City Council of Peachtree City
Meeting Minutes
September 1, 2011

The Mayor and Council of the City of Peachtree City met on Thursday, September 1, 2011, in City Hall Council Chambers. Mayor Haddix called the meeting to order at 7:00 p.m. Council Members attending were: Vanessa Fleisch, Doug Sturbaum, Kim Learnard, and Eric Imker.

Announcements, Awards, Special Recognition
Mayor Haddix read a proclamation for a Moment of Remembrance on the 10th anniversary of September 11, 2001.

Citizen Comment
Ernie Hooks of 1015 Tyrone Road, Tyrone, said he had written a children's book using artwork from an artist who had died. His objective was to raise awareness of the importance in education, with more resources focused on younger children. He encouraged the City to help support the distribution of the book.

Agenda Changes
There were none.

Minutes
August 2, 2011, Workshop
August 18, 2011, Regular Meeting
August 25, 2011, Special Called Meeting
Learnard moved to approve the minutes of the August 2, 2011, workshop, and the August 18, 2011, regular meeting. Fleisch seconded. Motion carried unanimously.

Learnard moved to approve the minutes of the August 25, 2011, regular meeting. Fleisch seconded. Motion carried 4-0-1 (Imker).

Consent Agenda
1. **Consider Agreement with Promise Place for Funding**
2. **Consider Agreement with Fayette Senior Services for Funding**
3. **Consider Official Intent Resolution (Reimbursement through Government Finance Corporation lease purchase)**
4. **Consider Supplemental Resolution (Reimbursement through Public Facilities Authority bond)**
5. **Consider FY 2011 Budget Adjustment (E-mail Server Replacement)**
6. **Consider Modification of Job Creation Grant Resolution**

Learnard moved to approve the Consent Agenda. Sturbaum seconded. Motion carried unanimously.

New Agenda Items
09-11-01 Public Hearing – Consider Variance Request, 213 Morgans Turn
Planning & Zoning Administrator David Rast said the request addressed an existing structure in the rear setback of the property. Rast noted that the subdivision had several issues, with an original zoning of RA for medium density single-family detached units. The zoning classification no longer existed.

As Glenloch Village was approved in the 1970s, several areas were approved as a PCD Planned Community District, which also no longer existed in the current zoning ordinance. The site plan for Hunters Glen was approved in 1974 and was amended in 1976. Meeting minutes in the intervening years reference the site plan, development plan, and master grading plan, which established where the buildings would be situated on the lots. The residence at 213 Morgans Turn was located on Lot 12 of Hunters Glen in a portion of the neighborhood that was approved with zero lot lines.

Rast said that, the previous year, the Housing Code Official placed the residence under a rehab notice for some other issues, and research showed no record of an addition constructed on the rear of the home, which also encroached into the setback. All the items on the rehab order have been satisfied with the exception of the encroachment.

Rast said the primary structure built in 1975 complied with the master plan for the development. The addition constructed on the rear of the home was originally a deck, and the current owner hired a contractor to enclose and roof the deck. The new deck constructed attached to the addition encroached further into the setback and onto the adjacent lot.

Rast said that the applicant must have a variance to get a permit to make repairs to the structure, or would have to remove the structure if the variance was denied. Rast said staff agreed the addition, which was constructed about 15 years previously, encroached into the setback but had generated no complaints. The applicant said their contractor led them to believe he had obtained the necessary permits.

Rast said the applicant had satisfied the requirements of the rehab order and had provided letters of support for allowing the addition to remain. Staff recommended a variance for the covered portion of the addition that encroached into the setback, but not for the deck that encroached onto the adjoining property. Rast said staff was also recommending this approval with the condition that the applicant obtain a building permit before making repairs, and that the applicant be given 30 days to remove the deck.

No one spoke for or against the request.

Haddix asked City Attorney Ted Meeker to clarify whether the City even had the ability to grant a variance onto another person's property (for the deck). Meeker said the City could not.

Fleisch noted the mailing address for the property owner and asked if the house was a rental. Rast said the owners lived in Woodstock and their daughter lived in the house.

Robert Stratton, the property owner, said his original survey for the property, as well as the original survey for the adjoining neighbor, showed the property line at the existing fence. Subsequent surveyors could not locate the line and ultimately had to survey several adjoining properties to develop an estimate of the property line.

Haddix asked Rast if staff was confident about where the property line was. Rast said the City had the master plan, which showed how the property was platted in the mid 1970s. The survey provided by the property owner did not correspond exactly with that plan, but that was not uncommon. Staff spent time reviewing the plat and the recorded deeds. As best as staff could determine, the plat showed the property line for the property.

Haddix asked Meeker how that impacted the City. Meeker said the City had a current survey, and that was what had to be relied upon.

Rast said that, based on the 1974 plat, the boundary survey matched the final plat almost perfectly. Imker asked the homeowner if the deck was worth the time and effort to do further research, and the resident said no.

Fleisch asked what precipitated the original rehab, and Rast said there had been areas of exposed wood requiring siding, along with the fencing, the deck, and the lack of a permit for the addition. Stratton said that one of the storms the previous year had damaged the eaves of the house. The contractor who made repairs put a blue tarp on the property, and a Code Enforcement Officer saw the work in progress.

Learnard and Sturbaum said they could support the variance. Fleisch said homeowners should hire licensed contractors. She felt like the owner was using the contractor as an excuse and said she could not support the variance.

Sturbaum moved to approve the variance as recommended by staff. Learnard seconded. Motion carried 4-1 (Fleisch).

09-11-02 Public Hearing – Consider Variance to Sign Ordinance, SANY America (318 Cooper Circle)

Rast said that SANY America had constructed a 350,000 square-foot building in the Industrial Park. The property was located away from SR 74 and was separated from SR 74 by Cooper Lighting and Cooper Wiring. The building was not visible from SR 74 and would only be seen by those going through the secured entrances to the property.

Rast said SANY had been very clear that they wanted a dynamic building that would establish SANY and the Chinese culture in Peachtree City. The Planning Commission had been heavily involved in the layout of the building and the early concepts of how the site would work. Rast then showed Phase I of the project, accessed via Cooper Circle. SANY wanted identification for the building on the glass wall.

Rast said the property was zoned GI General Industrial, and the Sign Ordinance stipulated that wall signs could not exceed 150 square feet. SANY's temporary sign was 660 square feet. Rast said that, if the variance was granted, SANY intended to replace the temporary sign with a permanent sign of the same size.

Rast then reviewed the criteria for variances, noting that the request satisfied most of the elements. One factor was that the building and sign were not visible from off property. The criteria also dealt with elements promoted in the Comprehensive Plan, and the important economic development impact of SANY supported granting the variance.

Rast said staff had also looked at the Cooper Lighting sign, which was roughly 461 square feet and had been permitted administratively at the time, so there was some precedent for permitting a larger sign. Staff recommended approval with conditions, that the permanent sign be limited to 660 square feet and that the variance be limited to the current building and not extended to other buildings that might go on the site, and that the applicant go through the sign permit process.

Frances Meaders of Hip Pocket Road addressed Council, saying she hated to see variances, although she did not oppose the request. She preferred amending the sign ordinance to cover these larger type companies to granting a variance that could set a precedent.

Haddix asked if Meeker had any legal warnings. Meeker said Meaders had noted the main issue, but this sign would not be visible from the public right-of-way. Haddix asked Meeker and Rast to review the sign ordinance with Meaders' suggestion in mind.

Sturbaum asked staff to explain some of the issues, including previous variance requests from Delta Community Credit Union and World Airways/Global Aviation. Meeker said each issue had been very site specific, and Learnard noted that was why there were certain criteria to apply when evaluating the variance requests.

Imker said he favored this due to the extreme size of the building. He also noted the impressive design of the plant. Haddix added that the fact that the building was hidden from the highway was another important factor. Learnard said the requested size was scale appropriate for the building, and the ordinance's limited size would be ridiculously small for this facility.

Haddix and Sturbaum both noted discomfort in touching the sign ordinance. Sturbaum said he was struggling, but said he trusted the other members' judgment.

Fleisch moved to approve the variance due to the extraordinary size of the building and the need for a proportional sign. Learnard seconded. Motion carried unanimously.

09-11-03 Public Hearing – Consider Request to Change Street Name (Cooper Circle to SANY Boulevard)

Rast said SANY had requested the name change. Their facility would be accessed by the Cooper Loop Road to the north and Cooper Circle to the south. The main entrance was via the southern Cooper Circle entrance, and SANY had requested the street name be changed.

Rast noted that the two roads had originally been conceived as a single connected loop road fronting smaller parcels, but SANY had acquired the 228 acres. Cooper Wiring and Storage Extra had addresses on Cooper Circle. The applicant was required to obtain letters of support from these businesses. Cooper Wiring did not want to change their stationery and documents, and staff felt Cooper Wiring's private access drive from Cooper Circle to SR 74 could be renamed Cooper Circle to address that issue. Storage Extra had several small businesses housed on site, and the property owner and these businesses did not have an issue with the renaming, but were concerned with the costs for their tenants in changing stationery. SANY was in discussion with Storage Extra about this issue.

Rast continued that an additional challenge had come up. Cooper Loop Road was platted as such, but the Department of Transportation signage had it as Cooper Circle and one of the businesses off that road had a Cooper Circle address, based on the original concept that the two segments would connect.

Rast said he had some concerns about changing one part of the road when there were other segments in question.

Mike Colapinto, SANY's construction manager, said they had positive conversations with the business owners at Storage Extra. They had asked SANY for financial consideration for the costs of changing the address on their online and printed materials. SANY had asked for the budget numbers and was currently in the negotiation process with those businesses.

Learnard asked if they could discuss when the agreement was finalized. Colapinto said yes, and they had hoped to have it resolved by the meeting that night.

Steve Lucas, business owner in the Storage Extra complex, said they loved having SANY in the location, but opposed the name change. They already had problems with customers finding their business due to the two Cooper Circle signs. He also said that there was a sewage pump station on the road that caused an odor problem. Lucas said he had surveyed the various tenants, and the cost to change the address would average about $3,000 each for 18 tenants. That was a considerable cost for a small business. However, the sewage smell was the biggest problem in the area. Rast said there was a very large pump station near the driveway.

Learnard asked Rast for clarification that all access to the Storage Extra site was from Cooper Circle, and Rast said that was correct.

Hearing no further comment, Haddix closed the public hearing.

Haddix asked if Steve Hogan, the general manager of the Peachtree City Water and Sewerage Authority, was aware of the issues raised, and Rast said this was the first he had heard of the problem, but said Hogan would be notified the following day.

Sturbaum said he had no problem with the concept of the name change, but would like to see the request come back with a little good will toward the small businesses that would be impacted. Haddix said he did not see a clear direction for the request, and Learnard said there were still several open items. Fleisch asked SANY if they could have the issue resolved by September 15, and they said that was probable.

Sturbaum moved to continue the discussion of the street name change to the September 15, 2011, meeting. Fleisch seconded. Motion carried unanimously.

09-11-04 Consider FY 2012 Budget for the CVB

Kai Wolter, chairman of the Peachtree City Convention and Visitors Bureau (CVB), reviewed some of the statistics for FY 2011. Peachtree City had seven hotels with 837 rooms. Year to date, the hotels had sold 11,500 more rooms than in 2010 ($1 million additional room revenue), which put the CVB slightly ahead of budget projections. Occupancy was up 7.7%, and the hotels were averaging 57% occupancy. Some of the increase was due to several sports tournaments, and seven movie productions had contributed to the increase.

Wolter said the CVB had achieved several successes the preceding year, including doubling the number of proposals, earning Camera Ready status, attracting a movie production at the Amphitheater, holding a Family Reunion Workshop, earning finalist standing in the Most Patriotic City competition, and earning Bronze Certification (only three other cities in Georgia hold this).

Wolter said the CVB had followed the City guideline of two percent increase, and the budget included a 20% transfer to the Airport Authority, participation in the Great Georgia Air Show, and full funding of the 4th of July activities in the City. The budget also included increasing the part-time sales manager to a full time position. There was a $20,000 product development line item, contingent on getting a grant from the state, to obtain a trolley for tours and rentals.

Learnard asked about where the trolley would be kept. Executive Director Nancy Price said the CVB would house it. Fleisch asked if there would be other uses for trolley. Wolter noted it would also serve as a mobile visitors center for special events, etc., and could have rental uses.

Price said that one of the low marks Peachtree City had received during the certification process was the dependence on the Hotel/Motel Tax as the sole source of revenue. The trolley was an effort to incorporate alternate revenue sources. There was a great deal of film activity in Fayette and Coweta, and the state was excited about the possibility of a film tour. Raleigh Studios, which had not previously allowed tours, was supportive of the program.

Sturbaum moved to approve the FY 2012 Budget for the CVB. Fleisch seconded. Motion carried unanimously.

09-11-05 Consider Proposal for Auditing Services
Assistant Finance Director Janet Camburn said the City had issued a Request for Proposal (RFP) for audit services for FY 2011. Nine firms responded and were evaluated on technical proposal and then on cost. Mauldin & Jenkins, which had previously served Peachtree City, had the highest technical score. They also had the lowest price proposal, so staff was recommending an agreement with that firm, with options for four years of extensions.

Camburn noted that the proposals covered a five-year period. She said Mauldin & Jenkins had a very large governmental agency clientele, with dedicated staff for governmental audits. Most of the other agencies did not have that same depth, with only seven or eight staff members with governmental audit experience.

Camburn continued that, previously, the City had contracted auditing services for three-year periods. However, the trend was to move to five-year increments to reduce costs due to the initial gearing-up period required of a new auditing firm.

Imker said the ultimate purpose of the audit was to provide a piece of paper to the state that the City complied. Camburn said it was to ensure that the financial statements were accurate and timely. Imker said the cheapest way the City could get that piece of paper should be how the citizens paid for it, and technical merit should not be the primary rating. Camburn clarified that the auditing firm issued opinions on the City's operations, and the firm needed the appropriate skills to issue those opinions.

Learnard moved to approve the agreement with Mauldin & Jenkins, LLC, for professional auditing services fiscal year ending September 30, 2011, with the option of four subsequent extensions. Sturbaum seconded. Motion carried unanimously.

09-11-06 Consider Fees – The Gathering Place Rentals
City Manager Jim Pennington asked Council to postpone this item to the second meeting in October, due to some additional information staff had received. Sturbaum moved to continue the agenda item to the October 20, 2011, City Council Agenda. Fleisch seconded. Motion carried unanimously.

09-11-07 Discuss/Consider Prioritization of T-SPLOST Projects
Pennington said the request for discussion came from a meeting with Fayetteville Mayor Ken Steele, County Commission Chairman Herb Frady, and Tyrone Mayor Don Rehwaldt. They requested that Council discuss whether MacDuff should be reinstated to the project list to replace another project.

City Engineer Dave Borkowski reviewed the MacDuff Parkway extension project, which was projected to continue northward from its current ending point at Centennial and then curve east, crossing the CSX Railroad and connecting to Kedron Drive and ultimately SR 74 North.

The City originally submitted nine projects for the T-SPLOST, including the MacDuff Parkway extension. After the regional roundtables, the only Peachtree City projects that made the constrained list were two Industrial Park path connections at the southern end of the City.

Borkowski said the City could request the reinstatement of MacDuff Parkway, but projects of equal value would need to be removed from the County projects list. The cost for MacDuff was estimated at $7.2 million. The County had offered to remove the Hood Avenue project, estimated at $6.4 million. The balance of approximately $800,000 would need to come from one of the City path projects or could be committed from the 15% in discretionary funds the City would receive from the T-SPLOST. The current projection for the discretionary funds was $45 million for Fayette County, with Peachtree City receiving about $10 million of those funds.

Borkowski then reviewed the pros and cons of reinstating the MacDuff Parkway extension. Among the pros was the definite timeline for construction if the T-SPLOST was approved by the voters. The MacDuff Parkway extension would provide a bypass for the SR 54/SR 74 intersection and would provide alternate ingress and egress for the neighborhoods off MacDuff. Borkowski said the cost estimate could change, and the design and construction costs could exceed the City's 15% allocations without losing on of the path projects.

Borkowski said the cons for the project included the possibility that the project could be viewed as aiding development. The bypass benefits were not quantifiable – it would provide relief for the highway intersection, but Borkowski could not say how much. The City had a development agreement for the developer(s) to build the road, and the City would need to look at that agreement. Finally, the City might have to purchase the right-of-way.

Haddix asked for a motion to move to Executive Session to discuss a legal issue. Sturbaum moved to enter into Executive Session at 8:42 p.m. Learnard seconded. The motion carried unanimously.

Sturbaum moved to reconvene into regular session at 8:46 p.m. Fleisch seconded. Motion carried unanimously.

Fleisch asked Borkowski if the City approved the resolution, it was a request to reinstate MacDuff Parkway but was not guaranteed that the project would be added. Haddix said October 15 was when the Roundtable would hold the final vote on the list of projects. Borkowski said that there was a Roundtable meeting on September 16, and they wanted the City's position by that meeting. There was no guarantee, but this made the request official.

Haddix said that the City originally had five projects on the list, and that had been whittled down to two projects. After several other changes and a request to reinstate MacDuff, they said they would drop the SR 92/SR 138 project, and then said they would finance $6.4 million out of the 85% but the City would have to finance the remaining $800,000 out of the 15% and lose one of the path projects. Now they were seeing another proposal come forward, and with the constant changes to the projects list, the representatives said they would try to reinstate MacDuff, but it could still be removed again. There was no guarantee that the City would not end up with $11 million in projects after contributing $60 million.

Sturbaum asked for clarification about losing the cart path projects and if the County was offering to take out the Hood Avenue project. Borkowski said that was correct. Sturbaum asked about including the wording for Hood Avenue in the resolution. Fleisch disagreed, saying the wording was vague out of courtesy and in recognition that the project cost estimates were still not concrete. Steele had identified Hood Avenue as the project to be exchanged. Sturbaum expressed concern that the cart path projects could be removed instead.

Learnard said both path projects were important to Peachtree City and needed to be kept. She said the resolution could state the exchange excluded the removal of the path projects. Borkowski said that, even if they eliminated one of the path projects, the City could fund it through the 15% discretionary funds.

Haddix said he did not want to start giving up 15% projects, which were supposed to be used for local projects like maintenance, to pay for projects that were supposed to come out of the 85%. Learnard agreed. Sturbaum said his goal was to protect what Peachtree City had approved, and he wanted the proper phrasing in the resolution. Learnard said that, to Peachtree City, it was the addition of a $7.2 million project for $800,000.

Haddix said his problem was that Peachtree City would be putting in $60 million and only getting back $12.4 million. The remainder would go to Fayetteville, and he asked why Fayetteville could not give up projects to cover the entire cost. Sturbaum said the County was offering to improve Peachtree City's numbers by giving up the Hood Avenue project. Fleisch noted Hood Avenue could be paid for out of the 2003 SPLOST project list. They gave up one of two potential sources of funding for that project so Peachtree City could have two potential funding sources for MacDuff, the developer and the T-SPLOST. Haddix said they wanted the balance of $800,000 from the City's 15%. Fleisch said that was actually the City's suggestion as one way to make up the difference. Haddix said the City was being asked to give up one of the paths in addition to funding $810,000 from the 15% discretionary funds. Learnard said that was not her understanding.

Learnard clarified the wording of the resolution. Section 1 requested reinstatement of MacDuff Parkway. Section 2 said that they would eliminate a similarly priced project, and proposed adding "not in Peachtree City." Then she said Section 3 said the balance of $800 would come from the City's 15% discretionary funds.

Fleisch further clarified that the cost estimates from the project came from 2007, so there might be some variance. She asked Pennington if he understood the City was also being asked to give up one of the path projects. Pennington said no.

Pennington clarified that the County had offered to eliminate the Hood Avenue project, but asked how the City would make up the remaining $800,000 in funding, and the City had the option of one of the path projects or funding from the 15% discretionary funds. Pennington also noted that the entire plan was based on whether the T-SPLOST passed and if Council publicly supported it.

Haddix said that Frady had noted that, potentially, if the T-SPLOST passed, the County might be able to fund the SR 54 West path bridge out of the funds for the East Fayetteville Bypass, but pointed out that the County did not currently have adequate funds for the east bypass.

Sturbaum said there were two possible approaches to revising the resolution, either identifying Hood Avenue as the project for removal or specifying that the projects not be in Peachtree City. Learnard said she preferred the "not in Peachtree City" wording. Sturbaum said he could support that change. Haddix also supported having that specification, but said he was still very bothered by the amount Peachtree City would be putting into the T-SPLOST versus what it would be getting back.

Imker said he did not see the need to change the resolution because they had Mayor Steele's commitment for Hood Avenue, and that was the equivalent of a handshake. He said they should take him at his word and that changing the wording would be an insult.

Haddix said he would prefer that the language be changed because the change was not exclusively dependent on Steele and Frady, and would require approval from the entire roundtable. Sturbaum added that Peachtree City appreciated the committee coming to Peachtree City and certainly intended no insult. Fleisch agreed with Imker. Steele and Frady had come to theCity with the offer, and she felt that, as a gesture of goodwill, the language should not be changed.

Sturbaum said he would like to see the "not in Peachtree City" language added. Haddix agreed.

Learnard noted that Steele and Frady were Peachtree City's representatives for the roundtable and would be taking forward the proposal. Haddix said he did not see how they could take the change as an insult, knowing they had to take it to the whole board. Learnard said she had originally suggested the wording but could take or leave it. She felt the wording was reasonable.

Pennington said the meeting had been his first with the roundtable representatives. Mayor Haddix was correct that passing the resolution did not guarantee the project would be included. His impression was that Mayor Steele was saying all the cities in Metro Atlanta would be voting on this, so Peachtree City's representatives were asking if Peachtree City wanted them to push for the project with the entire board. Haddix said every county would be going through the same process.

Learnard said she thought that the dollar allocation had been set, and the local entities could tweak their project lists within that final dollar amount. Haddix said the dollar allocation would not be finalized until October 15.

Learnard said she could pass the resolution as written, with the verbal note that the Hood Avenue project was the trade-off. Sturbaum asked if Council was confident in the agreement offered by Steele and Frady. Imker and Learnard said yes, and the representatives had come to Peachtree City asking the question. Haddix noted this was only a request and nothing was in concrete.

Learnard made a motion to pass the resolution of support for the reinstatement of MacDuff Parkway to the Fayette County list of projects for the Fayette County Transportation Investment Act. Fleisch seconded. Motion carried unanimously.

Council/Staff Topics

Pennington reported that the doors were in for Fire Station 84 and they were working on the interior of older section for living quarters. The project was finally moving forward. Borkowski said the contract completion date was by Thanksgiving, and construction was on track to meet that.

Pennington said the new fire engine was en route for delivery.

Pennington then reported that there had been a lot of public discussion about the number of city vehicles. Staff had been reviewing the number and types of vehicles used by the various departments for several months. They were also looking at a program to lease vehicles, including maintenance. They were also researching better mileage, but Pennington cautioned that staff also needed equipment appropriate for their duties. Staff would be bringing a formal proposal back to Council once the review was completed.

Public Information Officer/City Clerk Betsy Tyler noted that the Amphitheater would be hosting a September 11 10th anniversary commemorative concert on Sunday, September 11, at 7:00 p.m.

Learnard asked about the status of the Station 84 sewer connection. Borkowski said the sewer line had been installed and they were in the testing and inspection phase. Once the Peachtree City Water and Sewerage Authority accepted the line, the station would be connected to the line. The station was currently operating on septic.

Pennington noted that the repairs to the Library would be on the next agenda.

Haddix said he was receiving emails relating to being billed for landscaping. Residents had the option of paying sewer on their landscape watering, paying to have a separate meter installed, or, if they had enough property, they could drill a well.

Pennington reported that the City had a problem with the email server and thanked Matt Robinson and the Information Technology department for their hard work to get the system up and running.

There being no further business, Learnard moved to enter Executive Session for personnel and pending or threatened litigation at 9:21 p.m. Fleisch seconded. Motion carried unanimously.

Sturbaum moved to reconvene into regular session at 9:30 p.m. Learnard seconded. Motion carried unanimously.

There being no further business, Sturbaum moved to adjourn the meeting. Learnard seconded. Motion carried unanimously. The meeting adjourned at 9:32 p.m.

Betsy Tyler
Public Information Officer/City Clerk

Don Haddix
Mayor