the ordinance did not allow it now for an area as large as The Avenue.

Did the State's ordinance expire? Learnard asked, and Julio replied that originally it was through executive orders. When those expired, SB 236 was passed in 2021 to allow mixed drinks to be sold to go. Now she wanted the City to write its own ordinance? What was the downside? Learnard asked.

Police Chief Moon likened it to someone picking up a six-pack at a convenience store or a bottle at a liquor store. If they popped a top and got stopped, they would be cited. She said she did not see any difference. Julio added that there were requirements about how many drinks could be ordered and number of ounces of alcohol. All of the State regulations would still apply.

All they needed to know tonight was whether Council wanted to move forward? Learnard inquired. Meeker said that was correct. Council said they would support that, with Caola saying if Moon did not have a problem, she did not.

2. Massage Establishments Ordinance

Moon said they were drafting an ordinance dealing with massage establishments. She noted that recent charges they had made were the result of a citizen complaint. The Police did the undercover work after the citizen complained of being touched inappropriately and being offered sexual favors while having a massage. Half of social media was glad that they had "happy endings," but there were also citizens who were upset this was going on.

From February 2020 to March 2021, there were six undercover operations at Peach Massage where officers were touched inappropriately or offered sexual favors in exchange for money. Multiple prostitution-related charges were made against employees at that time, and the plan was to use the existing ordinance to revoke their business occupational tax. But Meeker advised that was not the proper avenue and could not be used to shut down the business.

They then went to the Secretary of State's office, Moon continued, but they were not successful in shutting the business down. She noted this was around election time, so their employees were probably busy. The City was successful in having the property management company evict the business.

In April 2021, there was an undercover operation at Serenity Spa. An employee was arrested and charged with prostitution. In July 2022, there were two operations at PTC 74 Spa; officers were groped and sexual favors were propositioned. All the employees were charged with prostitution-related crimes, including a charge of keeping a place of prostitution for the owner, who was on the premises and well-aware of the criminal activity. One of the people charged at PTC 74 was also the person arrested at Serenity Spa, Moon remarked.

There appeared to be no regulatory authority that was visiting these establishments or enforcing any of the Georgia laws to ensure compliance. In the places they had found to be problematic, the employees were not licensed massage therapists; they were not U.S. citizens and were sometimes living in the establishment. There was a general lack of record-keeping. Homeland Security investigators worked with the Police to determine if any of these women were victims of human trafficking, the Chief continued.

They were hoping to enact an ordinance to make it more challenging for illegitimate massage establishments to conduct business and to obtain a license to do so in the City, and to create a legally

defensibly way to shut down any businesses that continued to violate ordinances or State laws regarding prostitution.

The main points of the ordinance would include a requirement that each therapist possess a current and valid massage therapy license through the Secretary of State's office; that they create a regulatory fee certificate from the City to operate a massage establishment, with exemptions for physical therapists, chiropractors, nurses, barbers, and nail technicians. This would allow for a revocation process for the permit if violations of the ordinances occurred. As part of the business application, a background check would be performed on the stakeholder of the business, which would identify prior issues. There were situations where they would shut down one business, and it would just reopen with a new stakeholder.

Code Enforcement officers would be authorized to check for cleanliness, posted prices, records, beds, employee clothing, lighting, posting of applicable certificates, among other things, Moon stated. A State-issued massage therapist license for each therapist must be displayed in a prominent location.

They would recommend that all current establishments be given six months to comply with ordinance standards, unless the City Attorney recommended otherwise. This proposed ordinance had been a collaborative effort between the Police Department, Planning and Zoning, Code Enforcement, the Health Department, the Municipal Court Solicitor, and the City Attorney, utilizing existing ordinances from other jurisdictions from throughout the State. She was asking Council if they wanted to continue down this road and present a draft to them in September. Council agreed that they did.

3. Public Comment Guidelines

Learnard said she had never been comfortable with the policy that did not allow citizens to speak on agenda items, so she had asked staff to look into it. She asked Julio to share what they had discussed.

Currently they had a policy in one of the ordinances that touched on public participation in meetings, Julio said. The ordinance talked about the correct process if Council allowed citizens to speak on agenda items. It did mention that agenda items should not be spoken about during the Public Comment portion of the meeting. If Council was interested in removing that section, they would have to go through the process.

The policy also mentioned comments during the Public Comment period, such as time limits. She said the Mayor had more information on First Amendment rights in a limited public forum. It allowed time to be established, as well as topic, as long as it did not affect the viewpoint. The City's code did not violate any portion of the First Amendment rights, Julio reported. If Council was interested in changing the policy, as well as removing any section of the Ordinance that did not allow public comments on agenda items, they could direct Staff to move forward.

Public hearings would remain unchanged, Learnard said, but they could make a change that the Public Comment section of the meeting could include agenda items. That was correct, said Julio; public hearing comments would remain with the hearing since that was a quasi-judicial process.

So, if this moved forward, public comment could deal with agenda items, Learnard stated. Would that be in the timeframe they had? Destadio asked. Were they keeping the 20 minutes? asked Caola. They could talk about that, Learnard said.

They did get lots of emails, Caola pointed out, and Learnard agreed. Caola said email was the best method. King said they often got a lot of emails. He remarked that if you added 20 minutes of comments to each agenda item, and there were five or six agenda items, you had added an hour or two to the meeting. He noted how long the current meeting was lasting and recalled a recent meeting where they had to pass a motion to go past 11 p.m. He said he did not want to be sitting in there at midnight. Destadio said he agreed, especially for staff's sake. He didn't mind listening to citizens, but it was unfortunate that staff had to be present.

The benefit of emails, Caola stated, was that you could read it and reply or call the writer. When people spoke at a meeting, Council did not reply with what they were doing about it. She cited Planterra Ridge was a case in point.

Learnard said if drawing those agenda items into Public Comment was not a good idea, maybe they could create a 10-minute public participation section of the agenda, but, again, that added to the time of the Council meetings. She just wanted to have an open discussion about what would be the best way to ensure citizens got to comment on agenda items.

King suggested they all consider how to make the meetings more inclusive, which is what he thought they were aiming at. Destadio and Caola agreed.

King moved to adjourn to executive session at 9:35 p.m. to discuss the lease, acquisition or sale of real estate, and threatened or pending litigation. Destadio seconded. Motion carried unanimously.

Martha Barksdale, Recording Secretary

Kim Learnard, Mayor

**City Council of Peachtree City
Special Called Meeting Minutes
Friday, August 19, 2022
9:00 a.m.**

The Mayor and Council of Peachtree City met for a special called meeting on Friday, August 19, 2022. Mayor Kim Learnard called the meeting to order at 9:00 a.m. Council members attending: Gretchen Caola, Frank Destadio, and Mike King. Phil Prebor attended via telephone. Also attending were Areta Galloway, Employment Specialist and Nichole Baxley, Senior Human Resources Analyst.

King moved to adjourn to executive session at 9:01 a.m. to discuss personnel matters. Caola seconded. Motion carried unanimously.

King moved to reconvene in regular session at 10:11 a.m. Caola seconded. Motion passed unanimously.

There being no further business, Prebor moved to adjourn the meeting. King seconded. Motion passed unanimously.

The meeting adjourned at 10:12 a.m.

Stacey Collins, Deputy City Clerk

Kim Learnard, Mayor

**City Council of Peachtree City
Special Called Meeting Minutes
Tuesday, August 29, 2022
3:00 p.m.**

The Mayor and Council of Peachtree City met for a special called meeting on Friday, August 29, 2022. Mayor Kim Learnard called the meeting to order at 3:03 p.m. Council members attending: Phil Prebor, Frank Destadio, and Mike King. Gretchen Caola was not present. Also attending were Human Resource Director Ellece Brown and Areta Galloway, Employment Specialist.

King moved to adjourn to executive session at 3:03 p.m. to discuss personnel matters. Destadio seconded. Motion carried unanimously.

King moved to reconvene in regular session at 3:28 p.m. Destadio seconded. Motion passed unanimously.

There being no further business, Prebor moved to adjourn the meeting. King seconded. Motion passed unanimously.

The meeting adjourned at 3:30 p.m.

Stacey Collins, Deputy City Clerk

Kim Learnard, Mayor

**City Council of Peachtree City
Special Called Meeting Minutes
Tuesday, August 30, 2022
6:15 p.m.**

The Mayor and Council of Peachtree City met for a special called meeting on Tuesday, August 30, 2022, Mayor Kim Learnard called the meeting to order at 6:15 p.m. Council members attending: Frank Destadio, Phil Prebor, and Mike King. The meeting was for the purpose of:

1. Declaring Council Post 3 seat open

Learnard said since Council Member Caola no longer met the qualifications to hold public office in Peachtree City, they would now declare Council Post 3 seat open.

King moved to do so, with Destadio seconding. Motion carried unanimously.

2. Approving an election Intergovernmental Agreement (IGA) with Fayette County

The cost involved would most likely be about \$45,000 for the regular election, Learnard reported, and approximately \$35,000 more if a runoff was necessary. Once the costs of postage, poll workers, and overtime were added, Learnard said they were looking at a cost of almost \$100,000 for Peachtree City taxpayers. That was enumerated in the election IGA with Fayette County.

Destadio moved to accept the IGA as written. King seconded. Motion carried unanimously.

3. Adopting resolution to Call Special Election for Post 3

Prebor moved to adopt a resolution calling for a special election for Post 3. King seconded. Motion carried unanimously.

Before adjournment, Learnard said she wanted to say a few words. She recalled being contacted by "Slate" magazine a few months to be interviewed for an article about golf carts and their role in the future of transportation. She said the article had come out a few weeks ago. During the interview, Learnard related, she said she could not help but mention how friendly this community was. When you were on your golf cart and saw someone pulled over, you stopped and asked if they were okay or needed directions.

But, the Mayor went on, it seemed they had lost sight of that in the past few weeks. Something had gotten lost along the way in Peachtree City, and she hoped they could get it back. She said everyone in Peachtree City had the right to go home and feel a sense of safety, security, peace, and privacy—including Council Members. She stated that Peachtree City was better than this, and she hoped they could work together and do better.

There being no further business, Prebor moved to adjourn the meeting at 6:18 p.m. Destadio seconded. Motion carried unanimously.

Martha Barksdale, Recording Secretary

Kim Learnard, Mayor

City Council of Peachtree City
Special Called Workshop Minutes
Tuesday, August 30, 2022
6:30 p.m.

The Mayor and Council of Peachtree City met for a special called workshop on Tuesday, August 30, 2022, for the purpose of discussing the 2023 Special Purpose Local Option Sales Tax (SPLOST) projects. Mayor Kim Learnard called the meeting to order at 6:30p.m. Council members attending: Frank Destadio, Phil Prebor, and Mike King.

Interim City Manager Justin Strickland started by saying he was sad he missed the last Council meeting when the SPLOST Advisory Group presented their list of proposed projects because he wanted to say what a good job they had done. He remarked that he had worked in government for 10 years, and this was one of the very best citizen advisory groups he had worked with. He said he could not improve on their presentation, and this was a good project list that represented Staff and citizen feedback. Now it was up to Council to decide on a final list.

Learnard said she would like to first get some comments before Council discussion. She wanted input from the public and comments from the SPLOST group. Prebor said he would like to hear from the group, too.

Pam Kemp, who chaired the group, said they had presented their list and now it was time for Council's input. They served in an advisory capacity and would be glad to answer questions.

Destadio asked if they wanted to hear from citizens? and Learnard said she did because her comments would depend on what they heard.

Citizen Dan Smith said his comments were related to the survey. He stated that he was appalled that everything was capital acquisitions, such as fire trucks and a new fire station. He said they needed to be done, but he did not think SPLOST money should be used for capital acquisitions. That money should have already been reserved. He only saw one project that might be suitable for SPLOST, he stated, and that was lights for a park. Personally, he continued, he did not think there should be a SPLOST at all.

Strickland replied that SPLOST law in Georgia outlined certain things SPLOST could be used for, and Public Safety was included. The City could budget in its Capital Improvement Projects (CIP) for Public Safety out of the General Fund, but SPLOST afforded a way to mix the money around and pay for things without using the General Fund.

Smith said he understood that, but felt the purchase of capital assets, such as an ambulance, should have already been reserved as a line item in the budget. He said the replacement of the fire station should have been budgeted over the expected life of the station. Smith went on to say that when the station was built, there was no SPLOST.

He recalled that he attended a workshop in February where they talked about recreation projects, which were nice ideas, but not for SPLOST. He objected to them taking money that might or might not come and allocating it for the acquisition of equipment for the safety of the community. Why was it not taken out the General Fund?

Ambulances and other Public Safety acquisition were budgeted in the CIP, Strickland responded, but if the SPLOST passed, it would relieve that. Smith asked why it would relieve it? Strickland said it was budgeted to be purchased from the General Fund in those years where it was needed, but if SPLOST passed, it would not have to come out of the General Fund.

Why should it not come out of the General Fund? Smith persisted. Prebor pointed out that when someone who lived in Coweta County came to Peachtree City to spend money, Peachtree City was getting their tax dollars. Would citizens rather pay for everything out of the General Fund, where they footed the bill? Or had they rather have people from Coweta, Spalding, Fulton, and Fayette counties help to pay?

Julio noted that SPLOST could be used only for certain things. When money was put back into the General Fund, it opened up what items could be used for. Currently these projects were listed on the CIP, but if SPLOST passed, they would no longer have to use the General Fund money that could be used on almost anything. They could use the SPLOST for those specialized purposes which this capital project fell under.

Learnard told Smith his point was well taken.

Keith Larson also expressed his compliments to the advisory group, noting that several of them worked on the 2017 SPLOST, and he said that level of knowledge was useful in proposing projects to help the City move forward, such as life cycle development of roads, the path network, recreation facilities.

He proposed what he called a minor adjustment to Tier 2 involving definitions of street resurfacing and path resurfacing. He thought the definitions were too narrow and tied the hands of Staff and Council. Larson recommended it say "additional street maintenance, right of way acquisition, design, or construction." They did not know what might be an emerging need in this community five years from now, he remarked, but this would give Council the flexibility, if there was excess from Tier 1 projects, to apply those funds to emerging community needs, such as to fix a safety problem in a neighborhood. They would not have to rely on a rainy-day fund; the money would be there as a SPLOST project.

Phil Castagna, representing the Peachtree City Pickleball Club, said he and the club president attended an advisory group meeting and observed that new pickleball facilities were being proposed. He believed they had allotted \$2 million. He wanted to know who decided to eliminate pickleball from the final list, and why were they shortchanging recreation as a whole, other than new restroom facilities? Now all pickleball had was the promise of leftover money, if there was any, at one-seventh the amount. Why did they go from Tier 1 at \$2 million to Tier 2 at \$300,000?

Phil Crane, who was on the advisory group, told Castagna it was \$200,000, not \$2 million, and it was moved down to Tier 2 because they could not find a good location. Group member Jay Scheibler looked at several proposed locations. Pickleball regulations recommended at least a 500-foot distance from homes to mitigate the sound, but they could not find a location that fit that distance. The group felt, Crane continued, that, rather than tying their hands with a strict definition, putting it in Tier 2 would allow the City to do something through the General Fund without restrictions or, if they got to Tier 2, find a suitable location.

Another resident, Amy Carrier, said she moved to Peachtree City three years ago. She now used a wheelchair, but said she used to be a runner before she became disabled. She had a degree in parks and recreation. She and her husband moved to Peachtree City because they thought it would be somewhere she could get around with some ease. She saw information about the path network and thought Peachtree City would be a place where she could go out under the trees. She said she loved Peachtree City and had met people via the internet.

She went on to say she was an educator who advocated for people with disabilities long before she became disabled herself. She again said she enjoyed Peachtree City, but added there were a lot of things she questioned. For example, she pointed out there was no push button on the front door at City Hall, a public building. If she had been alone, she would have had to wait for someone to open the door for her.

The last few questions on the SPLOST survey dealt with recreational areas, she noted. She appreciated that the City was so committed to good use of its outdoor space, but asked Council to consider developing an advisory board membered by people of all ages who were disabled. She said she had never found any place that was 100% accessible, but it was a goal to shoot for. Carrier pointed out that you never knew when something might happen to you.

She said she would be interested in talking to anyone about such an advisory group, noting that she had helped with design of accessible outdoor spaces. The Americans with Disabilities Act (ADA) laws had been in place for decades, she noted, and Peachtree City needed to do better. The paths were great, she continued, and she understood that you could not make Mother Nature accessible; there were going to be some paths that were just too steep. However, she noted, some barriers could be corrected. Her husband had to turn her chair around backwards so she could transverse the dip where her driveway met the road. She said there were so many barriers for disabled people who had rights to use these amenities and facilities like everyone else.

The Mayor asked Carrier to make sure the City had her contact information.

Kenneth Hamner, another group member, pointed out there was a recommendation of \$500,000 for path transition reconstruction that include signage, smoothing curbing transitions, and other adjustments. He thought this would work well with what Carrier had just discussed.

Chris Castagna asked what were the pickleball sites they had rejected? Scheibler said he put together a Power Point showing seven potential sites and had added an eighth one at the Kedron Aquatics Center. His understanding was that the Pickleball Club wanted a location with many courts that would enable them to hold tournaments. He said he had hoped to find a location on the north side of town because there were six courts on the south side. Six pickleball courts would fit on two tennis courts and this had been done on the southside. He thought four on the north side would be adequate, and this was why he had added Kedron to his list. There was room for four courts there. At Blue Smoke Park, there was room next to the playground.

The Mayor said Council might decide to pull together a team of pickleball players and staff and look at the options, adding she would hate to see pickleball drop off the list because they could not find

space. There were possibilities. They had not met with the Tennis Center or Kedron. They would talk more about it, she stated.

Scheibler added that he understood Council might talk about pickleball at the Tennis Center, but he also understood that a lot of pickleball players might not partake if it was pay to play. He said he hoped they would look at adding courts at Blue Smoke Park or Kedron Aquatic Center or even on some of the vacant softball fields on Rockaway Road.

Pickleball was the single-most talked about topic since the group started meeting in February, Kemp assured the Castagnas. They looked at it from every angle, but it was a problem they just could not solve. They were concerned about a paywall; they wanted to keep all six courts together; they had to be sensitive to the fact that they were bringing a nuisance into residential areas. They looked at it in all kinds of ways, she concluded, but were not able to find a way to make it work.

Castagna said both he and Larson were part of the cart path advisory group that met last year to look at path safety. They spent a lot of time riding the paths in various areas of the city to see what the problems were, such as volume or noise, then made recommendations to Council.

Castagna also recalled that when the City decided to convert the courts at Log House to pickleball, he and other pickleball players met with Recreation Director Quinn Bledsoe, then-City Manager Jon Rorie, and Strickland to discuss the surface of the courts, the footprint of the courts and so on.

He thought advice from pickleball players and certified coaches would be valuable in the same way when looking at sites for courts to be paid for by SPLOST. He mentioned that Peachtree City's pickleball club was the largest in the state, with more than 700 members. Four courts would be great, he said, and his wife agreed, saying four courts here, four courts there—it would all be an improvement because there were only six now.

He said there were 700 pickleball players, and they wanted to kick them out of a neighborhood because 20 people were bothered. You could not make everyone happy, he remarked. Castagna added that pickleball would generate revenue if they put in a multi-court facility. Right now, the majority of people went to Griffin or Newnan to play. They were buying gas in Newnan, eating at the McDonald's in Newnan, stopping at the Kroger in Griffin. Peachtree City was losing money.

He mentioned the club had donated more than \$5,000 to local charities and told Carrier they would find a way to teach her to play. He added that the club had helped Fayette educators learn how to teach pickleball in the schools.

Learnard asked if Council had any comments. King said he did not think the bathroom at Battery Way, listed at \$200,000, was necessary. Nearby residents did not want it; it would cause more crowding; there was a parking issue, he stated, and Prebor agreed there were a lot of issues. King noted there was already a temporary structure there and putting in a permanent structure might make the crowding worse.

Destadio agreed. There were restrooms slated for Drake Field and possibly at the former Community Garden; that covered both ends of the lake, and he said he did not think they needed restrooms right in the middle, too. Prebor agreed.

What did the SPLOST group have to say? asked Learnard. Allison Powell said it seemed to be a natural spot for a permanent restroom building, rather than a portable facility. It would help walkers and families with small children, plus looking a lot nicer than what was now there. She said the group understood that area residents would have concerns, but this building could be on the opposite side of where the portable restroom was, maybe behind the playground.

Learnard proposed they take this off the SPLOST list, and Council could revisit it when they decided to redo the park, which would include the playground update that was on the SPLOST list, also.

The park was due for an upgrade, Powell said, and also pointed out that the playground was near the parking lot, and you had to watch for small children running around.

Could they put a park with a playground at the old Community Garden site? Prebor wondered, and Learnard replied that restrooms were part of the line item for that project.

She remarked that most people parked at Battery Way Park so they could walk the 3.5 mile loop around the lake. Prebor observed that it had become quite a gathering place, and Destadio said it was "quite a problem."

The group imagined the area south of the lake as more of a smaller event space, not so much a playground, Powell explained. Prebor asked how much land they had there, and Planning and Development Director Robin Cailloux said at least seven acres, with about five of those cleared. Powell said Bledsoe brought the concept to them, and they really liked the idea of having a place for events that might not be suitable for the much larger Drake Field. It could also be more accessible on rainy days when they did not want the turf at Drake to be damaged.

Strickland said he looked it up, and there were 10.5 acres at this site.

Mary Chamberlain said she believed the restroom the group proposed at Battery Way would be locked at night. Council should consider that, too

Larson explained that he proposed the Battery Way bathroom on the night the group focused on recreation projects. He said there was a need for it on the east side of the lake and also pointed out that removing the portable restroom would free up three parking spaces. He had talked to other users, and, after improvements to the boat launch, the need for a permanent restroom was mentioned most often. His vision was to build it into the wood line, across from the tot lot.

Learnard said Council would approve the list at its September 15 meeting, and her suggestion was to remove the Battery Way restroom from the project list because the neighbors in the area were concerned about it, and she did not want it to be a dealbreaker for SPLOST. They could then work with neighbors and look at the total park plan to find something everyone could live with. Learnard stated that she thought it was reasonable to have a restroom building there, but she did not want to upset the neighbors and have it impact the SPLOST.

Within a year, King remarked, they could come up with a plan for a revamp of the entire park, which could include a restroom near the eastern woods. It would not help traffic or congestion, he acknowledged.

Destadio said he agreed with revamping the park in the next year or so, and a bathroom would be fine. But, he added, he could not support a lake-edge beach, and Prebor agreed. Destadio said people were already allowed to swim in the lake, and it drew many people from outside Peachtree City. A beach would draw more people, and he did not think that would be a good thing for Peachtree City. It would be great to have a beach, but how could they control people from outside the City?

He said he wanted that removed, and Learnard said she had no objections to removing it.

Powell returned to the microphone to say that, as a young parent in Peachtree City, she was saddened to think they were holding back on projects that would benefit residents simply because non-residents might use them, too. Why not take the field that had been created behind the new playground and make it a lakeside recreation area? She said she was tired of driving to Fayetteville to use a splash pad that did not charge admission or to Coweta's playgrounds. Powell said she used facilities in other communities all the time because they were afraid of investing in things here. Why could they not invest in the City and make it great for the people who lived there and not be afraid of other people using it. Maybe they needed a solution to control that, but not doing nice things was not that solution.

They did a lot for the people of Peachtree City, Destadio countered, and the SPLOST committee had come up with a good list. But, he continued, there were a lot of problems in the city, and he did not know how they could control them.

Learnard said she had a couple of points she wanted to make, and everything was beginning to tie in together. It was clear that the SPLOST group and Council, as well as citizen response to the survey, made infrastructure a top priority. Also, the Mayor remarked, SPLOST historically came in higher than projected, and the Tier 2 projects probably would see the light of day.

She had a couple of adjustments they could make to this list and still maintain the infrastructure projects. The list allocated \$570,000 for lake edge improvements, and her suggestion was to reassign that to a line item for pickleball/tennis under Recreation. The Recreation list seemed a little bare bones, she continued. They could reassign Tier 2 pickleball, which was \$380,600 to Tier 1. Adding those two numbers resulted in \$950,000 as a line item for tennis and pickleball.

This would leave infrastructure fully intact. There was an item on the list called "existing path reconstruction," and the group had designated three miles per year. Times six years, that would equal 18 miles at \$3.44 million. Learnard suggested two of those miles be moved to Tier 2 with the understanding there was a strong likelihood those projects would get done. That would leave 16 miles of existing path reconstruction in Tier 1, and a line item for tennis and pickleball for \$950,000.

The Mayor recalled that she, King, and Strickland toured the Tennis Center and got a look at some of its maintenance needs. Some of the biggest items were in the CIP for fiscal years 2024 and 2025. Learnard suggested they have a \$500,000 list for tennis. It would cover LED lighting on 12 hard courts

and six clay courts at \$190,000, along with replacing the damaged clay courts and fixing the irrigation system at \$120,000. Instead of spending big bucks for a roof over the covered court, they could do a liner for \$150,000. With the final \$40,000, the Mayor said they could re-lamp and add lights to the covered courts and upgrade and remodel the main building.

This totaled \$500,000, leaving \$450,000 for pickleball. When they were at the Tennis Center, Learnard said, they learned that two covered tennis courts could be converted to six pickleball courts for \$40,000. If they went with this plan, which she called a "no-brainer," the Tennis Center could be rebranded as Peachtree City Racquet Sports Facility. That would require a little extra money for a new sign and be something new and exciting for Peachtree City. The Mayor added they could talk about lights for the pickleball courts at Braelinn and look for a site for a 12-court facility with lights for the remaining \$320,000.

She recapped her suggestion, noting the priority one still would be infrastructure, but move two miles of the proposed 18 miles in path paving from Tier 1 to Tier 2 and shift Tier 2 pickleball to Tier 1. For liability reasons, she recommended reassigning the \$570,000 from shoreline improvements to a new line item for tennis and pickleball. That would equal \$950,000. Learnard remarked that she thought citizens would be very, very happy to have that one line item under recreation.

That was a lot of money, Prebor commented, and Learnard pointed out she did not even mention the \$200,000 if they removed the Battery Way restrooms from the list. That money could be used to make improvements on the field created by the relocation of All Children's Playground—maybe beach volleyball. Learnard confessed to being a reformed tennis player who had moved on to pickleball. She asked for a show of hands of anyone who wanted to get rid of the Tennis Center, and there were none. Therefore, if they were keeping the Tennis Center, she continued, they needed to do the needed repairs and make it something to be proud of. ClubCorp was an amazing partner, and they had ideas about where to put the extra courts. As a community, she thought they were capable of finding one piece of land for 12 pickleball courts.

Destadio said he did not disagree with her premise, but he asked for a copy of the plan so he could look at it a little more.

Prebor questioned Learnard's figures about the cost of the roof, saying he had been told a much higher figure many times in order to replace the metal roof. Destadio said Financial Services Director Paul Salvatore had told them it would be about \$3 million. To replace the covered courts' roof would be about \$1 million, Learnard stated.

They spend about \$175,000 on the covered courts' roof about 10 years ago, City Engineer Dave Borkowski replied, saying he could not begin to guess what the cost would be today.

Learnard introduced Jonathan Fralick, who ran the Peachtree City Tennis Center for ClubCorp for nine years but had recently moved on to oversee racquet sports nationally. He said he was well-versed about pickleball and looked forward to talking to the local club members. The roof at the covered courts would be about \$400,000 to replace because it was a glorified Butler building, he explained, and the load-bearing capabilities did not allow them to add ceiling tiles. They would have to replace it with the metal like what was already there.

The company spent \$750,000 on pickleball in the first two quarters of this year, Fralick reported, and their system called for converting one indoor tennis court to four pickleball courts with 6 and a half feet from the fence and five feet between each court. If there were California corners, there would be four and a half feet from the cut-in corner of the court.

There would be an event at the Tennis Center in September with 1,000 people coming in, he commented. The national pickleball association would be taping down courts, and the event would be televised. Learnard asked the dates, and Fralick said September 15 through 17. They were expecting \$150,000 in direct spend, and the economic impact would be higher. It was supposed to be the largest pickleball event in the southeast, he added.

The reason the Tennis Center could be the right opportunity was safety, bathrooms, staffing, lighting, Fralick noted, adding that a sound study showed the noise dropped to five decibels after 200 yards. The back parking lot could easily accommodate 12 courts; then they would be talking about an event venue because all the infrastructure was there.

Fralick said he was not just in the private sector; he consulted for the United States Tennis Association (USTA) in the public sector, and the biggest topic was the integration of pickleball into tennis facilities.

How were they going to replace the roof for \$150,000? Destadio asked, and Fralick replied it would be more like \$500,000. Destadio said he meant the liner. That was made of a synthetic material, Fralick explained, and was installed inside the building. Condensation was one of the reasons the building dripped, and there were leaks where rivets had been removed. The liner would cost \$150,000, but that was without accounting for inflation.

Prebor noted that pickleball at the Tennis Center would not be free play. What would be the cost? Was the Pickleball Club agreeable to that? Prebor said he liked the idea of using the Tennis Center—it was already built, and there was space.

There were currently three rates, Fralick related, one for Peachtree City residents, as well as a county rate, and an out-of-county rate. He said he preferred to use the term “player pass” rather than “membership,” which implied it was private.

It was a Peachtree City facility open to the public, Learnard stated. Anyone who wanted to play could book a court time and pay a fee. There were no court fees to player pass holders, Fralick added, and the cost for a player pass for pickleball was \$550 annually. If someone played four days a week for two or three hours, it would work out to less than \$3 an hour. He said there were many advantages with the infrastructure in municipal facilities such as bathrooms and software for booking court times.

Flat Creek Country Club had converted tennis courts to pickleball, Destadio noted. How much was it to play there? The courts at Flat Creek were private, for invited members, said Fralick. It was a private entity, different from the public access at the Tennis Center. Fralick said he worked for Invited, which managed the Tennis Center as well as Flat Creek.

What was the cost at Flat Creek or Braelinn to play pickleball? King wondered. Someone in the audience replied that a social membership was \$160 a month. That would be \$1,800 a year, King calculating, adding that made \$550 look like a pretty good deal.

Destadio asked about the lifespan of the liner? It was a high-grade plastic liner that directed water to the gutters, Fralick said, and Prebor noted that it did not stop leaks. The did not have a shooting stream of water coming down in the middle of court three, Fralick remarked, just steady drips that would create puddles, which were dangerous. Destadio said he did not want to spend \$150,000 every two years, and Fralick said he believed the liner should last 15 to 20 years, but he would get the numbers for Destadio.

There was room in the \$67 million SPLOST for \$950,000 to serve tennis and pickleball and get the facilities up to something they could all be proud of, the Mayor remarked, adding they had two weeks to decide on the details of what they meant. She thought it would be reasonable to add this line item to the Recreation sub-category, especially since they could do it without impacting infrastructure.

Prebor stated he wanted to look at the numbers. A lot of the stuff the Mayor mentioned seemed like more of a want than a need, he observed. He understood the pickleball people's desire for pickleball courts, but to what extent?

Castagna had told them there were 700 Pickleball Club members, and they loved this sport, King observed, but there were around 3,000 golfers in Peachtree City, and the City did not subsidize golf. He was not saying they would not do pickleball, but he surely did not want to take on golf; however, golfers could make the same argument as the pickleball players. Prebor said that was a good point, noting that many cities had municipal golf courses.

Crane said he agreed with Destadio's concerns about bringing more traffic to certain areas, but there were public health issues to consider. For instance, if someone really needed a bathroom, but there was not one available, they might not be as considerate as someone else. It did not seem like the bathrooms were a problem; it was who was coming to the area and what they were doing. That was correct, Destadio replied. If they could solve that issue, then they could stop, as Powell had stated, being afraid to invest in the community. Destadio assented, adding he was not afraid to invest in the community, and Crane said he knew that.

Crane suggested they could access through apps. Fayette County was using a tag to close off its reservoirs, but that was analog and archaic, Crane remarked. There were better ways to control access, if that was what was truly stopping the City from investing in other areas.

There were a lot of problems, Destadio said, but he would be happy to use an app if it would control those problems and would meet with anyone to look at ways to handle these problems. He would be okay with putting sand in a spot around the lake, but they needed to control who was using it. He wanted it to be Peachtree City residents.

Crane reminded the Mayor that she ran on a platform of reducing the cost of the splash pad because it did not seem right for it to be behind a paywall. That was a SPLOST project. He said the other SPLOST group members could tell him if he was wrong, but they did not think a SPLOST project

behind a paywall was a good idea. Putting money into the Tennis Center, if it stayed behind a paywall, sounded like a bad idea to him. That was his opinion and also the sentiment they heard within the SPLOST group. Peachtree City citizens were paying for SPLOST. They should not be hit again for what they were already paying for, he commented.

Learnard said she would call it a good start if they converted two tennis courts at the Tennis Center to eight pickleball courts in the covered area. It would be behind a paywall, but it would also mean pickleball had a facility. Under the scenario she had, she had a new 12-court facility elsewhere.

Citizen Lynn Lasher said it was great for people to play pickleball, but why did they have to build them a facility? She recalled someone in the community who used to come forward and ask for an ice skating rink. Lasher did not like the idea of taking money from what she thought was a good project—the sand area on the lake. There were a lot of small children here, and it was not good for the community to focus on what 700 older people wanted at the expense of young families, she remarked.

Eric Irvin mentioned the tennis courts at the Conference Center, which were in disrepair, and said he had communicated with the property management company, and they were interested in him doing some development on that site. That would not be happening, but that showed they were open to that conversation.

He went on to say that he had just seen a car on a path. They needed a better way of designating the entrances to the paths, maybe with paint.

Destadio said people sometimes used the path with their vehicles, even if they knew the difference, and Prebor recalled that he once saw someone in a car going over the path bridge that ran across SR 54 at Partners Pizza. They had entered it at the church. He said he stopped them and told the driver, and she said she could not tell that it was not the road. Strickland told him there was a plan to put a sign and bollards there.

Castagna said he would love to meet with Fralick and reminded him that he and Sharon Conrad of the Pickleball Club talked with him about four years ago. He asked Council not to build the courts Fralick had described, saying that minimum space for a pickleball court, by professional standards, was eight feet from baseline to fence, and eight to 10 feet was preferred, especially for professional competitions. Six feet between two courts was too tight. The eight courts Fralick proposed might be better as six, and Castagna explained that he and Bledsoe had gone over the numbers.

Learnard asked him to address the idea that only older people played pickleball. Castagna noted that 700 people had decided to join their club. Members age 18-34 made up 29% of that number, while ages 35 to 54 were 20%, and 55 to 64 were 12%. Members older than 65 constituted 18% of the 700. More importantly, he continued, the club put on a workshop for every physical education teacher in the county about how to teach pickleball, and now it was being taught in the public schools at elementary age level.

Prebor interrupted, saying they all agreed there was a need for pickleball. King said so, too. Castagna concluded by pointing out that if you went by the free courts on Log House any day after

3 p.m., you would see parents and children. There were 700 people who played religiously, and several thousand more who played recreationally.

Prebor asked him if he would prefer to have eight courts at the Tennis Center or free courts spread around? Castagna said he would prefer the free courts. To King, he wanted to point out that they subsidized BMX, along with many other activities. Learnard added that recreation was a service provided by the City.

Destadio said he remembered when the Pickleball Club requested the courts on Log House. There were problems with parking and with the bathrooms, but they had gotten over that. If there were multiple courts scattered around the City, how would they handle the traffic? Would there be issues regarding parking in the street? There were no parking issues, Learnard and Strickland both responded.

Larson said all this highlighted the need for an updated Recreation Master Plan, which was recommended in the new Comprehensive Plan. They were throwing money at a recommended community need without steerage. An updated plan would enable them to thoroughly vet the recreation needs of the residents and make decisions.

The Mayor said she knew she hit them with a lot of numbers, and that was not fair. She wanted to talk it over with Council. Could a few members of the Pickleball Club meet with staff to discuss future court locations? And dollars, Prebor added. They wanted something solid to vote on at the September 15 meeting, she noted.

Prebor said he had heard the noise complaints from the Log House Road residents, and he would not be in favor of lights there. He did feel like there should be somewhere people could play pickleball at night, but he could not support it on Log House Road.

Laurie Johnson said she would be in favor of bathrooms at Battery Way. She had five children and her family frequently visited that area. She understood the concerns of residents, but it was a popular place and needed permanent restrooms.

She also had an issue with taking taxpayers' dollars and building a facility that they had to pay to use, such as the splash pad. It would be \$700 for a pass for her family to buy a pass to use the pools and the splash pad. There was not a family maximum; there was a price for a family of four, but after that it was \$65 per individual, totaling \$700 for her family of seven. Her family had passes to Six Flags, Whitewater, Callaway Gardens, and the Science Museum. All of those cumulatively did not add up to what it would cost for a pass to the City pools. Prebor said they should look at that, and Johnson noted she lived a mile from the splash pad and had not visited it once because of the cost.

Johnson said she did not consider herself old, but she and her friends met every Monday at the Braelinn courts to play pickleball. She usually had about 20 friends to show up, and some were as young as 28. This was not a sport that would go away any time soon; they all loved to play. It was free in Griffin and Newnan and should be in Peachtree City. They also needed lighted courts because it got dark by 6 p.m. in the winter. They needed more courts, too, she added, that did not cost money to use. She did not like the idea of a \$500 pass for the Tennis Center.

Destadio wanted to point out that it was a citizen, not anyone on Council, who said pickleball players were old.

Carrier again noted that she had had trouble finding accessible places in Peachtree City, and if there was no accessible bathroom at Battery Way, she could not go there, and she had already been counted out of so many things. She thanked the owner of the Peachtree City Farmers Market, who had installed an accessible portable restroom. Anything they built had to meet ADA standards, she reminded Council, and that meant paved pathways to the bathrooms and ease of entrance and exit. It might increase costs.

She also said she would like to see accessibility noted on the City's website. She hoped the Drake Field improvements would include pathways to restrooms and accessible restrooms. She attended a Night Market at Drake Field but had to stick to the perimeter because her wheelchair couldn't negotiate the grassy area. She would like to see a list on the website that outlined what was accessible, and why, such as having paved paths or accessible restrooms. She also asked for more signage to mark accessible access locations. Carrier recalled visiting the Flat Creek Nature Area, hoping to roll over the wetlands and through the trees on the boardwalk, but she could not find the entry point.

Strickland said he needed general Staff direction for the next two weeks. He had taken Battery Way off the list, but maybe it could be a future General Fund project. Destadio said they had not voted on anything; they had a list to look at and talk about.

Three Council Members had said they would like to take the Battery Way bathrooms off the SPLOST list, Learnard stated, but not off their future plans for a general park upgrade. The parking lot needed an upgrade, and there was money in the SPLOST to renovate the playground. Learnard said she would like to see them take Battery Way restrooms off the SPLOST list but keep it as part of a discussion about park improvements.

Where did they stand on the lake edge/swim access program? Strickland inquired, and Learnard said it was her understanding that there was too much of a liability to establish a beach project at \$570,000. Prebor remarked there would be ongoing maintenance, lifeguards, and so on. They would remove that money and reassign it as appropriate, Learnard stated, and the others agreed. Destadio said he would not object to having a sand area somewhere, but Learnard said she could not support \$570,000 that they would have to maintain. She would not object to getting citizen input on how to best use that space, maybe for a couple of beach volleyball courts.

Destadio said he was worried about the liability, but also about people coming into the city. Right now, Learnard told him, Strickland needed to know what they had decided, and they had decided they would not spend \$570,000 on a beach. Council agreed.

Staff and Council would get together before the 15th, Strickland related, and Prebor said they should meet with the pickleball group. They would, Strickland said, and would look at ways to reallocate the money from the two project that were coming off the list.

Destadio said he wanted to go over the Mayor's plan. He wanted to see how they could use the money, and her plan was one way. He wanted to know if staff had other ways.

Back to pickleball, Prebor said he liked the idea of having the courts at the Tennis Center because it was a facility where they could host tournaments. But he was also hearing from the public that they wanted to just go and play recreationally, too.

Learnard mentioned that the Newnan pickleball facility was built with a line item in their SPLOST and was run by a non-profit, the Newnan Pickleball Association. It was free to the public. The association allocated space to make sure everyone was served and that it was fair. Peachtree City, too, had a non-profit, and they were willing to do that for them, so what remained was to find a facility.

Destadio stated that he agreed with the people who said they should not build something with tax dollars, then charge people again to use it. Learnard said she thought they all agreed on that.

Did anyone have questions about any other items on the list? Strickland asked. Learnard said she did not, and she thought it was an amazing list.

There being no further business, King moved to adjourn at 7:57 p.m. Destadio seconded. Motion carried unanimously.

Martha Barksdale, Recording Secretary

Kim Learnard, Mayor

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Justin Stricklin, Interim City Manager *JS*
Paul Salvatore, Financial Services Director *PS*

FROM: David Borkowski, City Engineer *David A. Borkowski*
Janet Moon, Police Chief *JLM*
Clint Murphy, Fire Chief *CM*
David McDaniel, Facility Manager *DM*
Angela Egan, Purchasing Manager *are*

DATE: August 25, 2022

SUBJECT: Brand Name CPL for Architectural and Construction Management Services
September 15, 2022, City Council Meeting Consent Agenda

Recommendation:

Authorize the Interim City Manager to sign a contract with CPL for the purpose of architectural and construction management services beginning immediately through fiscal year 2023 with the option to extend additional fiscal years on a brand name basis.

Discussion:

Request for proposals (RFP) for architectural and construction management services was issued in June 2022. Proposals were received from eight firms all located within the metro Atlanta area.

The City's review panel consisted of the City Engineer Dave Borkowski; Police Chief Janet Moon; Fire Chief Clint Murphy; Facility Manager David McDaniel; and Purchasing Manager Angela Egan. Proposals were considered based on the following weighted criteria:

- | | |
|--|-----|
| • Hourly rates (see attached schedule) | 30% |
| • Ten years' experience in designing and managing the construction and rehabilitation of public facilities & federally funded projects | 60% |
| • References | 5% |
| • Geographic Considerations | 5% |

Technical proposals were opened first from all firms and ranked by the review panel for everything except hourly rates. The three highest ranking firms from the technical proposal review were short-listed and then their pricing proposals were opened and scores re-ranked. CPL had the overall highest weighted score when price was considered. In addition to having experience with federally funded projects, they have worked with the City of Fayetteville and many other governmental agencies. References were checked by staff.

Typically, Staff does not bring recommendations to Council for brand-naming vendors; however, in this particular case the opportunity exists for future architectural proposals to exceed \$40,000. Therefore, Staff

wanted to have a vendor that had been thoroughly vetted and approved for such tasks so when we bring individual design contracts to Council for approval the process will be streamlined.

Budget Impact:

Sufficient funds will be budgeted in the 2023 budget.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Justin Strickland, Interim City Manager *JS*
Paul Salvatore, Director of Financial Services *PS*
Kelly Bush, Assistant Finance Director *kb*

FROM: Janet Moon, Chief of Police *Janet Moon*

DATE: August 25, 2022

SUBJECT: FY2022 Budget Amendment – Accident Report Fees and Purchase of
Crash Scene Mapping System

September 15, 2022 City Council Consent Agenda

Recommendation:

Approve the attached budget amendment to the fiscal year 2022 budget resolution and the purchase of Laser Tech Crash Scene Mapping System.

Discussion:

Currently, a portion of all funds collected through Buycrash.com for our accident reports are deposited into Fund 208 to be specifically spent on traffic enforcement/safety enhancements. The attached budget amendment recognizes revenue collected in fiscal year 2022 to date and approves the purchase of the Laser Tech Crash Scene System that integrates with our current Reconstruction software for \$6,080.63.

Budget Impact:

The attached budget amendment will increase both revenues and expenditures in Fund 208 by \$4,105. Prior year remaining funds and current year collection total \$8,286.

Attachments: Budget Amendment.

kb: council reports/Budget Amendments for 2022

CITY OF PEACHTREE CITY				
BUDGET AMENDMENT				
			NUMBER	22-38
			DATE	02/01/2022
ACCOUNT	PROJECT	DESCRIPTION	INCREASE	DECREASE
208-3210-342120		Accident Report Fees	4,105	
208-3210-521300		Technical Services	4,105	
				-
NOW, THEREFORE, BE IT RESOLVED that this Council hereby amends the Fiscal Year 2022 Budget Resolution to recognize revenue received from accident report fees and purchase a traffic crime scene mapping system.				
			Entered	
			Approved	

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Justin Strickland, Interim City Manager 

FROM: Jonathan Miller, Public Works Superintendent
Angela Egan, Purchasing Manager 

DATE: August 25, 2022

SUBJECT: Ricardo's Tree Service for City Tree Trimming and Removal Services
September 15, 2022, City Council Meeting Consent Agenda

Recommendation:

Rescind the award to Superior Tree Service for tree trimming and removal services approved at the August 18, 2022, Council meeting. Award the tree trimming and removal service agreement to Ricardo's Tree Service for calendar year 2023 with two (2) optional one-year renewals for calendar years 2024 and 2025.

Discussion:

Staff received four bids in response to the invitation to bid for this service. Upon notification of award, the lowest bidder, Superior Tree Service advised staff they were backing out due to insurance requirements. The second lowest bidder, Ricardo's Tree Service, bid as follows:

Regular Hours:	\$29.00 per person per hour
After Hours:	\$30.00 per person per hour
Weekends:	\$30.00 per person per hour
Holidays:	\$30.00 per person per hour

Other bids ranged from \$30 – \$93 per person per hour.

Ricardo's Tree Service has the relevant experience and physical proximity to meet the needs and requirements of Peachtree City. Their references provided only positive feedback about their customer service and performance.

Budget Impact:

Sufficient funds have been budgeted in the 2023 budget.

PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Justin Strickland, Interim City Manager 

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

DATE: September 8, 2022

SUBJECT: Official Intent Resolution (Reimbursement Resolution)
Government Finance Corporation, Inc. Lease/Purchase
September 15, 2022, City Council Consent Agenda

Recommendation:

Adopt the attached Official Intent Resolution (Reimbursement Resolution) that will allow the City to seek reimbursement through the Government Finance Corporation financing process for budgeted expenditures made prior to the actual financing arrangements.

Discussion:

Following the approval of the fiscal year 2023 budget, this Official Intent Resolution is presented to Council for adoption in order to include in future financing any money paid directly or indirectly by the General Fund prior to the actual financing of expenditures for projects to be financed under the lease/purchase plan. The resolution in an amount not to exceed \$4,793,000 is attached. This amount includes \$2,755,400 for equipment budgeted in fiscal year 2023, \$768,000 for equipment budgeted in fiscal year 2021 and \$1,269,000 for equipment budgeted in fiscal year 2022 financing. Due to supply-chain demand, 3 items from fiscal year 2021 and 11 items from fiscal year 2022 were not available for purchase until fiscal year 2023.

Budget Impact:

There is no specific budget impact in approving the resolution. The budget impact has occurred with the approval of the fiscal year 2023 budget.

OFFICIAL INTENT RESOLUTION

WHEREAS, Peachtree City (the "City") expects to obtain financing (the "Obligations") through the Peachtree City Governmental Finance Corporation, Inc., in a principal amount not to exceed \$4,793,000 to finance the costs of acquiring Server, Firewall, and Tape Drive replacements, Storage Unit, Data Security, and Software upgrades, Laptop replacements (30); Public Safety equipment replacements to include: Police Vehicle replacements (19), Fire Engine replacement (2), Medic Unit replacement (1), Fire Staff Vehicle replacement (1), and Cardiac Monitor replacement; and Public Service equipment replacements including: Zero-turn Mowers (4), Back Hoe Replacement (1), Motor Grader (1), Tractor Truck (1), Dump Truck replacement (1), Skid Steer Loader (1), Mini Skid Steer (1), 35 Ton Low-Boy Trailer (1), Bobcat replacement (1), and P/U Truck replacements (1 F150 and 1 F250); and

WHEREAS, the City has used or will use, before the issuance of the Obligations, money in its General Fund to pay expenditures related to the Project and reasonably expects to use proceeds of the Obligations to reimburse its General Fund for these expenditures; and

WHEREAS, Treasury Regulation Section 1.150-2 requires the City to declare its intent to use proceeds of the Obligations to reimburse its General Fund or money used to pay expenditures related to the Project;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Peachtree City, and is hereby resolved by authority of the same, as follows:

1. The City declares its intent to use proceeds of the Obligations to reimburse its General Fund for money used to pay expenditures related to the Project.
2. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED THIS _____ day of _____, 2022.

PEACHTREE CITY

(SEAL)

By: _____
Kim Learnard
Mayor

Attest:

Yasmin Julio
City Clerk

STATE OF GEORGIA

FAYETTE COUNTY

CITY CLERK'S CERTIFICATE

I, **Yasmin Julio**, City Clerk of Peachtree City, **DO HEREBY CERTIFY** that the foregoing page constitutes a true and correct copy of an official intent resolution adopted by the City Council of Peachtree City (the "Governing Body") at an open public meeting duly called and lawfully assembled at _____ p.m., on the _____ day of _____, 2022, the original of such resolution being duly recorded in the Minute Book of the Governing Body, which Minute Book is in my custody and control.

I do hereby further certify that the following members of the Governing Body were present at such meeting:

and that the following members were absent:

and that such resolution was duly adopted by a vote of:

Aye _____ Nay _____

WITNESS my hand and the official seal of the Peachtree City, this the _____ day of _____, 2022.

Yasmin Julio
City Clerk

(SEAL)

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Justin Strickland, Interim City Manager *JS*

FROM: Paul Salvatore, Financial Services Director *PS*
Angela Egan, Purchasing Manager *(we)*

DATE: August 5, 2022

SUBJECT: Approve Skid Steer Loader Purchase
September 15, 2022, City Council Meeting Consent Agenda

Recommendation:

Award purchase of Skid Steer Loader to Bobcat of Atlanta for \$88,594.34.

Discussion:

Quotes were requested from three vendors – Bobcat of Atlanta, Yancey Brothers and Mason Tractor.

Bobcat - \$88,594.34

Yancey Brothers - \$93,949.00

Mason Tractor – advised 250 units were on order already. They were unable to commit to a price and unable to deliver within a year.

Budget Impact:

Sufficient funds are available through Stormwater Renewal and Extensions with the approval of the attached budget amendment.

[illegible]



Bobcat

Product Quotation

Quotation Number: AMS-07590v1

Date: 2022-07-19 10:46:28

Customer Name/Address:	Bobcat Delivering Dealer	ORDER TO BE PLACED WITH:
CITY OF PEACHTREE CITY	Ronald Rocker	Contract Holder/Manufacturer
PEACHTREE CITY, GA 30269	Bobcat of Atlanta, Marietta, GA 2006 Delk Industrial BLVD Marietta GA 30067 Phone: 770-850-1443 Fax:	Clark Equipment Co dba Bobcat Company 250 E Beaton Dr, West Fargo, ND 58078 Phone: 701-241-8719 Fax: 855-608-0681 Contact: Heather Messmer Heather.Messmer@doosan.com

Description	Part No	Qty	Price Ea.	Total
T770 T4 Bobcat Compact Track Loader	M0285	1	\$56,772.72	\$56,772.72

92 HP Turbo Tier 4 Diesel Engine
Air Intake Heater (Automatically Activated)
Auxiliary Hydraulics: Variable Flow
Backup Alarm
Bob-Tach
Bobcat Interlock Control System (BICS)
Controls: Bobcat Standard
Engine/Hydraulic Systems Shutdown
Horn
Instrumentation: Engine Temp & Fuel Gauges,
Hourmeter, RPM and Warning Lights

Lift Arm Support
Lift Path: Vertical
Lights, Front & Rear
Operator Cab

- Includes: Adjustable Suspension Seat, Top & Rear Windows, Seat Bar, Seat Belt
- Roll Over Protective Structure (ROPS) meets SAE-J1040 & ISO 3471
- Falling Object Protective Structure (FOPS) meets SAE-J1043 & ISO 3449, Level I; (Level II is available through Bobcat Parts)

Parking Brake: Spring Applied, Pressure Released (SAPR)
Tracks: Rubber, 17.7" wide
Warranty: 2 years, or 2000 hours whichever occurs first

P67 Performance Package
Power Bob-Tach
7-Pin Attachment Control Kit
High Flow

M0285-P06-P67	1	\$4,391.28	\$4,391.28
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2-Speed
Hydraulic Bucket Positioning

C37 Comfort Package
Enclosed Cab with AC/Heat
Sound Reduction
Cab Accessories Package

M0285-P07-C37	1	\$4,633.20	\$4,633.20
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Deluxe Instrument Panel with Keyless Start
Radio
Heated Cloth Air Ride Suspension Seat

Selectable Joystick Controls (SJC)
Engine Compartment Seal Kit, 700 Series
Tier 4 Forestry Applications Kit, M Series
80" Severe Duty Bucket
--- Standard Bolt-on tooth kit

M0285-R01-C04	1	\$680.40	\$680.40
7309976	1	\$1,147.18	\$1,147.18
7257723	1	\$8,264.24	\$8,264.24
7326129	1	\$1,856.68	\$1,856.68
7355991	8	\$52.08	\$416.64

Description
Service Manual

Part No	Qty	Price Ea.	Total
	1	\$196.00	\$196.00

Total of Items Quoted	\$78,358.34
Dealer P.D.I.	\$300.00
Freight Charges	\$1,738.00
Dealer Assembly Charges	\$1,368.00
Other Charges: Material and Logistics	\$6,830.00
Quote Total - US dollars	\$88,594.34

****Prices per the Sourcewell Contract #040319-CEC.***

****Terms Net 60 Days. Credit cards accepted.***

****FOB Destination***

****State Sales Taxes apply. IF Tax Exempt, please include Tax Exempt Certificate with order.***

****TID# 38-0425350***

****Orders Must Be Placed with: Clark Equipment Company dba Bobcat Company, Govt Sales, 250 E Beaton Drive, West Fargo, ND 58078.***

****Quote valid for 30 days***

ORDER ACCEPTED BY:

SIGNATURE

DATE

PRINT NAME AND TITLE

PURCHASE ORDER NUMBER

DELIVERY ADDRESS: _____

BILLING ADDRESS (if different than Ship To): _____

TAX EXEMPT? _____ **YES** _____ **NO**

Exempt in the State of _____

Tax Exempt ID:

FEDERAL - _____

STATE - _____

Expiration Date: _____

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: Justin Strickland, Interim City Manager *JS*
Paul Salvatore, Financial Services Director *PS*
Angela Egan, Purchasing Agent

FROM: Mike Madison, Stormwater Manager *mm*

DATE: September 12, 2022

SUBJECT: 309 Corrigan Trace Cart Path Culvert Replacement
September 15th, 2022 City Council Meeting Consent Agenda

Recommendation:

Staff recommends that City Council award the 309 Corrigan Trace Cart Path Culvert Replacement project to Crawford Grading and Pipeline, Inc. for their lump sum quote amount of \$58,308.00

Discussion: The portion of the stormwater drainage pipe located under the cart path near Corrigan Trace has structurally collapsed and needs to be excavated and replaced. At this time, the collapse section of pipe has not progressed under the cart path. The project includes the removal of the path surface and collapsed pipe, installation of new pipes and reconstruction of the cart path. Staff solicited quotes from three qualified contractors to perform the culvert replacement work. The results of these three quotes are as follows:

Crawford Grading & Pipeline	\$58,308.00
McLeroy, Inc.	\$74,300.00
Ronny D. Jones Enterprises	\$97,750.00

Budget Impact: Funds in the amount of \$58,308.00 is available in Stormwater Renewals and Extensions with approval of the attached budget amendment.

[illegible]

Corrigan Trace Cart Path Culvert Replacement

Item	Description	Unit	Quantity	Item Total
1	Demolition Complete (incl disposal)	LS	1	\$4,150.00
5	Site Clearing Complete	LS	1	\$2,620.00
7	Cart Path Base Course Complete (See Note 2)	LS	1	\$4,320.00
9	Grading Complete	LS	1	\$11,135.00
10	Installation of 42" Dia. Aluminized Type II Steel Pipe (See Note 1)	LS	1	\$27,723.00
11	Type 3 Rip Rap (Assume 50 CY)	LS	1	\$6,490.00
12	Grassing & Wheat Straw (Assume 150 SY)	LS	1	\$1,870.00

Total Project Quote: \$58,308.00

Additional Rip Rap (Cost per CY) - \$130.00

Additional Grassing (Cost per SY) - \$12.50

Note 1 - The City will provide 80 LF of pipe and the necessary pipe bands.

Note 2 - The contractor shall be responsible for placement and compaction of GAB. City crews will repave the cart path.

General Notes	Match existing pipe invert elevations Match existing path width New path shall have a 3' wide shoulder on each side City has dirt available for use City will not hold contractor liable for path damage along access route - City will repave City will provide path closure signage
---------------	--

119 Shirewood

Item	Description	Unit	Quantity	TOTAL
1	Demolition Complete (incl disposal)	LS	1	\$ 3,700.00
2	Site Clearing Complete	LS	1	\$ 4,500.00
3	Grading Complete	LS	1	\$ 42,400.00
4	Installation of 42" Dia. Aluminized Type II Steel Pipe (See Note 1)	LS	1	\$ 9,200.00
5	Type 3 Rip Rap (Assume 50 CY)	LS	1	\$ 6,500.00
6	Grassing & Wheat Straw (Assume 150 SY)	LS	1	\$ 3,500.00
				\$ 69,800.00

309 Corrigan Trace

Item	Description	Unit	Quantity	TOTAL
1	Demolition Complete (incl disposal)	LS	1	\$ 3,700.00
2	Site Clearing Complete	LS	1	\$ 4,500.00
3	Path Base Course Complete (Note 2)	LS	1	\$ 4,400.00
4	Grading Complete	LS	1	\$ 42,500.00
5	Installation of 42" Dia. Aluminized Type II Steel Pipe (See Note 1)	LS	1	\$ 9,200.00
6	Type 3 Rip Rap (Assume 50 CY)	LS	1	\$ 6,500.00
7	Grassing & Wheat Straw (Assume 150 SY)	LS	1	\$ 3,500.00
				\$ 74,300.00

Corrigan Trace Cart Path Culvert Replacement

Item	Description	Unit	Quantity	Item Total
1	Demolition Complete (incl disposal)	LS	1	\$ 12,000.00
5	Site Clearing Complete	LS	1	\$ 4,000.00
7	Cart Path Base Course Complete (See Note 2)	LS	1	\$ 5,000.00
9	Grading Complete	LS	1	\$ 30,600.00
10	Installation of 42" Dia. Aluminized Type II Steel Pipe (See Note 1)	LS	1	\$ 34,900.00
11	Type 3 Rip Rap (Assume 50 CY)	LS	1	\$ 8,750.00
12	Grassing & Wheat Straw (Assume 150 SY)	LS	1	\$ 2,500.00

Total Project Quote: \$97,750.00

Additional Rip Rap (Cost per CY) - **\$155.00/CY**

Additional Grassing (Cost per SY) - **\$13.50/SY**

Note 1 - The City will provide 80 LF of pipe and the necessary pipe bands.

Note 2 - The contractor shall be responsible for placement and compaction of GAB. City crews will repave the cart path.

General Notes

- Match existing pipe invert elevations
- Match existing path width
- New path shall have a 3' wide shoulder on each side
- City has dirt available for use
- City will not hold contractor liable for path damage along access route - City will repave
- City will provide path closure signage
- Site access will be off of Corrigan Trace

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: Justin Strickland, Interim City Manager *JS*
Paul Salvatore, Financial Services Director *PS*
Angela Egan, Purchasing Agent

FROM: Mike Madison, Stormwater Manager *mm*

DATE: September 12, 2022

SUBJECT: 119 Shirewood Park Cart Path Culvert Replacement
September 15th, 2022 City Council Meeting Consent Agenda

Recommendation:

Staff recommends that City Council award the 119 Shirewood Park Cart Path Culvert Replacement project to Crawford Grading and Pipeline, Inc. for their lump sum quote amount of \$58,233.00

Discussion: The stormwater drainage pipe located under the cart path near Shirewood Park has structurally collapsed and needs to be excavated and replaced. As a result of the culvert structural failure, the cart path has been closed to cart and pedestrian traffic. The project includes the removal of the concrete path surface and collapsed pipe, installation of new pipes and reconstruction of the cart path. Staff solicited quotes from three qualified contractors to perform the culvert replacement work. The results of these three quotes are as follows:

Crawford Grading & Pipeline	\$58,233.00
McLeroy, Inc.	\$69,800.00
Ronny D. Jones Enterprises	\$93,850.00

Budget Impact: Funds in the amount of \$58,233.00 is available in Stormwater Renewals and Extensions with approval of the attached budget amendment.

[illegible]

CRAWFORD

①

119 Shirewood Park Path Culvert Replacement

Item	Description	Unit	Quantity	Item Total
1	Demolition Complete (incl disposal)	LS	1	\$4,150.00
2	Site Clearing Complete	LS	1	\$2,770.00
3	Grading Complete	LS	1	\$15,430.00
4	Installation of 42" Dia. Aluminized Type II Steel Pipe (See Note 1)	LS	1	\$27,723.00
5	Type 3 Rip Rap (Assume 50 CY)	LS	1	\$6,490.00
6	Grassing & Wheat Straw (Assume 150 SY)	LS	1	\$1,670.00

Total Project Quote: \$58,233.00Additional Rip Rap (Cost per CY) - **\$130.00**Additional Grassing (Cost per SY) - **\$12.00**

Note 1 - The City will provide 120 LF of pipe and the necessary pipe bands.

General Notes Match existing pipe invert elevations
 Match existing path width
 New path crossing shall have 5' shoulders on each side
 Existing railing can be disposed. Will not reuse
 City has dirt available for use.
 City will not hold contractor liable for path damage along access route - City will repave

119 Shirewood

Item	Description	Unit	Quantity	TOTAL
1	Demolition Complete (incl disposal)	LS	1	\$ 3,700.00
2	Site Clearing Complete	LS	1	\$ 4,500.00
3	Grading Complete	LS	1	\$ 42,400.00
4	Installation of 42" Dia. Aluminized Type II Steel Pipe (See Note 1)	LS	1	\$ 9,200.00
5	Type 3 Rip Rap (Assume 50 CY)	LS	1	\$ 6,500.00
6	Grassing & Wheat Straw (Assume 150 SY)	LS	1	\$ 3,500.00
				\$ 69,800.00

309 Corrigan Trace

Item	Description	Unit	Quantity	TOTAL
1	Demolition Complete (incl disposal)	LS	1	\$ 3,700.00
2	Site Clearing Complete	LS	1	\$ 4,500.00
3	Path Base Course Complete (Note 2)	LS	1	\$ 4,400.00
4	Grading Complete	LS	1	\$ 42,500.00
5	Installation of 42" Dia. Aluminized Type II Steel Pipe (See Note 1)	LS	1	\$ 9,200.00
6	Type 3 Rip Rap (Assume 50 CY)	LS	1	\$ 6,500.00
7	Grassing & Wheat Straw (Assume 150 SY)	LS	1	\$ 3,500.00
				\$ 74,300.00

RDJE, Inc.

119 Shirewood Park Path Culvert Replacement

Item	Description	Unit	Quantity	Item Total
1	Demolition Complete (incl disposal)	LS	1	\$ 12,200.00
2	Site Clearing Complete	LS	1	\$ 4,000.00
3	Grading Complete	LS	1	\$ 26,000.00
4	Installation of 42" Dia. Aluminized Type II Steel Pipe (See Note 1)	LS	1	\$ 40,400.00
5	Type 3 Rip Rap (Assume 50 CY)	LS	1	\$ 8,750.00
6	Grassing & Wheat Straw (Assume 150 SY)	LS	1	\$ 2,500.00

Total Project Quote: \$93,850.00Additional Rip Rap (Cost per CY) - **\$155.00/CY**Additional Grassing (Cost per SY) - **\$13.50/SY**

Note 1 - The City will provide 120 LF of pipe and the necessary pipe bands.

General Notes Match existing pipe invert elevations
 Match existing path width
 New path crossing shall have 5' shoulders on each side
 Existing railing can be disposed. Will not reuse
 City has dirt available for use.
 City will not hold contractor liable for path damage along access route - City will repave

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: Justin Strickland, Interim City Manager 

FROM: Planning Commission Selection Committee

DATE: August 26, 2022

SUBJECT: Consider Appointment of Planning Commission Members
September 15, 2022, City Council Meeting

Recommendation:

Re-appoint Kenneth Hamner and Scott Ritenour to the Planning Commission Board for the term from October 1, 2022 – September 30, 2025. In addition, appoint Felicia Reeves for the remainder of Paul Gresham's term which expires on September 30, 2023, and appoint Andrew Kriz as the alternate for a one-year term.

Discussion:

Two board seats and one alternate position are set to end on September 30, 2022. Furthermore, Mr. Gresham has tendered his resignation from the Planning Commission effective on September 30, 2022. Therefore, his seat will need to be filled. The application period opened June 29, 2022, and closed July 29, 2022, and 11 applications were received. All 11 applicants were interviewed by the Selection Committee. The Planning Commission terms are four years.

Budgetary Impact:

This item has no budgetary impact.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: Justin Strickland, Interim City Manager 

FROM: Convention and Visitor's Bureau Board Selection Committee

DATE: September 9, 2022

SUBJECT: Consider Appointment of Convention and Visitor's Bureau Board Member
September 15, 2022, City Council Meeting

Recommendation:

Appoint Jill Mitchell to the Convention and Visitor's Bureau Board for a two-year term.

Discussion:

The Selection Committee considered applicants for the position on the Convention and Visitor's Bureau Board. The CVB Board members serve for a two-year term and serve a maximum of two consecutive terms.

The Committee learned of the applicants experience and qualifications to serve on the CVB Board. Their recommendation, as stated above, is to appoint Jill Mitchell to serve on the Board.

Budget Impact:

This item should have no budgetary impact.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: Justin Strickland, Interim City Manager 

FROM: Airport Authority Selection Committee

DATE: September 9, 2022

SUBJECT: Consider Appointment of Airport Authority Member and Alternate
September 15, 2022, City Council Meeting

Recommendation:

Appoint William Beckwith to the Airport Authority for a full five-year term beginning on January 1, 2023 and appoint Miranda Shockley as the alternate.

Discussion:

The Airport Authority has two seats available one for member Allen Morrison whose term ends on December 31st and the other being the alternate position. The application period was open for four weeks and eleven applications were received. Four applicants were interviewed by the Selection Committee and the recommendation was to appoint Mr. William Beckwith as member and Ms. Miranda Shockley as alternate.

Budget Impact:

This item should have no budgetary impact.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Justin Strickland, Interim City Manager *JS*

FROM: Paul J. Salvatore, Financial Services Director *PS*

DATE: September 2, 2022

SUBJECT: Master Lease-Purchase – Lease Schedule #1
September 15, 2022 Council Agenda

Recommendation:

Approve Lease Schedule #1 for the costs of acquiring Capital Vehicles and Equipment in the total amount of \$1,277,614.19 and authorize the Mayor to sign the documents and the Mayor and City Council Members to sign the City's Certificate of Incumbency.

Discussion:

On March 17, 2022 City Council approved a Master Lease-Purchase Agreement for the financing of machinery and equipment in conjunction with Banc of America. This request is for Lease Schedule (Draw) #1 against that Master Lease-Purchase Agreement. The total amount for Schedule #1 of \$1,277,614.19 is for capital purchases of technology software and equipment upgrades and replacements, public safety, code enforcement, grounds, and public works vehicle and equipment replacements. The vehicles and equipment are financed over a five (5) year period with the first quarterly payment due December 31, 2022 and the last payment on September 30, 2027.

The City is expected to close (fund) this transaction on Monday, September 19, 2022, following approval by the City, who will meet on Thursday, September 15, 2022 to approve the transaction. The final documents to be signed by the Mayor and City Council, as well as, the interest rate will be provided prior to the meeting.

Budget Impact:

Funds for the debt service payments are budgeted in the FY23 Budget Resolution adopted by Council. Debt service payments for future fiscal years will be included in the annual operating budgets proposed to City Council.

If you have any questions, please do not hesitate to contact Paul Salvatore.

Thank you for your attention to this matter.

Attachments

KB/Financing/BOA Lease Purchase Schedule #1

**City of Peachtree City
Lease/Purchase
September 2022 for FY2022**

<u>Department</u>	<u>Project Description</u>	<u>Amount</u>	
<u>Finance</u>	Closing cost	\$ 50,718.74	
			<u>\$ 50,718.74</u>
<u>IT</u>			
	60 Standard PC Replacements	\$ 149,975.35	
	20 GIS Workstation Upgrades	\$ 64,622.60	
	Storage Replacements	\$ 199,927.00	
	Microsoft Server Software Upgrades	\$ 74,989.99	
	Wireless Network Replacement	\$ 99,920.00	
	VMWARE Upgrades	\$ 44,996.00	
	Data Security Upgrades	\$ 39,939.75	
			<u>\$ 674,370.69</u>
<u>Grounds</u>			
	5 Hustler Zero Turn Mowers	\$ 43,778.40	
			<u>\$ 43,778.40</u>
<u>Police</u>			
	30 Laptop Replacement	\$ 106,141.47	
	4 Police Vehicles	\$ 108,944.30	
			<u>\$ 215,085.77</u>
<u>Fire</u>			
	Remount Squad 81-Bush Truck/QRV	\$ 149,897.00	
	Ford Explorer	\$ 37,472.00	
			<u>\$ 187,369.00</u>
<u>Public Works</u>			
	5 Hustler Zero-Turn Mowers	\$ 11,022.12	
	Kubota RTV	\$ 18,899.47	
			<u>\$ 29,921.59</u>
<u>Code Enforcement</u>			
	Vehicles	\$ 76,370.00	
			<u>\$ 76,370.00</u>
			<u><u>\$ 1,277,614.19</u></u>

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

FROM: Justin Strickland, Interim City Manager 
Paul Salvatore, Financial Services Director 
Ellece Brown, Human Resources & Risk Management Director

DATE: August 26, 2022

SUBJECT: Departments Ordinance Text Amendment, Organizational Chart Update and Budget Amendment
September 15, 2022, *City Council Consent Agenda*

Recommendation:

Approve an amendment to Ordinance 1200 and to the City's Organizational Chart to reflect changes to the Library, Public Services, and Recreation and Special Events. Approve a budget amendment to reallocate Right-of-Way operational costs from the Grounds Department (1566) to the Recreation Department (6110).

Discussion:

With the creation of the Director of Library Services position, it is necessary to create a Library Services Division. This is reflected in the proposed Ordinance Amendment and updated Organizational Chart. While updating this Ordinance, staff also updated the language of the Ordinance to reflect the names of the Public Services Division and the Recreation & Special Events Division. Lastly, this update moves the operations of Right-of-Way maintenance responsibility in the organizational chart from Recreation & Special Events to Public Works within the Public Services Division. This is accomplished by moving all costs associated with the Grounds Department crews that will remain under Recreation to the Recreation Department departmental budget. It keeps all costs associated with Right of Way mowing in the Grounds Department which will now be managed by Public Works.

Budget Impact:

Reallocation of Recreation Grounds operating costs (salaries, services, and supplies) from Grounds Department to Recreation Department in the amount of \$1,060,790.00. No additional expenses added to the overall budget.

Attachments

Ordinance Amendment
FY2023 Organizational Chart
Budget Amendment

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 23-02

DATE 09/15/2022

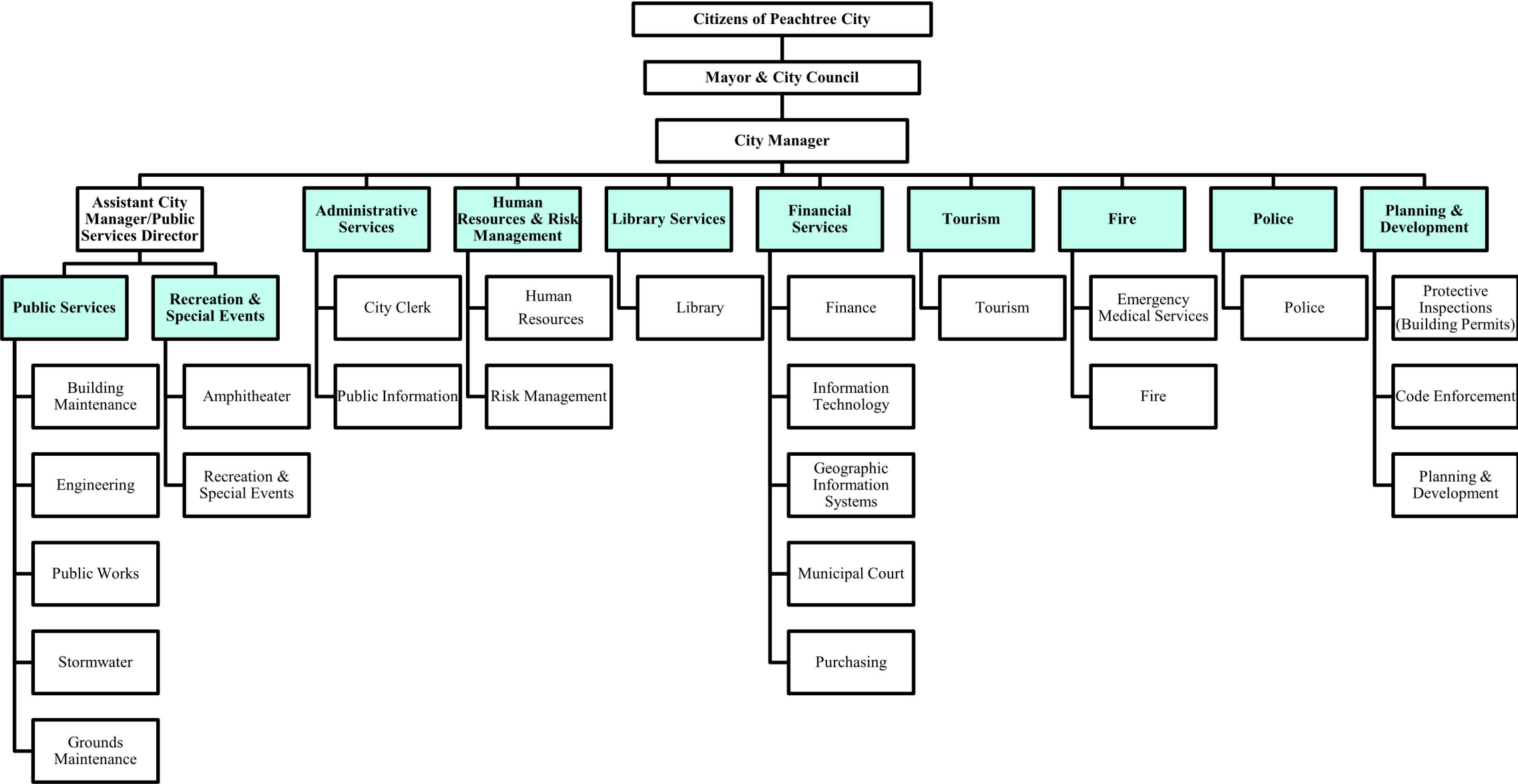
<i>ACCOUNT</i>	<i>PROJECT</i>	<i>DESCRIPTION</i>	<i>INCREASE</i>	<i>DECREASE</i>
100-1535-51xxx		Personnel - Grounds		930,369
100-6110-51xxx		Personnel - Recreation	930,369	
100-1566-522301		Rental-leased vehicles - Grounds		5,592
100-6110-522302		Rental-leased vehicles - Recreation	5,592	
100-1566-523200		Communications - Grounds		2,843
100-6110-523200		Communications - Recreation	2,843	
100-1566-523700		Education & Training - Grounds		1,725
100-6110-523700		Education & Training - Recreation	1,725	
100-1566-523850		Contract Labor - Grounds		10,000
100-6110-523850		Contract Labor- Recreation	10,000	
100-1566-531175		Operating Supplies - Grounds		22,500
100-6110-531175		Operating Supplies - Recreation	22,500	
100-1566-531178		Landscaping Supplies- Grounds		27,300
100-6110-531178		Landscaping Supplies - Recreation	27,300	
100-1566-531180		Computer Supplies - Grounds		4,875
100-6110-531180		Computer Supplies - Recreation	4,875	
100-1566-531650		Small Tools - Grounds		11,448
100-6110-531650		Small Tools - Recreation	11,448	
100-1566-531725		Uniforms - Grounds		10,572
100-6110-531725		Uniforms - Recreation	10,572	
100-1566-531270		Gasoline - Grounds		23,778
100-6110-531270		Gasoline - Recreation	23,778	
100-1566-531285		Diesel - Grounds		9,788
100-6110-531285		Diesel - Recreation	9,788	

NOW , THEREFORE, BE IT RESOLVED that this Council hereby amends the Fiscal Year 2023 Budget Resolution to reallocate \$1,060,790 of budget for 2 crews from Grounds to Recreation

Peachtree City Organizational Chart

FY2023

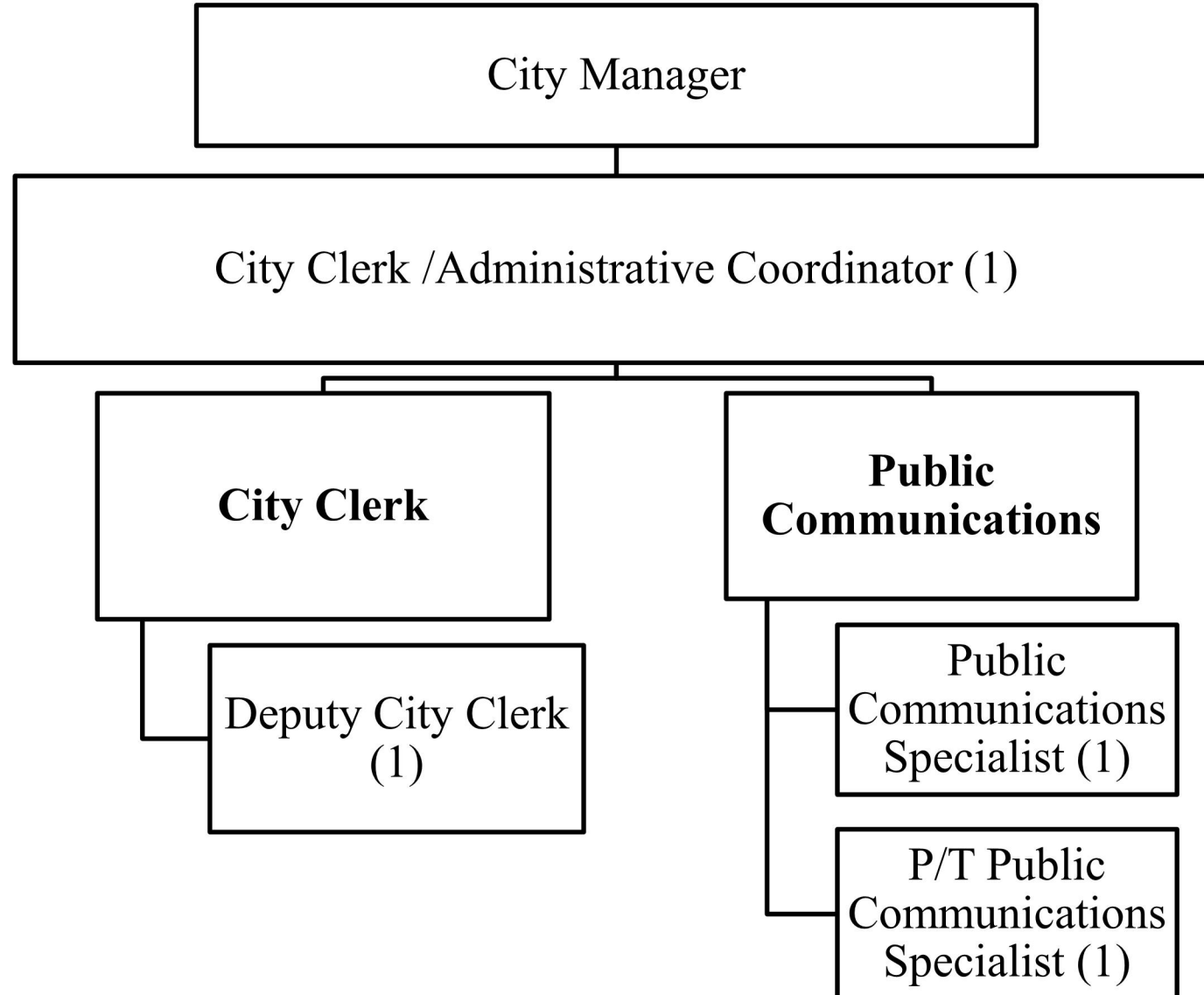
Organizational Charts reflect all funded positions.



Organizational Charts reflect all funded positions.

Administrative Services

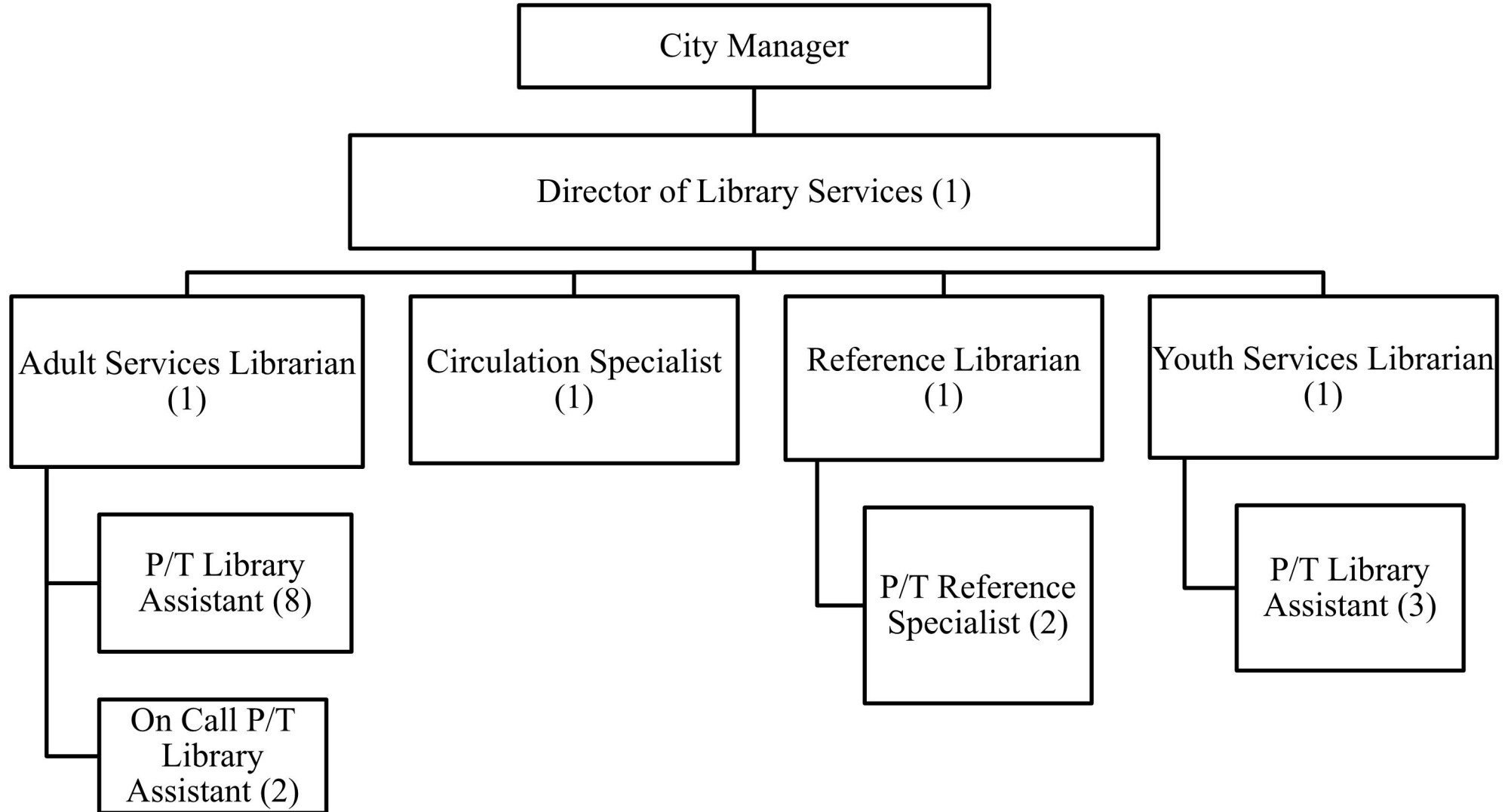
FY2023



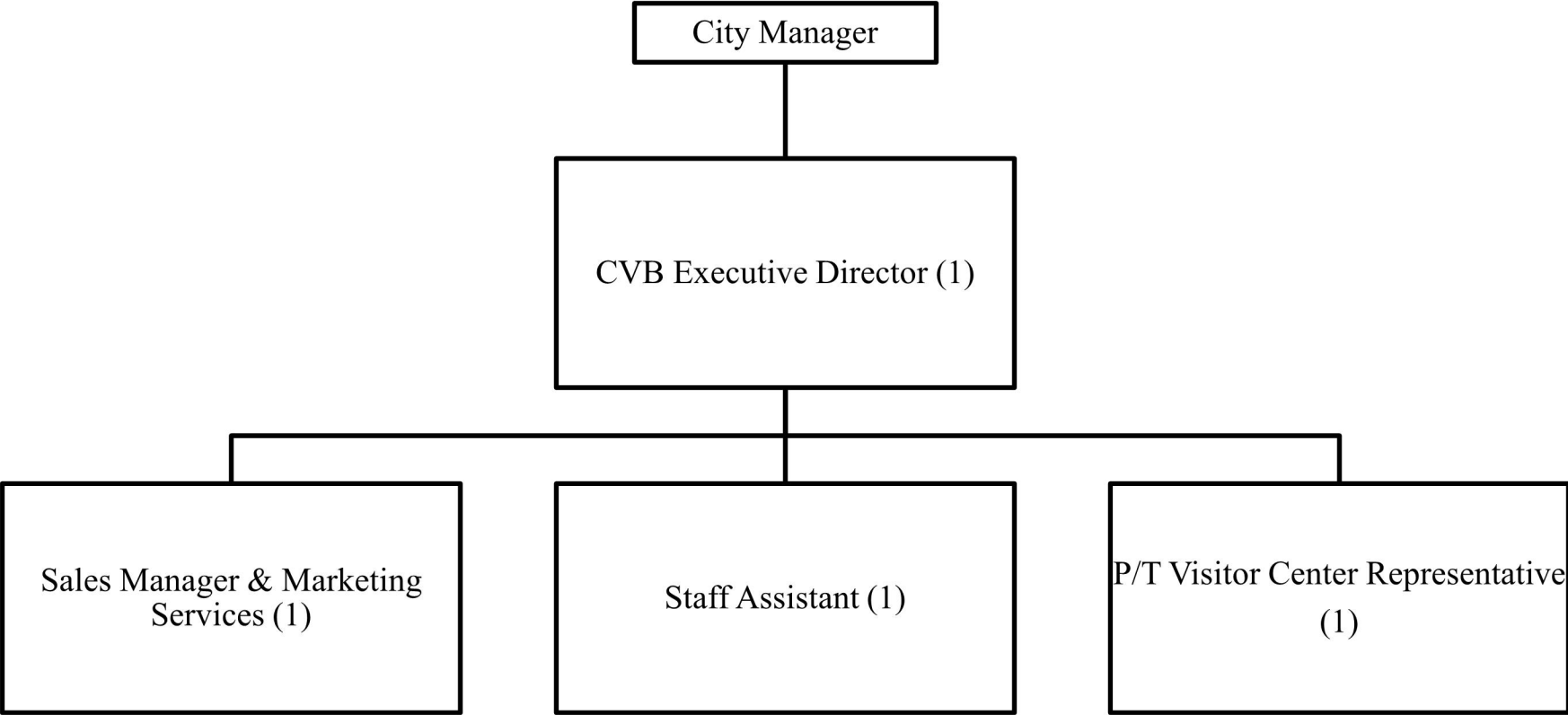
Organizational Charts reflect all funded positions.

Library Services

FY 2023



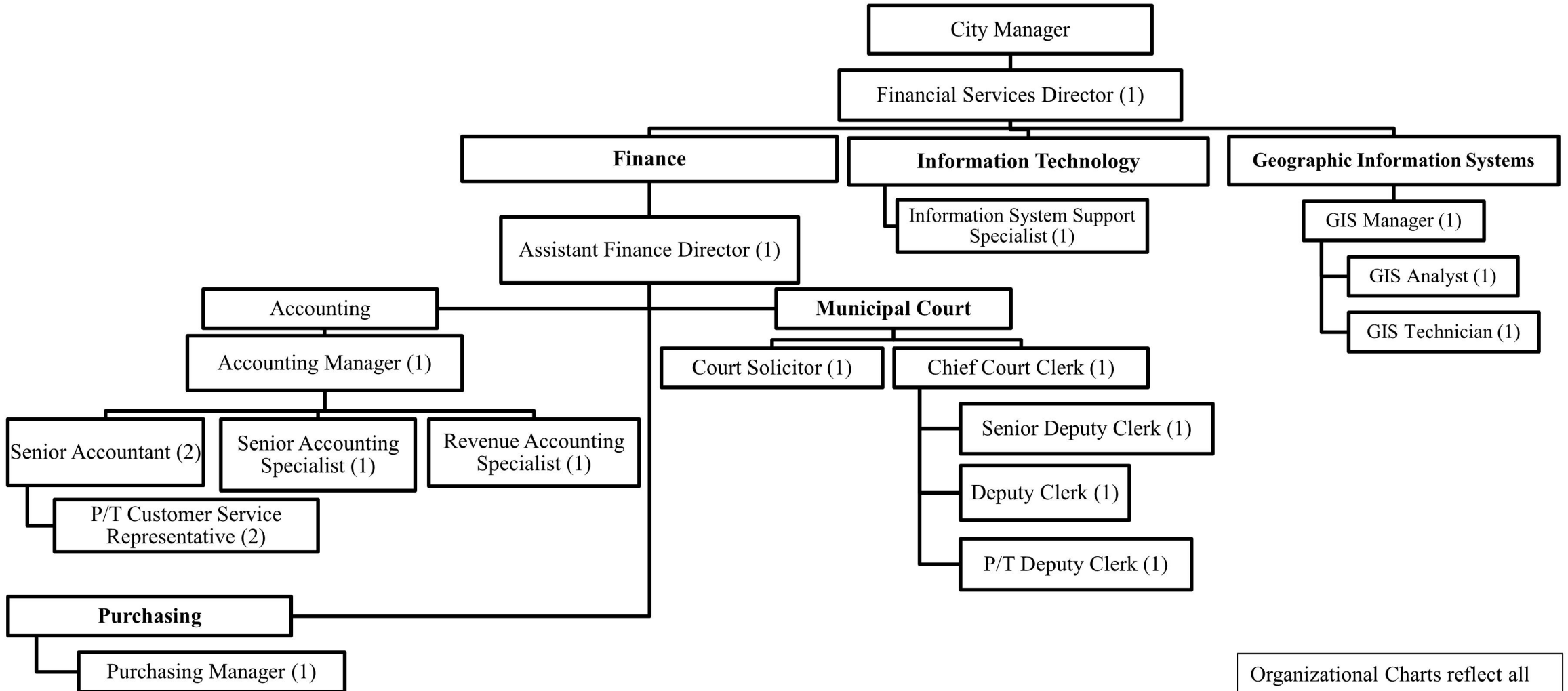
Tourism
FY 2023



Organizational Charts reflect all funded positions.

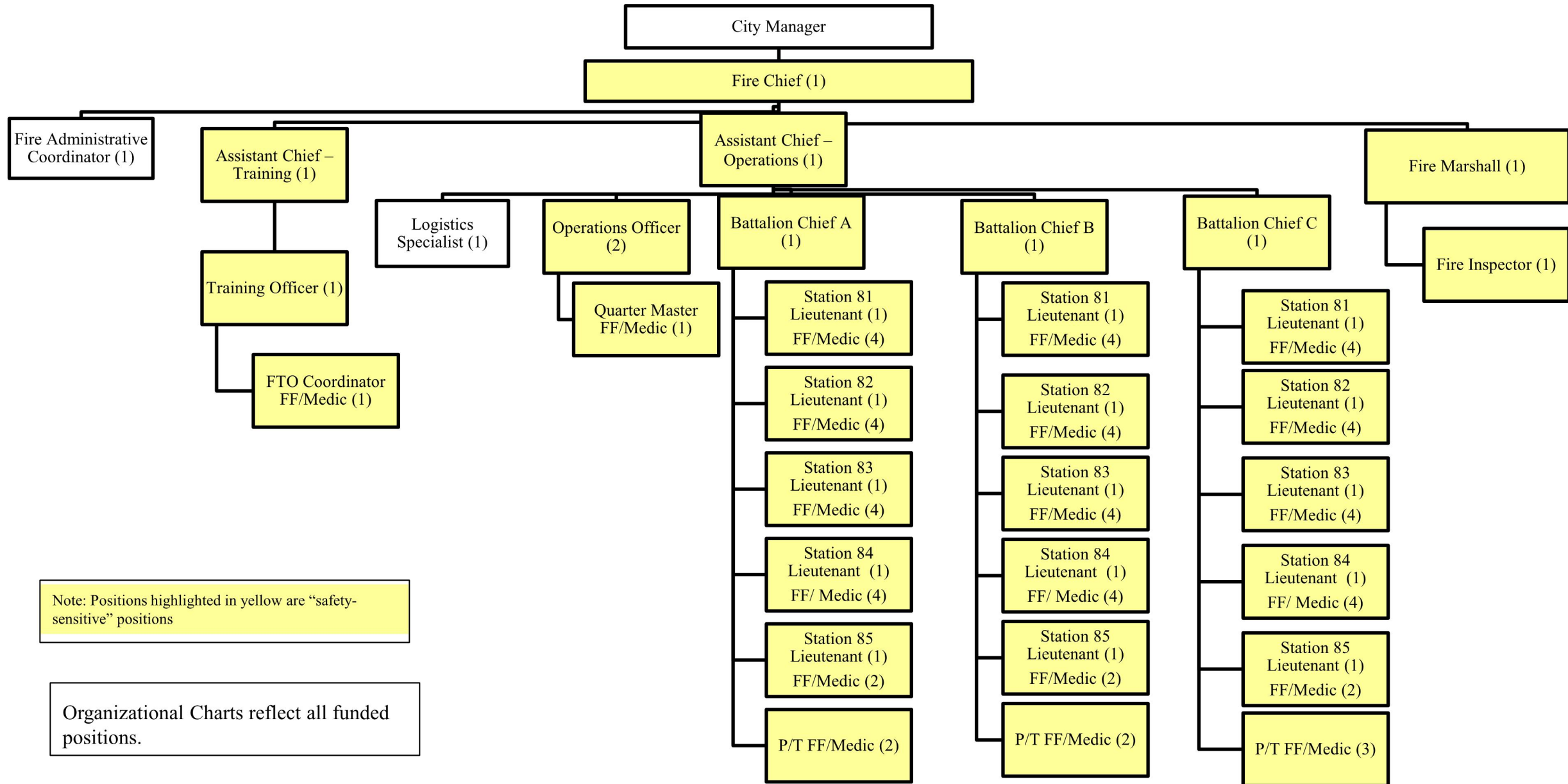
Financial Services

FY 2023



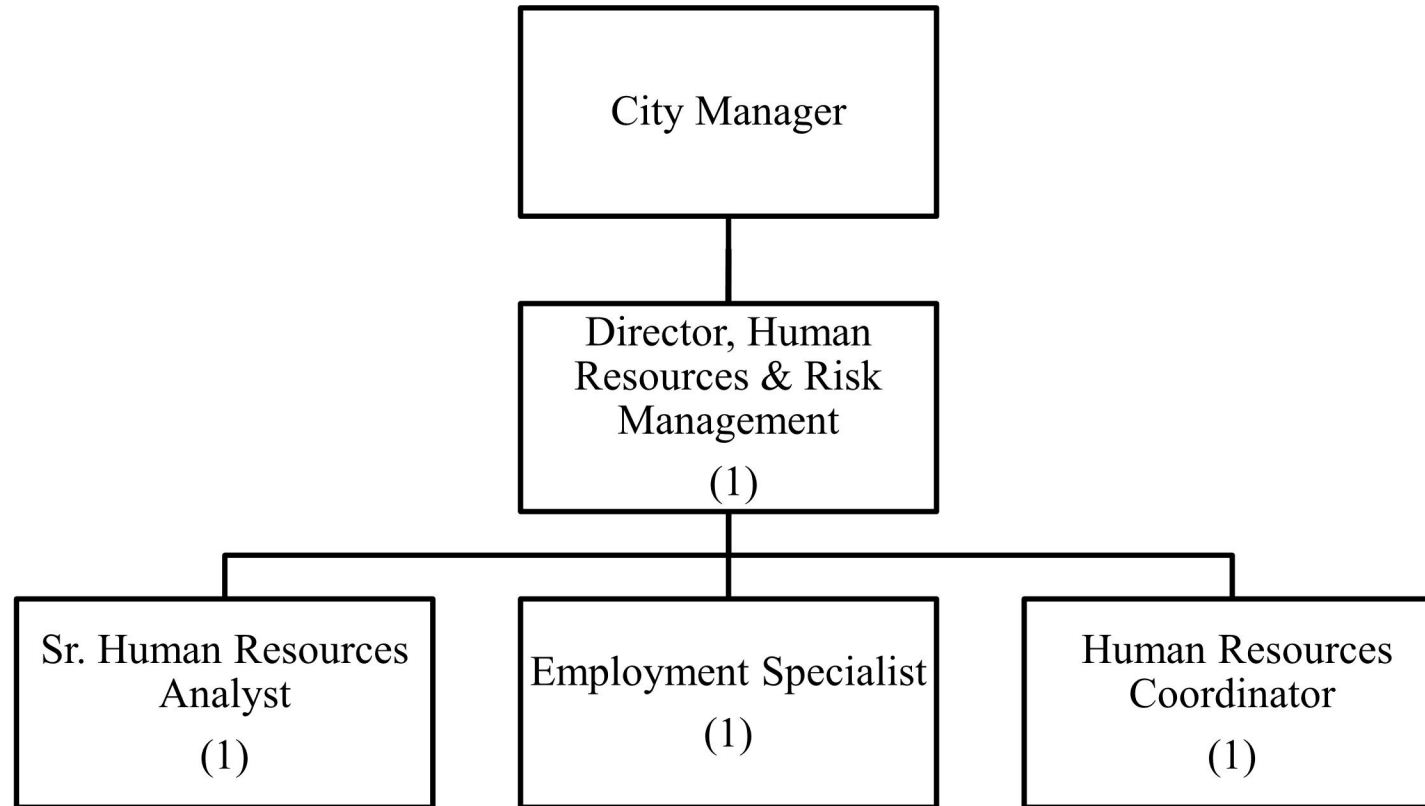
Organizational Charts reflect all funded positions.

Fire FY2023



Human Resources & Risk Management

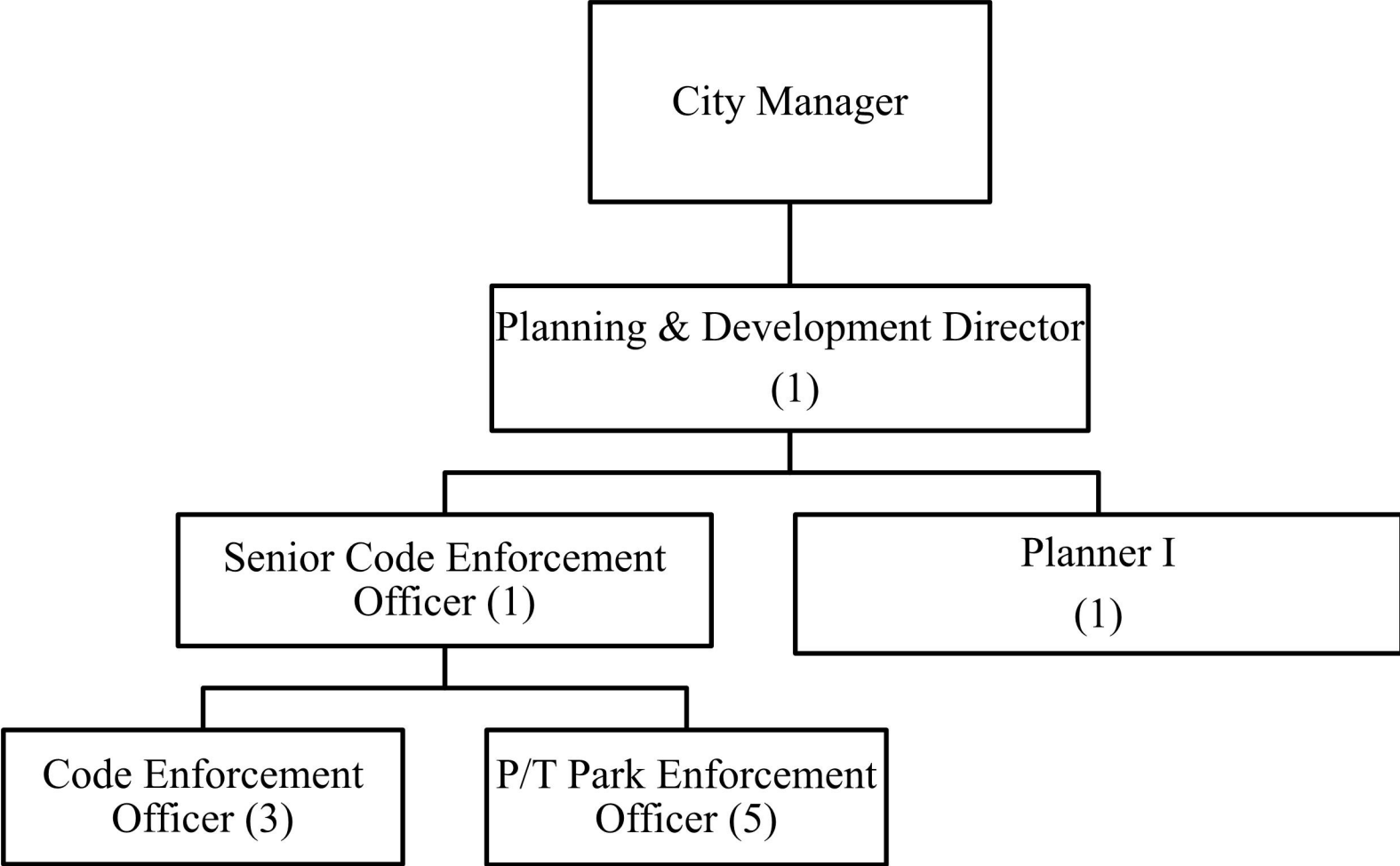
FY 2023



Organizational Charts reflect all funded positions.

Planning & Development

FY 2023



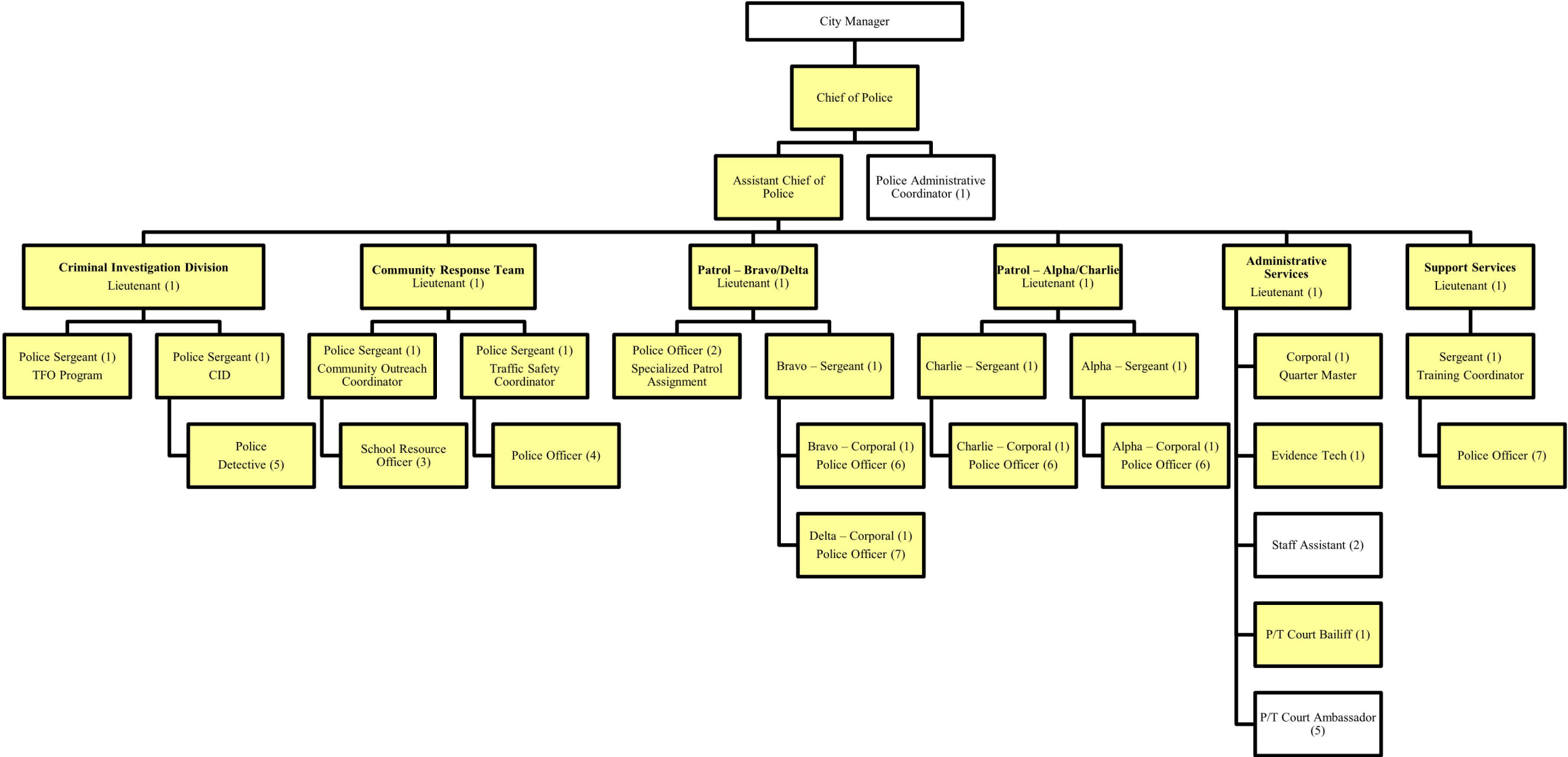
Organizational Charts reflect all funded positions.

Organizational Charts reflect all funded positions.

Police

FY 2023

Note: Positions highlighted in yellow are “safety-sensitive” positions.



Recreation & Special Events

FY 2023

Organizational Charts reflect all funded positions.

Note: Positions highlighted in yellow are “safety-sensitive” positions.

City Manager

Assistant City Manager/Public Services Director (1)

**Budgeted to City Manager*

Recreation & Special Events
Director (1)

Facilities
Coordinator (1)

Crew Leader (1)

Maintenance Tech
(4)

Grounds Maintenance
Supervisor (1)

Crew Leader (1)

Maintenance Tech
(5)

Recreation
Administrative
Coordinator (1)

**Amphitheater -
Seasonal**

Box Office
Assistant (2)

Production
Assistant (2)

Usher (19)

**Recreation &
Special Events**

Recreation
Programs Manager
(1)

General Programs
Coordinator (1)

P/T Recreation
Leader (4)

P/T Recreation
Assistant (4)

Seasonal Camp
Counselor (6)

Special Events
Marketing
Coordinator (1)

P/T Athletic
Coordinator (1)

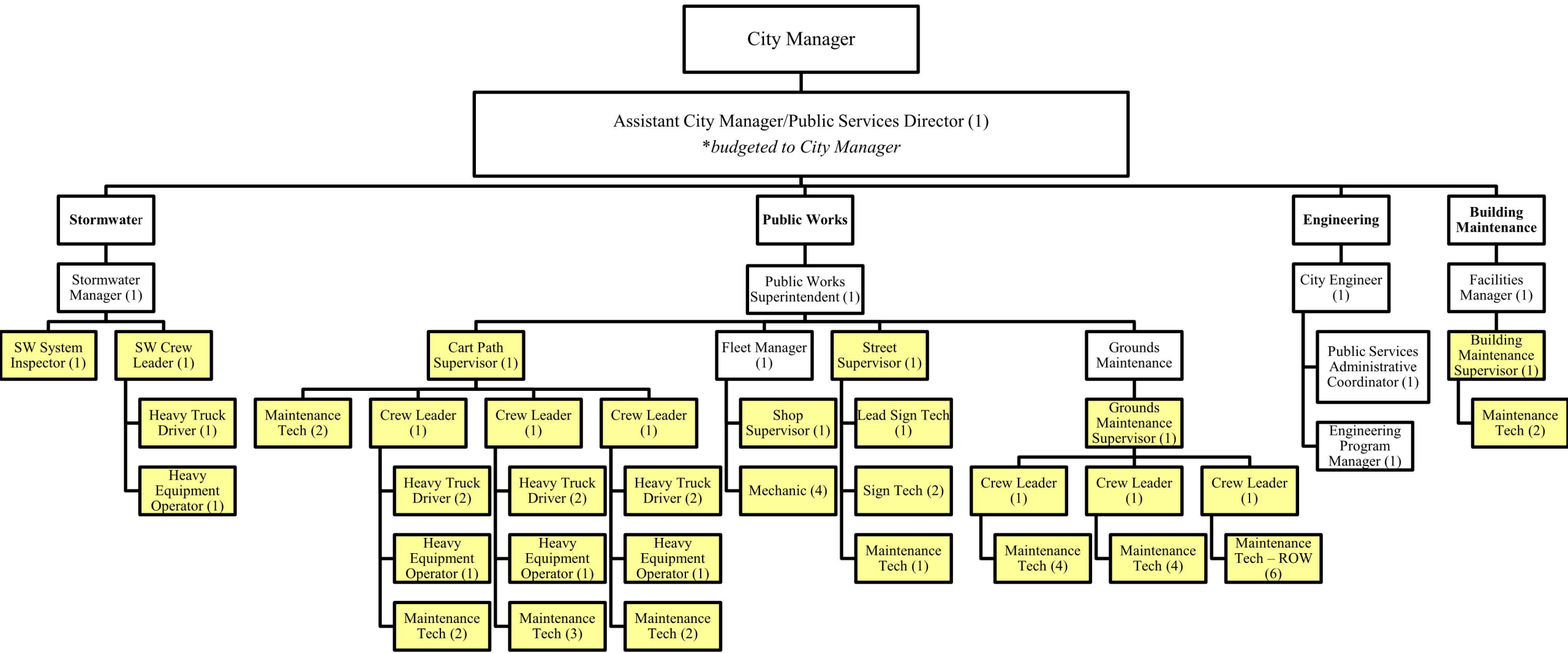
P/T Adult Athletics
Scorekeeper (10)

Note: Positions highlighted in yellow are “safety-sensitive” positions.

Public Services

FY 2023

Organizational Charts reflect all funded positions.



ARTICLE IV. DEPARTMENTS

DIVISION 1. GENERALLY

Sec. 2-126. Organization.

- (a) The municipal government workforce shall be organized into divisions and departments reporting to the city manager as follows:
- (1) The administrative services division, headed by the administrative services director, city clerk, or city manager, shall be responsible for the public information, and city clerk, ~~and library~~ functions.
 - (2) The planning and development division, headed by the planning and development director, shall be responsible for planning, zoning, building inspection, and code enforcement functions.
 - (3) The financial services division, headed by the financial services director, shall be responsible for the financial, accounting, treasury, information technology, municipal court, city hall customer service, purchasing, payroll, accounts receivable, accounts payable and budgeting functions.
 - (4) The human resources and risk management division, headed by the director of human resources and risk management, shall be responsible for human resources and risk management, including workers' compensation and safety functions.
 - (5) The public safety division shall be divided into two separate departments, each of which shall be regarded as a division:
 - a. The police department, headed by the police chief, shall be responsible for law enforcement, security, and safety education functions.
 - b. The fire department, headed by the fire chief, shall be responsible for fire suppression, fire prevention, fire inspections, fire investigations, public fire and life safety education, technical rescue, hazardous materials response and mitigation, emergency planning and management, and emergency medical services functions.
 - (6) The public services division, headed by the public services director, shall be responsible for the stormwater and public works functions including the maintenance of city buildings, facilities, properties, infrastructure, vehicles and equipment, engineering services, stormwater, signage, and recycling functions.
 - (7) The recreation and special events ~~department~~division, headed by the recreation director, shall be responsible for recreation, special events, amphitheater, and grounds maintenance and landscaping functions for city recreation facilities.
 - (8) The library services department, headed by the director of library services, shall be responsible for programing, and other library services.
- (b) Each director or chief oversees the operations of the respective division and supervises the department heads within the division. The directors/chiefs report directly to the city manager, serving in the capacity of chief administrative officer, and, along with the city manager and his department head designees, comprise the city's executive leadership team.

(Ord. No. 763, 9-6-2001; Ord. No. 978, § 1, 7-16-2009; Ord. No. 1068, § 1, 10-3-2013; Ord. No. 1132, § 1, 9-7-2017)

Secs. 2-127—2-145. Reserved.

DIVISION 2. BUILDING DEPARTMENT¹

Sec. 2-146. Created.

There is created a building department for the city.

(Code 1980, § 2-151)

Sec. 2-147. Duties.

Supervision and enforcement of all building construction and related ordinances and rules of the city, the enforcement of the sign ordinance and issuance of building permits, and collection of permit fees shall be vested in the building department.

(Code 1980, § 2-152)

Sec. 2-148. Composition.

The building department shall consist of a building official who shall act as head of the department and such other employees and consultants as the building official may recommend and the city council may approve as it may deem necessary to properly execute the purposes of this division.

(Code 1980, § 2-153)

Sec. 2-149. Accountability.

The building official and building department shall be responsible to the director of community services.

(Code 1980, § 2-154; Ord. No. 978, § 1, 7-16-2009; Ord. No. 1068, § 2, 10-3-2013)

Sec. 2-150. Building official; appointment.

The building official shall be appointed by the city manager. The building official may be a third party who is designated by contract with the city instead of being a city employee.

(Code 1980, § 2-155; Ord. No. 978, § 1, 7-16-2009; Ord. No. 1068, § 3, 10-3-2013)

Secs. 2-151—2-170. Reserved.

DIVISION 3. FIRE DEPARTMENT²

¹Cross reference(s)—Buildings and construction, ch. 18.

²Cross reference(s)—Fire protection and prevention, ch. 38.

Sec. 2-171. Created; purpose.

A department to be known as the Peachtree City Fire Department, the object of which shall be the prevention and extinguishment of fire and the protection of life and property within the limits of the city and such other areas as may be designated by the chief of the fire department, subject to approval of the chief administrative officer and the council, is created.

(Code 1980, § 2-50)

Sec. 2-172. Definition.

The term "fire department" shall be all-inclusive and shall include the emergency medical services unit operated by the fire department.

(Code 1980, § 2-51)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 2-173. Composition; salaries.

The fire department shall consist of a chief and such other authorized positions as shall be deemed necessary by the council for the effective operation of the department; the only employees receiving a salary for service rendered shall be the chief and such other authorized positions as may be appointed by the council, which likewise shall fix the compensation of such employees.

(Code 1980, § 2-52)

Sec. 2-174. Qualifications, removal of chief.

The chief of the fire department shall be technically qualified by training and experience and shall have the ability to command men and hold their respect and confidence. He shall be removed from office as prescribed by the Charter.

(Code 1980, § 2-53)

Sec. 2-175. Appointing chief of fire department; accountability of fire department personnel.

- (a) The chief of the fire department shall be appointed by the city manager. The chief of the fire department shall serve without reappointment until terminated according to city policies or otherwise resigns.
- (b) All other fire department personnel shall be accountable to the chief of the fire department and to the city manager.

(Ord. No. 772, 9-6-2001; Ord. No. 1068, § 4, 10-3-2013)

Editor's note(s)—Ord. No. 772, adopted September 6, 2001, repealed the former § 2-175 and enacted new provisions as set out herein. Formerly, § 2-175 pertained to accountability of chief and personnel and derived from Code 1980, § 2-54.

Sec. 2-176. Duties of the chief.

- (a) *Formulation of rules and regulations.* The chief of the fire department shall formulate a set of rules and regulations to govern the department and shall be responsible to the chief administrative officer and council for the personnel, morale and the general efficiency of the department.
- (b) *Determining department organization and responsibility.* The chief shall determine the number and kind of companies of which the department is to be composed and shall determine the responsibility of such companies to alarms.
- (c) *Conduct of drills and instructions.* The chief shall, at least once a month, conduct suitable drills or instructions in the operation and handling of equipment, first aid and rescue work, salvage, a study of the buildings in the city, fire prevention, water supply, and all other matters generally considered essential to good firemanship and safety of life and property.
- (d) *Investigation of fires.* The chief is required to assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin and circumstances of all fires.
- (e) *Right of entry; issuing abatement notices.* The chief is empowered to enter any buildings or premises at reasonable times for the purpose of making inspections and to serve written notice upon the owner or occupant to abate within a fixed time any fire hazards that may be found.
- (f) *Keeping of records.* The chief shall see that complete records are kept of all fires, EMS runs, apparatus and equipment, personnel, and other information about the work of the department.
- (g) *Making monthly reports.* The chief shall report on the operations of the department in a format approved by the chief administrative officer.
- (h) *Making annual reports and recommendations.* The chief shall make a complete annual report to the chief administrative officer within one month after the close of each calendar year, such report to include information specified in subsection (f) of this section, together with comparative data for previous years and recommendations for improving the effectiveness of the department.
- (i) *Submission of budget.* The chief shall, at the direction of the chief administrative officer, submit for approval to the chief administrative officer and city council a budget for the operation of the fire department and the purchase of capital equipment required for the efficient operation of the department. Further, he shall provide with the council's approval, sufficient funds for educational training, (books, seminars, schooling, etc.) that will improve the efficiency of all personnel as it relates to current fire and rescue practices.

(Code 1980, § 2-55)

Sec. 2-177. Emergency medical services.

The fire department, under the direction of the chief and such persons as may be appointed by the chief, shall operate the emergency medical services. All such personnel shall possess the required training and experience.

(Code 1980, § 2-56)

Sec. 2-178. Volunteers—Membership; employee status.

The membership of the fire department, other than the chief and permanent personnel employed by the council, shall consist of unpaid volunteers who shall be considered employees of the city only while actively engaged as members of the fire department of the city.

(Code 1980, § 2-57)

Sec. 2-179. Same—Appointment and removal of members.

The volunteer members of the fire department shall be appointed in a manner prescribed by the chief and chief administrative officer, and such appointment shall be terminated by the chief and the chief administrative officer.

(Code 1980, § 2-58)

Sec. 2-180. Same—~~Autonomy~~Autonomy; qualifications.

The volunteer body shall be recognized by the city as self-regulating and financially autonomous. The persons approved as volunteer members of the fire department by the chief shall be citizens residing within the city or within the area designated by the chief, preferably property owners whose business activities are normally within the confines of the city and who have telephones in their homes. Determination of whether a candidate for appointment is acceptable shall be made by the chief.

(Code 1980, § 2-59)

Sec. 2-181. Same—Cause for suspension or discharge.

Any member of the volunteers may be suspended or discharged from the fire department by the chief, at any time he shall deem such action necessary for the good of the department, or in accord with rules and regulations established by the volunteers.

(Code 1980, § 2-60)

Sec. 2-182. Insurance.

The council shall authorize the chief administrative officer to secure personal, property and public liability and workers compensation insurance for each paid or volunteer member of the fire department, which shall be paid from the general fund of the city. The amount and type of insurance secured for members of the department shall have the approval of the council.

(Code 1980, § 2-61)

Sec. 2-183. Badge.

Each member of the fire department shall be issued a badge designating his rank.

(Code 1980, § 2-62)

Sec. 2-184. Police powers.

All regularly appointed members of the fire department are given the necessary special police powers for the purpose of enforcing the provisions of this Code relating to conduct of others at fires or other emergencies, and to the protection of equipment and apparatus.

(Code 1980, § 2-63)

Sec. 2-185. Responding of peace officers to fire alarms.

It is the special duty of the chief of police and/or other peace officers who may be on duty and available for fire duty, to respond to all fire alarms and assist the fire department in the protection of life and property, in regulating traffic, maintaining order, and in enforcing observance of all pertinent sections of this Code.

(Code 1980, § 2-64)

Sec. 2-186. Equipment—To be provided.

The fire department shall be equipped with such apparatus and other equipment as may be required to maintain its efficiency and properly perform its prescribed functions.

(Code 1980, § 2-65)

Sec. 2-187. Same—Requisitioning.

Requisition of apparatus and equipment needed shall be made by the chief of the fire department in accord with the policies, procedures, and operation of the department as approved by the council by ordinance, resolution or other method as may be established.

(Code 1980, § 2-66)

Sec. 2-188. Same—Safely housed.

All equipment of the fire department shall be safely and conveniently housed in such places as may be designated by the chief administrative officer.

(Code 1980, § 2-67)

Sec. 2-189. Same—Unauthorized entry of place where housed.

No person shall enter any place where fire apparatus or equipment belonging to the fire department is housed unless accompanied by an officer or authorized member of the fire department.

(Code 1980, § 2-68)

Sec. 2-190. Same—Use at chief's discretion; unlawfully taking.

The use of all fire apparatus and rescue equipment shall be at the discretion of the chief only. No person shall willfully or without proper authority take away or conceal any article belonging to or used in any way by the department.

(Code 1980, § 2-69)

State law reference(s)—Larceny or theft, O.C.G.A. § 16-11-30 et seq.

Sec. 2-191. Arrangement for turning in alarm.

Suitable arrangements or equipment shall be provided for citizens to turn in a fire alarm and for notifying all members of the fire department so that any member may promptly respond, the cost of which shall be paid by the city.

(Code 1980, § 2-70)

Secs. 2-192—2-210. Reserved.***DIVISION 4. POLICE DEPARTMENT³*****Sec. 2-211. Creation.**

There is created a police department for the city.

(Code 1980, § 2-30)

Sec. 2-212. Appointing chief of police department; accountability of police department personnel.

- (a) The chief of the police department shall be appointed by the city manager. The chief of the police department shall serve without reappointment until terminated according to city policies or otherwise resigns.
- (b) All other police department personnel shall be accountable to the chief of the police department and to the city manager.

(Ord. No. 771, 9-6-01; Ord. No. 1068, § 5, 10-3-2013)

Editor's note(s)—Ord. No. 771, adopted September 6, 2001, repealed the former § 2-212 in its entirety and enacted new provisions as set out herein. Formerly, § 2-212 pertained to appointment of chief and personnel and derived from Code 1980, § 2-31.

Sec. 2-213. General powers and duties of the chief of police.

The chief of police shall have jurisdiction over the entire operation of the police department. He shall, in addition, be the keeper and custodian of all persons incarcerated for the violation of the ordinances of the city and of all federal and state laws violated within the city. He shall keep such records and make such reports of the activities of the police department as may be required by the chief administrative officer or the city council. The chief of police shall be responsible for the operation of the police department and all of its functions. All persons employed by the police department shall serve subject to the orders and direction of the chief of police.

(Code 1980, § 2-32)

³Cross reference(s)—Civil defense and disaster preparedness, ch. 22; municipal court, ch. 46; offenses and miscellaneous provisions, ch. 50; traffic, ch. 78.

Sec. 2-214. Qualifications of police officers.

Each person employed as a police officer shall possess the following qualifications:

- (1) Be a person of good moral character and meet the requirements as set forth in O.C.G.A. § 35-8-8.

(Code 1980, § 2-33; Ord. No. 1105, § 1, 2-18-2016)

State law reference(s)—Georgia Police Academy, O.C.G.A. § 35-4-1 et seq.; Police Officer Standards and Training Act, O.C.G.A. § 35-8-1 et seq.

Sec. 2-215. Approval of employment; salaries.

The chief administrative officer shall approve the employment of all members of the police department and shall prescribe a salary schedule for the employees of the department, which salary schedule the city council may adjust from time to time. A recommendation of a salary schedule and employment of personnel to the police department shall be made by the chief of police and the chief administrative officer to the city council.

(Code 1980, § 2-34)

Sec. 2-216. Oath of office.

All police officers shall, before entering upon the performance of their duties, subscribe to an oath to be administered by the mayor or by the mayor pro tem. A copy of the oath shall be entered upon the permanent records of the city.

(Code 1980, § 2-35)

Sec. 2-217. Official bond.

All members of the police department may be bonded in amounts as prescribed by city council for the faithful performance of their duties as police officers. The bonding fee shall be paid from the general funds of the city.

(Code 1980, § 2-36)

Sec. 2-218. Promulgation of rules and regulations.

The chief of police may formulate and prescribe such rules and regulations as he may deem necessary for the operation of the police department.

(Code 1980, § 2-37)

Sec. 2-219. Custodian of lost, abandoned or stolen property; service of process.

The chief of police shall be the custodian of all lost, abandoned or recovered stolen property in the city, and shall dispose of such property as provided by state law or city ordinance. The chief of police shall have authority to serve all writs, warrants, summons and other processes duly issued as provided by law or the ordinances of the city. The officers and patrolmen employed by the police department shall likewise have the authority to serve writs, warrants, summons and other processes by direct order of the chief of police.

(Code 1980, § 2-38)

Sec. 2-220. Conduct of members.

It shall be the duty and responsibility of every member of the police department to conduct himself in a proper and law-abiding manner. All policemen in the performance of their duties shall avoid the use of unnecessary force.

(Code 1980, § 2-39)

Sec. 2-221. Police as witnesses.

Every member of the police department shall appear as a witness in the courts of the city and the state and the federal courts when their appearance is necessary in the administration of justice.

(Code 1980, § 2-40)

Sec. 2-222. Disciplinary action.

All members of the police department shall be subject to disciplinary action by the chief of police in accordance with the city's personnel policy.

(Code 1980, § 2-41; Ord. No. 1068, § 6, 10-3-2013)

Secs. 2-223—2-245. Reserved.

DIVISION 5. PUBLIC LIBRARY DEPARTMENT

Sec. 2-246. Created.

There is created a public library department for the city. This department shall fall under the operational and administrative control of the director of [community library](#) services.

(Code 1980, § 2-90; Ord. No. 1068, § 7, 10-3-2013)

Sec. 2-247. Responsibility.

The supervision and operation of a public library system within the city shall be vested in the library department under the general guidance and oversight of the director of [leisure library](#) services. [The responsibilities of the public library department include:](#)

(Code 1980, § 2-91)

Sec. 2-248. Composition.

The public library department of the city shall consist of a director of library services, librarians, and such other employees or consultants as the director of library services ~~librarian~~ may recommend and the city council may approve.

(Code 1980, § 2-92)

Sec. 2-249. Accountability.

The director of library services ~~library official and library department~~ shall be responsible to the ~~director of leisure services of the city~~ city manager.

(Code 1980, § 2-93)

Sec. 2-250. Qualifications of director.

The director of library services shall hold a Grade 5 (b) or higher Professional Graduate Certificate from Georgia State Board for the Certification of Librarians.

Sec. 2-251. General duties of the director of library services.

This director of library services shall be responsible for providing professional library services to citizens including the planning, organization, supervision, development, and administration of all services, personnel, operations, and programs within the library department. The director of library services shall also serve as the local liaison to Flint River Regional Library System and shall ensure local compliance to Georgia library law.

Sec. 2-252. Qualifications of librarians.

All librarian positions (Youth Services Librarian, Reference Librarian, and Adult Services Librarian) shall require a Grade 5 (b) or higher Professional Graduate Certificate from Georgia State Board for the Certification of Librarians within six months of employment.

Secs. 2-250~~3~~—2-270. Reserved.

DIVISION 6. PUBLIC ~~WORKS~~SERVICES-DEPARTMENT DIVISION⁴

⁴Cross reference(s)—Streets, sidewalks and other public ways, ch. 70.

Sec. 2-271. Creation; composition.

There is created a public ~~worksservices-department~~division for the city, to consist of a director of public ~~works-services~~ and such other employees and consultants as the director may recommend and the council may approve, as it may deem necessary to properly execute the purposes of this division.

(Code 1980, § 2-80)

Sec. 2-272. Accountability.

The public ~~works-sevices department~~division shall be responsible administratively and executively to the chief administrative officer for the following:

- (1) The capital improvements and maintenance of public improvements of city-owned and city-contracted property, both personal and real.
- (2) The installment of traffic control devices that are required to protect the ~~well-being~~well-being of the present and future citizens of the city.
- (3) To retain copies of all as-builts of utilities, streets, stormwater sewers, and other public installations that are within the public rights-of-way.

(Code 1980, § 2-81)

Sec. 2-273. Director—Appointment.

The chief administrative officer shall appoint a director of public ~~services-in~~services in accordance with the city Charter and this article.

(Code 1980, § 2-82)

Sec. 2-274. Same—Power and authority.

The director of public ~~works-services~~ shall have the full authority to implement the policies, procedures and operation of the department as approved by council by ordinance, resolution or other method, as may be established.

(Code 1980, § 2-83)

Sec. 2-275. Same—Duties.

The following duties are hereby imposed on the director of public ~~worksservices~~:

- (1) Maintain records of capital equipment, supplies and materials that are required for the operation and maintenance of the department and the meeting of its responsibility.
- (2) See that all equipment is properly maintained and operative at all times.
- (3) Report to the chief administrative officer all items of administrative consideration, i.e., reports, contract needs, and personnel requirements, in order for those items to reach the city council for consideration in an orderly fashion.

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- (4) Advise the chief administrative officer on matters that would require budgeting consideration on a long-range schedule, i.e., major expenditures required within the scope of this article and the Charter.

(Code 1980, § 2-84)

Sec. 2-276. Same—Responsibility for enforcement of ordinances relating to destruction, defacement of public property.

It shall be the responsibility of the director of public ~~work~~services to see that the prohibitions in this Code relating to destruction or defacement of public property and all ordinances pertaining to his responsibilities be strictly enforced.

(Code 1980, § 2-85)

Secs. 2-277—2-300. Reserved.

DIVISION 7. ~~PARKS AND RECREATION DEPARTMENT~~ RECREATION AND SPECIAL EVENTS DIVISION⁵

Sec. 2-301. Created.

There is created a ~~parks and recreation department~~ Recreation and Special Events division for the city. This ~~department~~division will fall under the overall operational and administrative responsibility and control of the director of ~~leisure~~recreation services.

(Code 1980, § 2-100)

Sec. 2-302. Vesting of control of parks.

General control of the lands and property in the city now used as public parks and places or hereafter acquired for such use is hereby vested in the ~~city parks and recreation department~~ Recreation and Special Events division.

(Code 1980, § 2-101)

Sec. 2-303. Powers and authority as to parks generally.

The ~~parks and recreation department~~ Recreation and Special Events division shall lay out, landscape and improve the parks of the city, and shall have authority generally to maintain and carry forward improvements as money may be appropriated by the mayor and city council.

(Code 1980, § 2-102)

Sec. 2-304. Responsibilities.

The responsibilities of the ~~parks and recreation department~~ Recreation and Special Events division are to:

⁵Cross reference(s)—Leisure services commission, § 2-471 et seq.; parks and recreation, ch. 54.

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- (1) Provide for, conduct and supervise public playgrounds, indoor recreation centers and other recreational facilities owned or controlled by the city.
 - (2) Conduct such activities on properties under its own control, on public properties with the consent of the authorities of such properties, and on private property with the consent of the owner.
 - (3) Employ a full-time recreation administrator who is trained and properly qualified as such, and employ such other personnel as the mayor and council deem proper.
 - (4) Recommend the setting aside, leasing or acquisition of lands or buildings within or without the city limits for use as parks, playgrounds, recreation centers, or for other recreational purposes, and provide for the maintenance and improvements of such areas.
 - (5) Submit a budget request annually to the city council for approval.
 - (6) Receive fees and revenue from the operation of recreation facilities and programs. The mayor and council may also solicit or receive any gifts or bequests of money or other personal property and donations to be applied, principal or income, for either temporary or permanent use for playgrounds or other recreational purposes.
 - (7) Exercise such other powers and duties as may be delegated to it by the mayor and city council.

(Code 1980, § 2-103)

Secs. 2-305—2-335. Reserved.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: Justin Strickland, Interim City Manager 

FROM: Yasmin Julio, City Clerk/Administrative Coordinator 

DATE: August 26, 2022

SUBJECT: Ordinance- Adoption of Amendments to Alcohol Ordinance
September 15, 2022, City Council Meeting

Recommendation:

Adopt the updated Chapter 6 Alcoholic Beverages ordinance.

Discussion:

Georgia Senate Bill 236 was passed and approved in 2021. It now allows for mixed alcoholic beverages to be sold for off-premises consumption in approved containers by food service establishments that are allowed to sell distilled spirits for consumption on premises. This ordinance also provides an update to the brown bagging section of the code to allow restaurants who currently hold an alcohol license to establish a corkage fee and policy, so patrons may bring their own bottle of wine when dining in.

Discussion:

There is no budgetary impact.

STATE OF GEORGIA

CITY OF PEACHTREE CITY

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 6, ALCOHOLIC BEVERAGES OF THE CODE OF ORDINANCES OF THE CITY OF PEACHTREE CITY, GEORGIA, TO AND UPDATE CERTAIN PROVISIONS OF THE ALCOHOLIC BEVERAGES ORDINANCE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY, TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEACHTREE CITY, GEORGIA, THAT:

Section 1. Chapter 6, Alcoholic Beverages, Article I, In General, Section 6-2., Definitions, is hereby further amended to read and to be codified as follows:

ARTICLE I. IN GENERAL

Sec. 6-2. Definitions.

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

Alcoholic means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.

Alcoholic beverage means all alcoholic, distilled spirits, beer, malt beverage, wine, or fortified wine.

Approved containers means a tamper evident container that:

- (1) Does not contain openings or straw holes;
- (2) Is sealed in a manner that is visibly apparent if the container has been subsequently opened or tampered with; and
- (3) Has an affixed label or marking that identifies the licensee that prepared and sold the mixed drink.

Art shop. A retail business devoted exclusively to providing art education that is limited to instruction in painting, sculpture and similar crafts; or to selling and displaying portraits, paintings, sculptures, art supplies and similar art work and crafts. An art shop shall not allow activities that would cause the business to be an "adult entertainment establishment" as defined in chapter 10, article II of this Code.

Brown bagging means the act of patrons entering any restaurant, private club, or other establishment providing food or entertainment in the normal course of business and bringing in and consuming the patron's own alcoholic beverage.

Brown bag establishment means any restaurant, private club or other establishment providing food or entertainment in the normal course of business, and in which the owners or their agents knowingly allow patrons to bring in and consume the patrons' own alcoholic beverages.

Caterer means any person who prepares food and furnishes beverages, but not alcoholic beverages, for consumption off the premises of a food service facility or restaurant for a special event.

Close corporation means a domestic corporation which does not have:

- (1) More than five stockholders;
- (2) A corporation as a shareholder; or
- (3) More than one class of stock.

Curbside pick-up means when a licensee furnishes purchased goods to a customer's vehicle within a clearly designated pick-up area located within a paved parking area adjacent to the licensed premises.

Distilled spirits means any alcoholic beverage obtained by distillation or containing more than 21 percent alcohol by volume, including but not limited to all fortified wines.

Food service establishment means any establishment holding a valid food service permit from a respective county health department.

Fortified wine means any alcoholic beverage containing more than 21 percent alcohol by volume made from fruits, berries or grapes either by natural fermentation or by natural fermentation with brandy added. "Fortified wine" includes but is not limited to brandy.

Growler means glass, plastic or other type of container, not less than 12 ounces or more than 64 ounces, used to hold specialty malt beverages such as beer and hard cider, which are dispensed from a tap and sealed airtight before being sold to the customer for off-premise consumption.

Growler retailer means a person or entity that holds a current retail package (malt beverage) license from the city for the sale of malt beverages pursuant to subsection 6-36(a)(4) and a valid current alcohol license from the state and sells specialty malt beverages in growlers. A growler retailer does not include any retailer that sells distilled spirits or that holds a consumption license from the city.

Hotel means a building or other structure kept, used, maintained, advertised and held out to the public to be a place where food is actually served and consumed and sleeping accommodations are offered for adequate pay to travelers and guests, whether transient, permanent or residential, in which 50 or more rooms are used for the sleeping accommodations of such guests and having one or more public dining rooms, with adequate and sanitary kitchen and a seating capacity of at least 40, where meals are regularly served to such guests, such sleeping accommodations and dining rooms being conducted in the same building or in separate buildings or structures used in connection therewith that are on the same premises and are a part of the hotel operation. Motels meeting the qualifications set out in this definition for hotels shall be classified in the same category as hotels. Hotels shall have the privilege of granting franchises for the operation of a lounge or restaurant, or both, on their premises; and the holder of such franchise shall be included in the definition of hotel hereunder. If more than one franchise is granted, such franchise will be considered an additional licensee under this chapter.

Individual means a natural person not a corporation.

Interest in license means an individual's having an interest in a license if he:

- (1) Is the owner of the license.
- (2) Is a co-owner of the license.
- (3) Is a partner in any partnership that owns an interest in a license.
- (4) Is a stockholder in any corporation which owns an interest in a license.
- (5) Shares in any income or corpus of any trust fund having any interest in a license to sell at retail.

License representative means, if a license representative is required, a resident of the state and a manager of the business who is on the premises on a regular basis.

Licensee for all businesses means that:

- (1) The licensee shall be at least 21 years of age.
- (2) If the business is to be operated by an individual, the licensee shall be that individual.
- (3) If the business is to be operated by a partnership, the licensee shall be an individual who is a partner; or, if all partners are nonindividuals, then the licensee shall be an individual who is an officer of any corporation which is a partner, or an individual who is an officer, manager or agent of any unincorporated entity which is a partner.
- (4) If the business is to be operated by a close corporation, corporation or similar business entity, the licensee shall be either an officer of the corporation or the registered agent of the corporation.
- (5) If the licensee is a resident of the state and a manager of the business who is on the premises on a regular basis, the licensee may also be the license representative of the

business. If not, a license representative shall be named in accordance with this chapter.

Malt beverage means any alcoholic beverage obtained by the fermentation or any infusion or decoction of barley, malt, hops or any other similar product, or any combination of such products in water, containing not more than 14 percent alcohol by volume, and including, but not limited to, ale, porter, brown, stout, lager beer, malt liquor, small beer and strong beer.

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

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

Minor means any person under the age of 21 years.

Mixed drink means a beverage prepared by combining distilled spirits with nonalcoholic liquid or liquids and that:

(1) Is prepared on the day of the sale by an employee of the licensee;

(2) Contains no more than 3 ounces of distilled spirits; and

(3) Is sealed in an approved container.

Outdoor dining area. A space in which a licensee serves food and beverages as part of the operation of the licensed premises as a sidewalk cafe. An outdoor dining area must be located adjacent to the licensed restaurant and may only be separated from the licensee's premises by a sidewalk as defined in section 22-206.

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

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

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

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

Private residence means an occupied house, dwelling or structure in a residential zoning district wherein families reside.

Retail consumption dealer means any person who sells alcoholic beverages for consumption on the premises or for curbside pick-up at retail.

Retail grocery store means a store which carries groceries as at least 51 percent of its inventory. For purposes of this section, the term "groceries" does not include alcoholic beverages, gasoline, diesel fuel, motor oil, grease or other petroleum products used for the maintenance or operation of motor vehicles.

Retail package dealer means any person who sells alcoholic beverages in unbroken packages for consumption off the premises at retail.

Special event or private function means any organized activity having as its purpose entertainment, recreation and/or education, such as a festival, party, reception, celebration or assembly which occurs or takes place on private or public property.

Twenty-one years of age and up special event means a special event for which the primary intended purpose is consumption or tasting of alcoholic beverages if more than 50 percent of the expected gross revenue will be derived from the sale of alcoholic beverages, to include the sale of tickets that allow access to, or redemption of, alcoholic beverages.

Wholesaler or wholesale dealer means any person who sells alcoholic beverages to other wholesale dealers, to retail package dealers, or to retail consumption dealers.

Wine means any alcoholic beverage containing not more than 21 percent alcohol by volume made from fruits, berries, grapes, or other natural products by natural fermentation. Wine includes but is not limited to all sparkling wines, champagnes, combinations of such beverages, vermouths, sake, natural wines, rectified wines, and like products. The term does not include cooking wine mixed with salt or other ingredients so as to render it unfit for human consumption as a beverage.

Section 2. Chapter 6, Articles III, Operating Regulations and Responsibilities, Sections 6-122 and 6-130, are hereby further amended to read and to be codified as follows:

ARTICLE III. OPERATING REGULATIONS AND RESPONSIBILITIES

Sec. 6-122. Sale outside licensed premises or removal of alcoholic beverages dispensed on premises.

- (a) Except as provided herein, it shall be unlawful for any sale of alcoholic beverages to be made outside of the premises licensed for such sale, ~~or for alcoholic beverages dispensed on the premises of a retail consumption dealer, in any type or size container, to be removed from the premises prior to consumption.~~ All alcoholic beverages consumed on the premises of a retail consumption dealer shall be dispensed by that dealer.
- (b) Except as provided herein, any food service establishment which is licensed to sell distilled spirits for consumption on the premises may sell mixed drinks for off-premises consumption in approved containers, provided that such mixed drinks are:
- (1) Sold to an individual 21 years of age or older who shall be limited to two mixed drinks per entrée ordered;
- (2) Accompanied by a food order and a sales receipt within a time stamp that indicates the date and time of such purchases;
- (3) Sold for the personal use and not for resale and picked up in person by the same individual customer to whom the mixed drinks and entrees were sold and from whom the food service establishment received payment; provided, however, that such individual customer shall not include a delivery service or third-party agent; and
- (4) Furnished with the accompanying food order the customer on the premises or by way of curbside-pick-up.
- (c) For golf club facilities, "licensed premises" includes not only the room wherein alcoholic beverages are sold or served, but shall also include the entire building where the room is located and the entire boundary of the golf course except parking lots, alleyways, public streets, public multi-use paths including paths shared with the public, and lakes. Patrons may consume the same on the licensed premises as defined above, and the following provisions shall apply:
- (1) Golf clubs shall clearly mark areas where the course intersects public streets and public multi-use paths with signs reading "Public Way—Open Containers of Alcohol Prohibited".
- (2) Golf club staff may not sell alcohol within the prohibited distances outlined in section 6-39.
- (ed) The Frederick Brown, Jr. Amphitheater permits alcoholic beverages to be brought to the amphitheater by persons attending the activity where alcohol is permitted according to subsection 54-7(1).

(Ord. No. 923, § 3, 12-6-2007; Ord. No. 1077, § 3, 5-1-2014)

Editor's note(s)—Ord. No. 923, § 3, adopted December 6, 2007, amended § 6-122Editor's note(s)— in its entirety to read as herein set out. Formerly, § 6-122Editor's note(s)— pertained to removal of alcoholic beverages dispensed on premises, and derived from the Code of 1980, § 3-43.

Sec. 6-130. Brown bagging, brown bag establishments prohibited; exceptions.

(a) Except as provided herein, "brown bagging" and "brown bag establishments" as defined in this chapter shall be prohibited within the city.

(b) Exceptions. The foregoing prohibition in subsection (a) of this section is subject to the following specific exceptions:

(1)——Furnishing of wine by a patron of a restaurant. Any restaurant which is licensed to sell wine for consumption on the premises may permit a patron to bring into the restaurant one unopened bottle of wine for consumption on the premises. In order for this provision to apply, the restaurant must establish a policy for permitting same and must charge a minimum corkage fee of \$10.00 per bottle. Nothing in this section shall be deemed to require a restaurant to allow brown bagging. Any wine not consumed at a restaurant shall be disposed of at the premises and not carried out in an open container except for the removal of partially consumed bottles of wine as permitted by O.C.G.A. § 3-6-4.

(~~c~~b) The Frederick Brown, Jr. Amphitheater permits alcoholic beverages to be brought to the amphitheater by persons attending the activity where alcohol is permitted according to subsection 54-7(1).

(Ord. No. 923, § 3, 12-6-2007)

Section 3. Chapter 6, Articles IV, Taxation of Beverages by the Drink, Section 6-162~~..~~ Taxes Levied, is hereby further amended to read and to be codified as follows:

ARTICLE IV. TAXATION OF BEVERAGES BY THE DRINK¹

Sec. 6-162. Tax levied.

There is imposed and there shall be paid a tax of three percent of the purchase price of every sale of an alcoholic beverage (but not including malt beverages, fermented wines or fortified wines) purchased by the drink in the city. Sales of mixed drinks for off-premises consumption shall be taxed in accordance with O.C.G.A. § 3-4-130 through O.C.G.A. § 3-4-133.

Section 4. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 5. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 6. This ordinance shall be in full force and effect upon its official adoption by the City Council.

Done, Ratified, and Passed this ____ day of _____, 2022.

(Signatures on following page)

Kim Learnard, Mayor

Mike King, Mayor Pro Tem

Phil Prebor, Councilmember

Frank Destadio, Councilmember

ATTEST:

Yasmin Julio, City Clerk (SEAL)

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Justin Strickland, Interim City Manager 

FROM: Yasmin Julio, City Clerk
Chief Janet Moon, Police Department 
Robin Cailloux, Director of Planning and Development

DATE: September 8, 2022

SUBJECT: First Read of Proposed Massage Establishments Ordinance
September 15, 2022 City Council Meeting

Discussion

Staff recommends the adoption of an ordinance regulating massage establishments. The proposed ordinance creates a Regulatory Fee Certificate that massage business owners must obtain in order to operate a message establishment within the city.

In order to obtain this certificate, applicants must submit information on themselves and all massage therapists employed by the business, including copies of their government issued identification and their Georgia license to practice massage. The ordinance also authorizes regular inspections of massage establishments.

The ordinance will not apply to physicians, surgeons, chiropractors, nurses, or physical therapists who are duly licensed to practice within the state. Nor will it apply to barbers, beauticians, or nail technicians that solely massage neck, scalp, feet, and hands.

A copy of the draft ordinance is attached.

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
FOR THE CITY OF PEACHTREE CITY, GEORGIA;
TO ESTABLISH A REGULATORY FEE CERTIFICATE;
TO ESTABLISH PROVISIONS PERTAINING TO MASSAGE ESTABLISHMENTS;
TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE,
AND FOR OTHER PURPOSES.**

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, AND IT IS HEREBY ORDAINED by authority of the same that:

Section 1. The Peachtree City Code of Ordinances Chapter 42 – Health and Sanitation Article VI – Noise Control be amended to include:

Sec. 42-308 – 42-399, - Reserved.

Section 2. The Peachtree City Code of Ordinances Chapter 42 – Health and Sanitation be amended to include a new Article VII. – Massage Establishments, to be numbered and read as follows:

ARTICLE VII. - MASSAGE ESTABLISHMENTS

Sec. 42-400- Definitions.

For purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section.

Accredited school of massage: An educational program or course of study of not less than 500 hours in duration, which is accredited by the Commission on Massage Training Accreditation/Approval (COMTAA) or recognized by a state licensing agency such as the Nonpublic Post-Secondary Education Commission of the State of Georgia. The curriculum of such program or course of study shall include, but not be limited to, massage theory and technique, anatomy, and physiology.

Applicant: Any person, firm, corporation, or other entity applying for a regulatory fee certificate to practice massage or operate a massage establishment as defined herein.

Employee: Any person over 18 years of age; including a massage therapist, who renders any service in connection with the operation of a massage business and receives compensation from the operator of the business or patrons.

Massage or massage therapy: The application of a system of structured touch, pressure, movement, and holding to the soft tissue of the body in which the primary intent is to enhance or restore health and well-being. The term includes complementary methods, including without limitation the external application of water, superficial heat, superficial cold, lubricants, salt scrubs, or other topical preparations and the use of commercially available electromechanical devices which do not require the use of transcutaneous electrodes and which minim or enhance the actions possible by the hands; the term also includes determining whether referral to another health care provider is appropriate. Massage therapy shall not include the use of ultrasound, fluid therapy, laser, and other methods of deep thermal modalities.

Massage establishment: Any commercial establishment having a source of income or compensation derived from the practice of massage, as defined in this section, and which has fixed a place of business where any person, firm, association, or corporation engages in, advertises, or carries on any of the activities defined as "massage or massage therapy."

Massage therapist: A person who administers massage or massage therapy for compensation.

Outcall massage service: Providing any of the services which constitute massage as defined above from or at any place or location other than a fixed place of business licensed as such under this chapter as a massage establishment.

Patron: Any person over 18 years who receives a massage under such circumstances that it is reasonably expected that he will pay money or give any other consideration therefor.

Physical therapist: A person licensed by the State of Georgia to practice physical therapy as defined by the O.C.G.A. § 43-33-3.

Regulatory fee certificate: A certificate required by the city to operate a massage establishment as set forth herein. The certificate shall be in addition to a city business/occupation tax license-.

Sexual or genital area: Genitals, pubic area, anus, or perineum of any person, or the vulva or breast of a female.

Sec.42-401. - Regulatory fee certificate and Occupational Tax Certificate requirements.

- (a) A regulatory fee certificate and occupational tax certificate is required for any person, firm, corporation, or other entity operating a massage establishment. Such applicant must be at least 18 years of age, employ one (which may include him/herself) or more massage therapists meeting the requirements set forth in this ordinance, and if a corporation, is an officer of the corporation which is organized and authorized to do business pursuant to the laws of the State of Georgia. The applicant to operate a massage establishment must be the owner of the premises wherein the business will be conducted or the holder of a lease thereon for the period to be covered by the certificate.
- (b) An applicant and each massage therapist employed at a massage establishment must be of good moral character and a citizen of the United States or an alien lawfully admitted for permanent residence for at least one-year prior to application.

Each massage therapist employed at an establishment for the purposes of providing massage therapy shall be licensed to practice massage therapy in the state or the holder of a valid provisional permit issued by the state pursuant to O.C.G.A. § 43-24A-9.

Sec. 42-402. - Application requirements; investigation; contents.

In addition to the requirements contained in section 42-401, every applicant for a regulatory fee certificate and occupational tax certificate to practice massage, or to maintain, operate or conduct a massage establishment shall file an application under oath with the city upon a form provided by the city. Copies of the application shall be referred to the appropriate parties and/or departments. These departments shall, within 30 days, inspect the premises proposed to be operated as a massage establishment and shall make written verification to the City Clerk concerning compliance with the codes of the city, which they administer. The police department shall also make an investigation of the applicant's character and qualifications and report that information back to the City Clerk. Each application shall contain the following information:

- (a) A definition of service to be provided;
- (b) The location, mailing address and all telephone numbers where the business is to be conducted;
- (c) The name and residence of each applicant;
 - 1) If the applicant is a corporation, the names and residence address of each of the officers and directors of the corporation and of each stockholder owning more than ten percent of the stock of the corporation, and the address of the corporation itself, if different from the address of the establishment;
 - 2) If the applicant is a partnership, the names and residence addresses of each of the partners, including limited partners, and the address of the partnership itself, if different from the address of the massage establishment;
 - 3) If the applicant is a franchise, the name and residence of the franchisee, and the address of the registered agent in the State of Georgia;
- (d) The two previous addresses immediately prior to the present address of the applicant, including stockholders and partners if applicable;
- (e) Proof that the applicant is at least 18 years of age, including stockholders and partners if applicable;
- (f) Individual or partnership applicant's height, weight, color of eyes and hair, and sex;
- (g) Copy of government issued identification such as driver's license or social security card, including stockholders owning more than ten percent and partners if applicable;
- (h) Any applicant for a license under this article is required to submit to the police for a background investigation, fingerprinting, and a portrait photograph. If the applicant is other than a sole proprietor, all partners, officers, managers, and stockholders holding a ten percent or more interest in the company shall be subject to the provisions of this article. Each applicant authorizes the city and its agents to secure

from any court, law enforcement agency, or other public agency his or her criminal and civil history and to use such information in determining whether the certificate applied for shall be issued. Each applicant further authorizes the city and its agents to use such information in any public hearing with respect to the certificate applied for, whether before or after the issuance of the certificate. Each applicant waives any rights which he or she would otherwise have to preclude the city or its agents from obtaining and using such information, and each applicant further waives any liability of the city or its agents from obtaining and using such information. A fee, as established by City Council, is to be remitted for a background check and photograph;

- (i) Business, occupation, or employment of the applicant for the three years immediately preceding the date of application, including stockholders and partners if applicable;
- (j) The massage or similar business license history of the applicant; whether such person, in previously operating in this or another city, county or state, has had a business license revoked or suspended, the reason therefor and the business activity or occupation subsequent to such action of suspension or revocation;
- (k) All criminal convictions other than misdemeanor traffic violations, including the dates of convictions, nature of the crimes and place convicted;
- (l) The name, address, and current government-issued identification card of each massage therapist who is or will be employed in the establishment along with a copy of each massage therapist's license to practice massages in the state of Georgia
- (m) The applicant must furnish a diploma and certificate of graduation from a recognized school as defined in this article; however, if the applicant will not engage in the practice of massage as defined herein, such applicant need not provide diploma or certificate of graduation;
- (n) The name and address of any massage business or other establishment owned or operated by any person whose name is required to be given in paragraph (c) wherein the business or profession of massage is carried on;
- (o) A description of any other business to be operated on the same premises or adjoining premises owned or controlled by the applicant;
- (p) Authorization for the city, its agents, and employees to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for the permit;
- (q) Such other identification and information necessary to discover the truth of the matters required to be set forth in the application;
- (r) The holder of a regulatory fee certificate to operate a massage establishment shall notify the city clerk of each change in any data required to be furnished by this article within ten days after such change occurs.

Sec. 42-403. - Exemptions.

This article shall not apply to the following individuals while engaged in the personal performance of the duties of their respective profession:

- (a) Physicians, surgeons, chiropractors, osteopaths, and physical therapists who are duly licensed to practice their respective profession in the state.
- (b) Massage Therapists that are employed by a Chiropractor Office and work exclusively in that office.
- (c) Nurses who are registered under the laws of the state.
- (d) Barbers, beauticians, nail technicians, and nail estheticians who are duly licensed under the laws of this state, except that this exemption shall apply solely to the massaging of the neck, face, ears, scalp, feet, hands and hair of the clothed customer or client for cosmetic or beautifying purposes.
- (e) Any other persons specifically exempted by O.C.G.A. § 43-24A-19.

Sec. 42-404. - Inspection authorized.

A code enforcement officer or his/her authorized representative(s) or the police may, from time to time, make inspections during regular business hours of massage establishments for the purposes of determining compliance with the provisions of this article; provided, however, that any such inspection shall not include the investigation of criminal laws of the State of Georgia, and shall be limited to the operating requirements set forth in this Article.

Sec. 42-405. - Operating requirements; unlawful acts.

- (a) The premises shall be kept clean, neat, and sanitary and shall comply with all sanitary and health requirements of the State of Georgia, Fayette County, and the city.
- (b) Price rates for all services shall be prominently posted in the reception area in a location available to all prospective customers.
- (c) Ordinary beds or mattresses shall not be permitted in any establishment.
- (d) All employees, massage therapists and other persons on the premises, with the exception of customers, shall be completely clothed at all times when administering a massage. For the purposes of this requirement, "completely clothed" shall mean having appropriate undergarments and either a blouse or shirt on the upper portion of the body, which shall cover all the upper body save the arms and neck and shall mean having on the lower body appropriate undergarments plus either pants or skirt which must cover from the waist down to a point at least two inches above the knee. Clothes must be completely non-transparent.
- (e) During business hours, it is unlawful to block or obstruct the view into any establishment by tinting or covering windows and/or doors as to prevent an open view into the premises.
- (f) No alcoholic beverages shall be sold or provided to customers on the premises.

- (g) It is unlawful for any person in a massage establishment to place his or her hands upon, to touch with any part of his or her body, to fondle in any manner, or to massage a sexual or genital area, as defined in this article, of any person or to act in a manner intended to arouse, appeal to, or gratify the lust or passions or sexual desires.
- (h) It is unlawful for any person under the age of 18 to patronize any massage establishment unless such person carries with him or her at the time of such patronage, a written order, provided by a regularly licensed physician, directing the or written permission of the underage person's parent or guardian.
- (i) It is unlawful for any person or firm to provide "outcall" massage in any hotel, motel, rooming house, or similar place offering short term lodging to the public.
- (j) It shall be unlawful for any person owning, operating, or managing a massage establishment to knowingly or negligently cause, allow, or permit in or about such massage establishment any agent, employee or other person under his supervision or control to perform any acts prohibited under this section.
- (k) Notwithstanding any local, state, or federal criminal violation, it is specifically declared that any violation of this article shall constitute a nuisance, the same being subject to abatement in the municipal court of the city, as provided by charter. It shall be unlawful for any person to maintain or permit the existence of any nuisance on any property within the city.
- (l) Any provision of state law notwithstanding, a violation of the provisions of this article shall be further punishable as provided in section 1-11 of this Code of Ordinances.
- (m) Any employees present at a massage establishment with a regulatory fee certificate or employees present located at an establishment providing or advertising massage therapy without a regulatory fee certificate may be subject to a criminal background check.
- (n) No regulatory fee certificate to conduct a massage establishment shall be issued unless an inspection discloses that the establishment complies with each of the following minimum requirements:
 - 1) A readable sign shall be posted at the main entrance identifying the establishment as a massage establishment, provided also that all such signs shall otherwise comply with the general sign requirements of the Peachtree City Code of Ordinances;
 - 2) Minimum ventilation shall be provided in accordance with the Standard Building Code;
 - 3) Adequate equipment for disinfecting and sterilizing any instruments used for massage shall be provided;
 - 4) Hot and cold running water shall be provided;
 - 5) Closed cabinets shall be utilized for the storage of clean linen;
 - 6) Adequate dressing and toilet facilities shall be provided for customers;

- 7) All walls, ceilings, floors, steam or vapor rooms and all other physical facilities for the establishment shall be kept in good repair and maintained in a clean and sanitary condition;
- 8) Clean and sanitary towels and linen shall be provided for customers receiving massage services; no common use of towels or linens shall be permitted; and
- 9) The establishment, prior to the issuance of any license hereunder, must be in complete compliance with the city fire code, the city electrical code, the city plumbing code, and with all other requirements of federal, state, county and municipal law designed to protect the health, welfare and safety of the persons who come into contact with said establishment.

Sec. 42-406. - Hours of operation.

No massage therapist shall engage in such business or profession except between the hours of 7:00 a.m. and 9:30 p.m.; nor shall any operator of a massage establishment or business operate the same except within and between those hours. Violations of this section shall be considered under this code as an offense and persons found guilty of such violations shall be punishable within the general limits of punishments as provided by section 1-11.

Sec. 42-407. - Posting of regulatory fee/occupation tax certificate; transfer of certificate; posting of massage therapist licenses.

- (a) Every person obtaining a regulatory fee certificate and an occupation tax certificate under this chapter shall display such certificate in a prominent place.
- (b) No certificate whether for a massage establishment or a massage therapist shall be transferable or assignable from person to person or from location to location.
- (c) All certificates granted hereunder shall expire on December 31 of that respective year. Certificate holders who desire to renew their certificate shall file application, with the requisite fee with the city clerk or designee for renewal for the ensuing year on the form provided on or by December 31. Any establishment that has previously failed to complete the subject application set forth in section 42-402 shall do so and any establishment that previously completed such application shall update any new information. All certificates granted hereunder shall be for the calendar year.
- (d) The state issued massage therapist license or provisional permit for each massage therapist working in a massage establishment must be displayed in a prominent location.

Sec. 42-408. - Denial, revocation, or suspension of business/occupation certificate.

A regulatory fee certificate granted hereunder shall be subject to denial, revocation, or suspension. Whenever, in the opinion of the city manager or designee, there is cause to deny, revoke, or suspend this certificate, a written notice of intention to deny, revoke, or suspend the certificate shall be furnished to the holder thereof. A hearing will be scheduled wherein the applicant may present his/her case before the city manager. After the hearing, the city manager may deny, revoke and/or suspend this certificate if,

in his/her discretion, denial, revocation and/or, suspension is in the best interest of the health, safety, and welfare of the city.

If the decision is adverse to the license holder, he/she may appeal such decision within ten days to a court of competent jurisdiction via a writ of certiorari. If the city manager's decision finds that no grounds exist for denial, suspension, or revocation of the certificate, then the appropriate department shall issue the license to the applicant. Such decision shall become effective upon the city manager issuing his/her decision.

(a) The regulatory fee certificate of massage establishment may be denied, revoked, or suspended upon one or more of the following grounds (but is not limited to such grounds):

- 1) Failure of the applicant to meet or maintain initial qualification for obtaining the license;
- 2) The applicant is guilty of employing or attempting to employ any person who is not a licensed massage therapist and allowing or permitting such person to administer massage in said establishment;
- 3) The premises in which the massage establishment is located are in violation of any of the federal, state, county, or municipal laws designed for the health, protection, and safety of the occupants;
- 4) The premises are in violation of the building codes;
- 5) The applicant or therapist is guilty of fraud in the practice of massage, or fraud or deceit in obtaining a regulatory fee certificate to practice massage therapy;
- 6) The applicant or therapist is engaged in the practice of massage therapy under a false or assumed name, or is impersonating another practitioner of a like or different name;
- 7) The applicant or therapist is addicted to the habitual use of intoxicating liquors, narcotics, or stimulants to such an extent as to incapacitate such person to the extent that he is unable to perform his or her duties;
- 8) The applicant or therapist is guilty of fraudulent, false, misleading, or deceptive advertising or practices;
- 9) The original application, or renewal thereof, contains materially false information; or the applicant or therapist have deliberately sought to falsify information contained therein;
- 10) The applicant or any of his/her therapists or employees or agents have been convicted or has pled guilty or nolo contendere to a felony or to a misdemeanor involving moral turpitude, or to any charge of a lascivious nature;
- 11) The applicant or any of his/her therapists or employees have allowed to occur or have engaged in a violation of any part of this article or federal, state, county, or municipal law;
- 12) Failure of the applicant to actively supervise or monitor the conduct of the employees, customers, and others on the premises in order to protect the health, safety, and well-being of the general public and the customers;

13) The city has revoked a massage/spa establishment license at the premises within the previous 12 months.

14) Noncompliance with any section of this article;

(b) Any massage therapist or massage establishment operator who has his or her or its regulatory fee certificate revoked shall be disqualified from reapplying for such a certificate for 12 months immediately following revocation.

(c) Revocation of a regulatory fee certificate shall automatically revoke the entity's occupation tax license.

Sec. 42-409. - Responsibility of owner or operator.

It shall be the responsibility of the owner or operator of any service described herein as "massage" or "massage therapy" to ensure that each person employed as a massage therapist shall have in his or her possession a valid state issued message therapy license.

The owner or operator or a person designated by the business licensee of the massage establishment shall maintain a register of all persons employed at the establishment. The list shall identify those employees that are licensed massage therapists and those that are not licensed. For those employees licensed as massage therapists state license number shall be provided along with a photo of the employee. Such registers shall be available at the massage establishment to representatives of the city during regular business hours.

Sec. 42-410.- Record of treatment to be kept.

(a) It shall be the duty of any person granted a regulatory fee certificate under this article to maintain correct and accurate records of the names of the persons receiving treatment, the type of treatment administered, and the name of the person administering this treatment. These records shall be subject to inspection any time by the city code enforcement office or police department. Records shall be kept for a minimum of three years.

(b) No massage therapy shall be performed by any massage practitioner in the home of any client or in any place except for the place of business of a licensee hereunder, unless a written memorandum is first made in a log or record at the place of business for the purpose of recording consecutively the date, time of treatment, place of treatment, name and address of person to receive treatment, type of treatment to be received, name of person to render treatment, time the practitioner leaves to render treatment, and the fee charged. The therapist shall record the time each treatment was completed immediately upon his or her return to the place of business.

Sec. 42-411. - Compliance.

It is unlawful and a city ordinance violation for any person or firm to engage in, conduct or carry on within the city, any business as a massage establishment or to act as a massage technician without first obtaining and possessing a valid regulatory fee certificate issued pursuant to this chapter, or without complying with all regulations contained in this chapter.

Sec. 42-412.- Remedies.

- (a) Any premises, building, dwelling or other structure in which a massage establishment or spa is operated or maintained in violation of this article is declared to be a public nuisance, harmful to the public health, safety, and welfare. The city's legal counsel may bring an action in the Superior Court of Fayette County to restrain, prohibit, and/or enjoin the use of such premises as a massage establishment in the Superior Court of Fayette County.
- (b) The operation of a massage establishment or spa establishment by a partnership, limited liability company, corporation, or other legal entity in violation of the article is declared to be a public nuisance, harmful to the public health, safety, and welfare. The city's legal counsel may bring an action in the Superior Court of Fayette County to restrain, prohibit, and/or enjoin such operation of a massage establishment or spa establishment.
- (c) The operation of a massage establishment by a person in violation of this article is declared to be a public nuisance, harmful to the public health, safety, and welfare. The city's legal counsel may bring an action in the Superior Court of Fayette County to restrain, prohibit, and/or enjoin such operation of a massage establishment or spa establishment.
- (d) It shall not be necessary, in order to obtain an injunction under the section, to allege or prove that there is not adequate remedy at law or to allege or prove any special injury.
- (e) If the court declares a massage establishment or spa establishment to be a nuisance, or if the court issues an injunction against a massage establishment pursuant to this article, the city shall be entitled, on motion, to recover its reasonable attorney's fees and costs incurred in the bringing of the action.

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

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

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

Done, Ratified, and Passed this ____ day of ____ 2022.

Kim Learnard, Mayor

Phil Prebor, Post 1

Mike King, Post 2

, Post 3

Frank Destadio, Post 4

Attest: _____

Yasmin Julio, City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Justin Strickland, Interim City Manager

FROM: Jill Prouty, Director of Library Services
Paul Salvatore, Director of Financial Services
Kelly Bush, Assistant Finance Director 

DATE: September 7, 2022

SUBJECT: MRR Grant Application for Elevator Modernization and FY2023 Budget Amendment
September 15, 2022 City Council Consent Agenda

Recommendations:

Approve the FY23 application for the Georgia Public Library Service (GPLS) Major Repair and Renovation (MRR) Grant Program in the amount of \$187,000 for the complete modernization of the library's elevator and the attached budget amendment. The expected reimbursement from the grant is 50% (or \$93,500).

Discussion:

The library's Dover elevator was installed in 1995. The elevator is 27 years old with an average life span of 25 years. In addition, Dover Corp. sold their elevator division to German-based Thyssen Elevator back in 1999. The control system for the Dover elevator is comprised of several circuit boards that are no longer manufactured and are getting harder to repair.

The complete modernization (MOD) of the elevator includes replacement of the control system, fixtures (buttons and lights), and the equipment that opens and closes the doors at each level. When completing a MOD, the State of Georgia Code requires the elevator related building systems to be brought up to current code as well. This includes the fire alarm system, electrical wiring, etc.

Kone Inc., who provides maintenance for the library's elevator, estimates the cost of the complete MOD at \$170,000. The MRR grant requires a 10% contingency, which brings the total to \$187,000.

Availability of MRR grant money will not be confirmed until the Governor signs the FY24 budget next year; however, the application for the grant is due on September 30th of this year. If the grant is approved, work would begin on or after July 1, 2023.

Budget Impact:

The attached budget amendment will increase both revenues and expenditures in the General Fund and the Capital Project Fund.

[illegible]

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

FROM: Justin Strickland, Interim City Manager 

DATE: September 9, 2022

SUBJECT: **SPLOST 2023 Official Project List**
September 15, 2022, *City Council Agenda*

Recommendation:

Approve the SPLOST 2023 Official Project List for the City of Peachtree City to be noted in an inter-governmental agreement with Fayette County and to authorize the City Manager to develop an inter-governmental agreement with Fayette County for a six (6) year SPLOST term and an anticipated total collection amount of \$67,380,600.00 for the City of Peachtree City.

Discussion:

A SPLOST Advisory Group made up of six Peachtree Citizen residents appointed by the City Council began meeting in February 2022 with the task of recommending a list of potential projects for the upcoming SPLOST referendum set for March of 2023.

The SPLOST Advisory Group had a series of open meetings from February through August 2022 during which time they evaluated potential projects proposed by staff and citizens totaling \$81.5 million. From the potential projects, the group was tasked with selecting projects to stay within a budget of \$60 million. The group rated the projects individually, then staff took that data to average the overall results. Based on how the projects ranked, the group discussed and developed a final proposed list. The SPLOST Advisory Group, with the help of staff, also opened a public citizen survey of the final proposed projects to receive feedback. The survey had 1,216 respondents. Overall support of the projects from the survey was 71.75% based on all survey respondents.

At the August 18, 2022 City Council Meeting, the SPLOST Advisory Group presented their final proposed list to City Council.

At the August 30, 2022 Special Called Meeting, City Council discussed the proposed list and solicited feedback from citizens and the SPLOST Advisory Group. Based on that meeting, two projects have been removed from the official project list (Battery Way Restrooms and Lake Peachtree Shoreline Swim Access). The Tier 2 Project of 12 Pickleball Courts has been moved to Tier 1 and the budget has been changed to \$770,000.

Staff recommends that the Project List be approved as presented. Once approved, staff will begin work on the SPLOST Project Manual and the inter-governmental agreement with Fayette County to be approved by the City Council once drafted.

Budget Impact:

Collections of the new SPLOST would begin in July of 2023 as the current SPLOST collections expire in June of 2023. Estimated collections for Fayette County over the six-year period is expected to generate \$210 million with \$67 million being allocated to the City of Peachtree City.

City of Peachtree City Official SPLOST 2023 Project List
By Service Area

Tier 1			
Project Number	Project	Quantity	Total Expense
	Public Safety		
	Fire		
1	Replace Reserve Engine - 2007 / 2008	2 \$	1,500,000
2	Purchase New Engine - Station 85	1 \$	750,000
3	Replace Reserve Medic 86 2013 -2015 F450)(w/EKG and Lucas)	2 \$	900,000
4	Replace Quint 84 (2004) (2208)	1 \$	1,500,000
5	Replace Station 84 (100 kw) Generator	1 \$	100,000
6	Turnout Gear Washer and Dryer for each Station	6 \$	84,000
7	Long Term EMS Equipment Replacement	Misc \$	70,000
8	Extrication Rams for Engines	7 \$	88,000
9	Digital Radios Replacement & Expansion	25 \$	170,000
10	Station 85 Construction - Southside	1 \$	2,500,000
11	Station 82 Construction - Eastside	1 \$	2,800,000
	Fire Subtotal		\$ 10,462,000
	Police		
12	Transport Vehicle	1 \$	85,000
13	Pole Barn	1 \$	55,000
14	Evidence Storage Enhancements	1 \$	120,000
15	Pop-Up Security Trailer & Tower	1 \$	43,000
16	Real-Time Crime Workstation (Security Camera Feed Center)	1 \$	30,000
17	Digital Radios Replacement & Expansion	1 \$	140,000
18	SRT Vehicle	1 \$	350,000
19	K-9 Additions and Replacements	4 \$	120,000
20	UAV (Unmanned Aerial Vehicle) Replacement	1 \$	30,000
21	Portable Vehicle Lift	1 \$	10,000
	Police Subtotal		\$ 983,000
	Public Safety Total		\$ 11,445,000
	Paths		
22	Path Construction (3 Miles per Year)	6 \$	3,445,000
23	Path Transition Reconstruction (Signage, smooth curbing transition, etc) - Citizen Suggestion	1 \$	500,000
24	Replace Asphalt Spreader	1 \$	210,000
25	Replace 750 Dump Truck	1 \$	115,000
26	Replace Skid Steer	1 \$	75,000
27	Robotic Slope Mower	1 \$	95,000
28	Safety and Traffic Flow Improvements for Corrugated Metal Path Tunnels	1 \$	3,500,000
29	Path Tunnel & Bridge Maintenance	6 \$	875,000
30	Grade Separated Crossing to Connect Booth Middle and McIntosh High	1 \$	4,000,000
	Path Total		\$ 12,815,000
	Roads		
31	Street Resurfacing Program (8 Miles per Year)	6 \$	30,000,000
32	New Village Signage	18 \$	180,000
33	Replace Street Sweeper	1 \$	190,000
34	Intersection Improvements at Peachtree Parkway & Robinson Road	1 \$	2,280,600
	Roads Total		\$ 32,650,600
	Recreation		
35	Drake Field Restrooms	1 \$	500,000
36	Community Garden Site Redevelopment - 110 Kelly Drive	1 \$	1,000,000
37	Playground Equipment Replacement & Expansion - Citywide	6 \$	1,200,000
38	New Pickleball Courts with Lights and Restrooms	12 \$	770,000
	Recreation Total		\$ 3,470,000
	Total		\$ 60,380,600
	Projected Revenue		\$ 67,380,600
	Projected Revenue over Requested Expenses		\$ 7,000,000
	Contingency, Tier 2		\$ 7,000,000
	Projected Revenue over Requested Expenses w/Contingency		\$ -
Tier 2			
Project Number	Project	Quantity	Total Expense
39	Additional Street Resurfacing	1 \$	5,000,000
40	Additional Path Construction	1 \$	2,000,000
	Total		\$ 7,000,000