Minutes of Meeting
September 2, 2010
7:00 p.m.

The City Council of Peachtree City met Thursday, September 2, 2010, in the City Hall Council Chambers. Mayor Don Haddix called the meeting to order at 7:00 p.m. Council Members present: Vanessa Fleisch, Erik Imker, Kim Learnard, and Doug Sturbaum.

Announcements, Awards, Special Recognitions

Mayor Haddix proclaimed September 17 – 23 as Constitution Week in Peachtree City and presented the proclamation to members of the Daniel Newnan Chapter of the Daughters of the American Revolution. Mayor Haddix recognized the members of the Pirates Swim Team, who placed fourth in the state, along with four individual state champions.

Citizen Comment

Phyllis Aguayo addressed Council regarding her concerns about the proposed Walgreen's that would replace the Ruby Tuesday's at the intersection of Peachtree Parkway/SR 54. She noted that City Council, Planning Commission, and residents had fought hard through the years to keep the intersection looking nice. There were multiple restrictions that would expire in 2011 on the current building. The residents understood when Ruby Tuesday's went in that the intersection would always be protected, and nothing bigger or taller than the restaurant would go there. She hoped that Council would look at the history and use their influence to make sure proper restrictions would be placed on the building size and buffers so very little would change when Walgreen's was built.

Minutes

August 19, 2010, Special Called Meeting Minutes
August 19, 2010, Regular Meeting Minutes

Haddix noted there was an additional document on the dais – proposed amendments to page 13 of the August 19, 2010, regular meeting minutes from Imker. Imker noted there was a math error in a statement he made, asking that the minutes be changed to reflect the correct amount. Sturbaum moved to approve the August 19, 2010, special called meeting minutes as written and the August 19, 2010, regular meeting minutes with Imker's changes. Fleisch seconded. The motion carried unanimously.

Monthly Reports

Haddix noted there was an additional document on the dais – the FY 2010 Recreation Revenue and Programs Expenditures projections.

Imker referred to page 21 of the meeting packet (Building Department report) and page 36 (Code Enforcement report), noting that the report on page 21 showed one housing code citation was issued while the report on page 36 showed multiple citations were issued. Police Chief H.C. "Skip" Clark said the Police Department only tracked the Code Enforcement numbers since July, noting that 21 citations were written in July. He continued that the Building Department report included the citations written by Housing Code Official Tami Babb. City Manager Bernard McMullen added that July was the first month that Code Enforcement had been included with the Police Department, while the Housing Code Official was assigned to Community Development. Imker said the City was getting serious about multiple code violations and residents needed to contact the City if something was not right.

Imker referred to page 23 (Finance monthly report) and the hotel/motel tax revenues, noting that the revenue year-to-date was 1% higher than budgeted, which was good news. He expected the end-of-year revenue to be at least 1% higher. Imker continued that the Information Technology (IT) report, pages 25 – 31, was overwhelming. He looked forward to working with staff to simplify the reports to make them easier to read and understand.

Imker referred to page 33 (Recreation report), noting there was more information on the dais. He had asked for a better understanding of the expected revenue from the Recreation Department. The report last month and this month had been a little confusing. The report had not been broken out to see the estimate at the end-of-year as $500,000. The additional information that had been provided completed the information, showing a list of five revenue sources for the Recreation Department and where the $500,000 figure came from. The fees came from Kedron, The Gathering Place, pool user fees, recreation, and recreation pool revenue. The end-of-year estimate for revenues was now at $529,000, which was good news.

<u>Consent Agenda</u>

1. **Consider Red Cross Shelter Agreement**
2. **Consider Drainage Easements**
3. **Consider CVB Merchandising Agreement**
4. **Consider Agreement for Kedron Pool Use by High School Swim Teams**
5. **Consider Non-profit Funding Agreement for FY 2011 from Fayette Senior Services**
6. **Consider Non-profit Funding Agreement for FY 2011 from Promise Place**
7. **Consider Surplus & Lease of Vehicle to KPTCB**

Learnard moved to approve Consent Agenda items 1 – 7. Sturbaum seconded.

Imker provided a point of information on items 5 and 6, pointing out that $25,000 was budgeted every fiscal year for non-profit organizations. Fayette Senior Services and Promise Place received most of that money. He wanted to understand the qualifications of those entities and to ensure that all entities with equal qualifications knew about the funding and how to apply. Administrative Services Director Nikki Vrana said there was a City Administrative Regulation (CAR 8-3 City Council Funding for Non-Profit Organizations), stating organizations had to be non-profit and provide services the City did not. Very few organizations offered basic needs services. City Attorney Ted Meeker added that the City always referred people asking for donations to the CAR. An organization could make a request, which would go to Council. Council would look at the budget, and whether or not the request could be programmed into the current budget year or the following year.

Imker pointed out that the Fayette Senior Services and Promise Place requests had been on a previous Council agenda. Vrana clarified that the request considered by Council a few months ago was to include the funding for the organizations in the FY 2011 budget. The request for this meeting was to approve the agreement and issue the checks. McMullen added that, per the requirements in the CAR, organizations had to apply for the funding by June 1 each year, and requests were approved for budgeting purposes only at that time. The items on the agenda for this meeting were to approve the actual agreements for services in order to transfer the money. Meeker clarified that the City could not just give money away and had to receive a service, which was outlined in the agreement. Imker said the point had been to let the public know the funding was available.

The motion carried unanimously.

__New Agenda Items__

09-10-01 Public Hearing – Consider Resolution for the Pre-Disaster Mitigation Plan

Captain Pete Nelms, the emergency management coordinator for Fayette County Fire and Emergency Services, addressed Council. He noted that the Federal Emergency Management Agency (FEMA) Disaster Mitigation Act of 2000 required every community to have an approved disaster mitigation plan that identified man-made and natural disaster risks that could occur, as well as a future mitigation projects in the community. The County's current plan expired on December 23. This was an update to that plan. In the past five years, the plan had brought over $2 million in mitigation projects to the City and the County, and the update would keep the County in compliance with the Mitigation Act of 2000 and keep the County and City eligible for funding and assistance should a disaster occur. An update to the plan was required every five years, and this update was researched and written using in-house resources in an effort to develop the most cost-effective and accurate plan. The plan was a collaborative effort requiring over 400 hours of work by the entities involved. FEMA had approved the plan, which met all 56 pages of federal requirements. FEMA had deemed it a perfect plan and had requested no changes. Formal approval by FEMA was pending the adoption of the update by resolution by all the County's municipalities.

The public hearing opened. No one spoke for or against the plan. The public hearing closed.

Imker moved to approve the resolution for the Pre-Disaster Mitigation Plan. Sturbaum seconded. The motion carried unanimously.

09-10-02 Consider FY 2011 CVB Budget

Convention and Visitors Bureau (CVB) Chairman Kai Wolter presented the FY 2011 budget and annual plan (a copy of the PowerPoint presentation is included in the meeting file). Wolter said the CVB had approved the proposed budget on July 21, and he asked Council to approve it, as well. Wolter continued that the budget reflected the first full budget year of CVB operations and demonstrated the focus of the CVB on marketing the City as a tourism destination for conventions, sports events, and group travel. The Board of Directors had also prepared an annual report that included strategic and marketing plans and goals that defined the program of work for the upcoming year.

Wolter continued that initial travel industry forecasts for 2011 showed very slight gains in occupancy. The City's market now had 837 hotel rooms. The primary demand generators for the City were corporate, leisure, and group events. He explained that Revenue per Available Room (RevPar) was the daily room revenue divided by the total number of available rooms per day. It had declined over the last five years, although they were on pace to make the revenue numbers this year. The RevPar for 2006 was $65.48 compared to $48.20 in 2010 (also affected by the opening of Hilton Garden Inn in 2010). Wolter added that the CVB had hired Smith Travel, a company used by hotels, to provide detailed information each month on occupancy, market conditions, forecasts, and much more.

The CVB held a hotel managers meeting on August 5, and a hotel wish/focus list was developed. Wolter said the list included family reunions, military reunions, recruiting of sports tournaments, bus tours, travel writers tours, direct sales effort, in-flight magazines, trade show co-operatives such as

American Bus Association or Travel South, advertising in meeting planner industry magazines, and monthly accountability. He added that the CVB would absorb the July 4th fireworks into its budget. He asked Council to also visit the new Welcome Center, located in the Amphitheater ticket office building, which was almost complete and was under budget. An open house was planned in October.

Wolter pointed out that revenue variances in the FY 2011 budget were a result of a 2% increase in hotel/motel tax projections, the addition of sponsorship revenue for the 4th of July, and registration fees for the International Festival. Consolidation of staff resources with the Amphitheater resulted in a labor savings of $48,305. Sales and marketing expenses were increased by 40% due to the increase in the projected hotel/motel tax revenue and the decrease in labor costs. Additional tourism events included funding the 4th of July fireworks in 2011 as well as continuing funding of marketing efforts by the Great Georgia Airshow, Amphitheater, and International Festival, which was the signature event. Advertising expenses would increase by 48% in FY 2011 to $65,000. Printing and binding expenses were budgeted at $20,000, an increase of 6% over FY 2010 projected spending. Administrative expenses were reduced by 16% due to the projected reduction in legal expenses in the amount of $10,734.

The sources of funds for the CVB included the hotel/motel tax transfer ($520,445), other revenue ($250), sponsorships – 4th of July ($5,000), registration fees – International Festival ($3,000), interest income ($50), and merchandise sales ($3,000) for a total of $531,745 in revenue.

Wolter continued that the FY 2011 marketing expenses included reimbursement to the City for Tourism staffing ($104,891), professional services-website maintenance ($2,500), advertising/marketing ($65,000), tourism events ($127,588), printing/binding ($20,000), postage ($1,500), operating/promotional supplies ($10,000), dues and fees ($6,100), professional development/trade shows ($10,000), and proposed commission sales personnel ($30,516) for a total of $273,204.

Wolter continued that the FY 2011 budget for administrative expenses included audit services ($6,500), legal services ($10,000), administrative services-City ($1,000), equipment rental ($1,704), Amphitheater rental/utility ($15,503), liability insurance ($3,500), communications ($2,280), bank fees ($600), office supplies ($2,250), computer/tech supplies ($3,700), cost of inventory sold ($1,800), travel ($1,000), and transfer to the Airport Authority (PCAA) ($104,089). Marketing and administrative expenses totaled $532,021. Wolter said the CVB hoped to be able to decrease the funding to the PCAA significantly over the next few years.

Wolter continued with staffing, noting that the CVB had 1.4 people (70% of Executive Director Nancy Price, 30% of Special Event Coordinator Sarah Davenport, 40% of Business Manager Mary Camburn). Wolter explained that the CVB would like to add a part-time sales manager who would be a seasoned sales professional motivated by the commission structure. The sales manager would work segments deemed high priority by hotels, would have specific monthly activity and productivity goals, would provide detailed monthly reporting, and would have a clearly defined return on investment.

Haddix said that, after three years of asking for data, he was pleased to see the information that had been provided.

Imker said he was also impressed with the budget. He noted that the 20% transfer of the hotel/motel tax to the Airport Authority (PCAA) was down $16,000 from FY 2010. He wanted to ensure that the PCAA remained a viable entity. He asked if the PCAA was aware of the breakdown. Wolter said the CVB signed an agreement with the PCAA for the funds. Imker asked, if the revenues came in at $550,000 instead of $520,000, whether the PCAA would get an additional $6,000. Wolter said that was correct.

Sturbaum moved to approve the CVB FY 2011 budget as presented. Fleisch seconded. The motion carried unanimously.

09-10-03 Consider Merchandising Agreement for Map with Print Graphics
Public Information Officer/City Clerk Betsy Tyler addressed Council, asking that Council consider a partnership with Print Graphics for reprinting the City's map. Tyler showed a draft of the proposed map with the streets, cart paths, and biking paths marked on it. The partnership would allow the City to have a much better product. Through the agreement, the City would authorize use of the City logo, would act as a sales distributor (the City was currently a distributor of its own maps), and purchase 10,000 maps for $1.50 each and sell them for $2 each. Tyler continued that, within the context of the partnership, the City would also be able to leverage its buying power and marketability to receive another 16,000 maps with five pages of dedicated advertorial material useful to residents and visitors. Tyler said what the City would get would be a much better product actually worth the mark-up. It also allowed the City to combine two maps (streets and paths map and dedicated bike route map) into one four-color map. Tyler asked Council to approve the agreement and authorize the City Manager to sign it.

Haddix asked if this would be a yearly map. Tyler said the agreement was for one year, and staff hoped the quantity would be for a year's worth of use.

Fleisch said it would be a good marketing tool for the CVB. It was a step in the right direction for doing more marketing.

Sturbaum moved to approve the agreement with Print Graphics for the map and authorize the City Manager to sign said agreement. Fleisch seconded. The motion carried unanimously.

09-10-04 Discussion on County Transferring SPLOST Funds
Imker said the agenda item was for information gathering only. He was confused by what was going on with the Special Purpose Local Option Sales Tax (SPLOST) money in the County, and he wanted everyone to understand why Fayetteville was getting additional SPLOST money from the County.

McMullen said that, in 2004, the municipalities submitted lists of projects to be accomplished by the SPLOST to the County. The County's list was the 2003 regional transportation plan, which included projects in the unincorporated County as well as the municipalities. In August 2005, an intergovernmental agreement was signed between the County and each municipality for the SPLOST distribution, setting the percentage. The County received 70% of the funds, and the remaining 30% was split between the municipalities and the unincorporated County for projects each had. The City received 34% (or 10% of the overall SPLOST funds) of the remaining 30%, which was what the City had used on its list of projects, including street and cart path resurfacing.

The intergovernmental agreement between the County and Fayetteville included the extension of Lafayette and the intersection of Lafayette/SR 85. Both projects were included in the 2003 regional transportation plan (which was funded by the 70% portion of the SPLOST).

Haddix pointed out that the Lafayette extension was listed in the 30% portion on the County's website. McMullen said the City had two projects listed in the regional transportation plan and on the City's list, and this was the same situation. All the projects in the regional transportation plan had not been expected to be completed. But some projects were important enough to the cities to also put those projects on their own lists. Learnard clarified that projects could be put on both to cover the bases. McMullen said yes, noting that the City projects were the cart path bridge (Gateway bridge) on SR 54 West and a cart path bridge over SR 74 North. He reiterated that both those projects were also on the 2003 regional transportation plan list. Haddix questioned whether the website was incorrect for not listing the Lafayette extension in the 70%. McMullen said he could not answer for what was on the website, but the documents attached to the resolution and the intergovernmental agreements had the project on both lists. McMullen read that projects I-6 and I-7 were traffic signals at Lafayette/SR 85 and Lafayette/SR 54. The extension of Lafayette Avenue east of SR 85 was listed as project R-14. McMullen said he had spoken to County Administrator Jack Krakeel and confirmed those were the projects the Commissioners had approved the funding for. McMullen read from the intergovernmental agreement, "the city (Fayetteville) shall acquire and record in the office of the clerk of Superior Court of Fayette County all right-of-way and easement documents necessary to complete the project. The City shall pay all costs associated with engineering and the preparation for construction drawings and specifications required to enable County to solicit bids for construction and construction management. The County shall solicit bids and award the contract for all construction and construction management services required to complete the project and shall cause the construction to be completed. Costs for these obligations are estimated at approximately $491,000, and shall be borne entirely by the County." In essence, Fayetteville agreed to pay part of the cost. The County could have borne the entire cost of the project. McMullen said his assumption was that Fayetteville talked to the County, offered to pay part of the cost, and asked the County to pay the balance.

McMullen showed the list of projects in the City that were included on the County's 2004 SPLOST spreadsheet (a copy of the list is included in the meeting file). Council had discussed the items at the March retreat and had asked that the following projects be kept where they were in the regional transportation plan – Peachtree Parkway at Crosstown Drive, intersection improvements; Crosstown Drive, widening; SR 74 North multi-use bridge; and the SR 54 West multi-use bridge and Gateway, using revised cost numbers of $1,681,762 for design and construction, $1,163,362 needed from 70% SPLOST. McMullen said there were two projects that put the City in the same situation as Fayetteville. The City had money from the federal government toward construction of the Peachtree Parkway/Crosstown Drive intersection improvements (approximately $200,000, with an additional $1 million needed for finishing the design, right-of-way, and construction). There were no funds allocated for the Crosstown Drive widening or the SR 74 North multi-use bridge. The City had just over $500,000 in Livable Centers Initiative (LCI) money for the SR 54 West multi-use bridge. The City also had $100,000 for the SR 54 West project set aside in its share of the SPLOST funds. The estimated cost of the bridge was approximately $1.1 million. Council had also asked to delete SR 54/SR 74 intersection improvements and the TDK Boulevard extension from consideration.

Imker said he appreciated the factual update. He questioned how the $490,000 materialized. McMullen said he could only make an assumption. He referred to the top 10 list of transportation projects created from the regional transportation plan. The top 10 list included the Fayetteville east bypass, and McMullen said, to his knowledge, they were not proceeding with that project. It was the most expensive project in the book, so the money for that project became available for projects further down the list. Imker said they might want to meet with the County Commissioners to re-prioritize the list and ask for more money. He suggested asking for $4.5 million for three years of cart path and road maintenance that was on the City's list. McMullen said the cart path and street resurfacing was part of the 30% portion. To get additional funding in that pot, the agreement between the County and the municipalities would have to be renegotiated and approved, which was possible.

McMullen reiterated the City had four projects eligible for a share of the 70%. The Peachtree Parkway/Crosstown Drive intersection was estimated at $1 million. The Crosstown Drive widening was estimated at $5.6 million. The SR 74 North bridge was estimated at $1.6 million, and an additional $1.1 million was needed for the SR 54 West bridge. He continued that part of the justification for widening Crosstown was the completion of the TDK extension. Since the TDK extension would not be done, he did not know if widening Crosstown was justified, but that was the biggest part of the money. Staff sent out a request for proposal (RFP) for transportation services that was due September 23. Once awarded, a traffic study would be done to determine if the Crosstown Drive widening was justified. If it was not, then the City would be in a stronger position to ask for money for other projects. The estimate for the study was $25,000, and the City would be able to ask the County to fund projects not on the City's list.

Imker said they needed to get the other municipalities together to discuss renegotiating with the County for the freed up money. The City needed to get its fair share, but he was not familiar with the process. McMullen said Council would need to meet with the Board of Commissioners. Haddix said that there would be a 40% change in the feelings of the County administration in January. Haddix supported the renegotiation, and said at least one other mayor was on board. There was momentum, but the question was the timing. The dynamics of the County Commission would change in January. Fleisch suggested it might make sense to begin the discussions earlier so the money was not targeted somewhere else. Imker said the municipalities should try to meet with the Commissioners, including the new ones, in October. Haddix said he understood, but there were certain dynamics in going from municipality to municipality. One election changed all the rules. The timing had to be appropriate. Imker said he would help contact the other municipalities, but was unsure of the etiquette. Haddix said he would take care of it; it should be done mayor-to-mayor. Sturbaum agreed that they should find out how the other mayors felt and go from there. Imker said he did not want to wait until January to start. Haddix said he would get on it.

<u>Council/Staff Topics</u>

Hot Topics Update

McMullen reported that the Paschall tunnel was finished and open. There were only a few punch list items left, but nothing that impeded use of the tunnel. He continued that Community Development Director/City Planner David Rast was working on the revisions to the cell tower ordinance, and it would be on the October 7 agenda. The Rockaway Road realignment was open, but there were some safety concerns about the traffic signal. City Engineer Dave Borkowski was working with the Georgia Department of Transportation (DOT) on changing the sequencing of the lights. A dedicated left turn lane would be added to Holly Grove, but currently one lane allowed traffic to cross SR 74 to Rockaway or turn left onto SR 74. The Rockaway Road side had a single lane going across SR 74 and a dedicated left turn lane. Both lights were on at the same time. With the change, one side would turn green at a time. There would be additional delays, but the operation would be safer. Borkowski and DOT would monitor the situation. Staff still had not heard from Camden Apartments' legal team regarding the MacDuff tunnel. The slab foundation had been removed from 201 Clear Springs, it had been seeded, the pool was covered, and the issues had been taken care of.

Update on Grass Code Violations and Citations
This item was discussed during Monthly Reports.

Sturbaum moved to convene in executive session to discuss pending or threatened litigation at 8:06 p.m. Fleisch seconded. The motion carried unanimously.

Sturbaum moved to reconvene into regular session at 9:41 p.m. Learnard seconded. The motion carried unanimously.

There being no further business to discuss, Sturbaum moved to adjourn. Learnard seconded. The motion carried unanimously. The meeting adjourned at 9:14 p.m.

Pamela Dufresne, Deputy City Clerk

Don Haddix, Mayor