City Council of Peachtree City
Meeting Minutes
August 17, 2017
7:00 p.m.

The Mayor and Council of Peachtree City met in regular session on Thursday, August 17, 2017. Mayor Vanessa Fleisch called the meeting to order at 7:00 p.m. Others attending: Terry Ernst, Mike King, Kim Learnard, and Phil Prebor.

Announcements, Awards, Special Recognition

Brian Dugan, Dolly Moses, and Kristi Nelson from the Atlanta Chapter of the American Payroll Association accepted the proclamation for National Payroll Week from Mayor Fleisch. National Payroll Week is September 4 – 8. Peachtree City's National Little League All Stars were recognized for winning the Georgia state title and for advancing to the finals in the regional championship. Team members included Trey King, Garrett Arrington, Simon Lewis, Jayce Blalock, Kaleb Cost, PJ Green, Sullivan White, Aaron Gates, Bryce Alewine, Logan Howard, Adams Wall, Garrett Martin, and Joel Sanford. Coaches were Jeff White, Bryan Alewine, and Ryan Danbury.

Public Comment

Lynne Lasher addressed Council concerning the ongoing discussion between County residents and the Fayette County Board of Commissioners regarding updates to the County's animal control ordinance. Lasher said she understood that Council did not set ordinances and policy for the County, but the County set rules for the City. The County needed to bring its Animal Control Ordinance up to the 21st century. She said she was embarrassed to live in a county where it was fine to tether/abuse an animal as long as the owner said it was justified. The County's ordinances needed to be revised, and a committee had been doing that with expert legal advice that had not cost the County any money. She asked Council to talk to the Board of Commissioners and make them aware they were affecting the lives of City residents.

Minutes

August 3, 2017, Regular Meeting Minutes

King moved to approve the August 3, 2017, regular meeting minutes as written. Ernst seconded. Motion carried unanimously.

Consent Agenda

1. **Consider Bids for Detention Pond #11 Rehabilitation – McLeRoy, Inc.**
2. **Consider Budget Adjustments – Protective Inspections**
3. **Consider Authorization for Concrete Repairs (Fire Stations) – Frontier**

Learnard moved to approve Consent Agenda items 1, 2, and 3. Prebor seconded. Motion carried unanimously.

New Agenda Items

08-17-03 Public Hearing – Consider Transmittal Resolution, 2017 Capital Improvement Element (CIE) Annual Update

Planning & Development Director Mike Warrix explained that the resolution was to authorize the transmittal of the 2017 CIE update to the Atlanta Regional Commission and the Department of Community Affairs for review. He continued this was a required annual update required by the Georgia Development Impact Act and the Georgia Planning Act. The report had two components – a financial report and an addendum to the City's Community Work Program.

Fleisch opened the public hearing. There were no comments. Fleisch closed the public hearing.

King moved to approve New Agenda Item 08-17-03 the transmittal resolution, 2017 Capital Improvement Element (CIE) annual update. Learnard seconded. Motion carried unanimously.

08-17-04 Consider Adoption of 2017 Millage Rate

Financial Services Director Paul Salvatore addressed Council, saying staff's original budget proposal had included a 3% tax increase, and budget estimates had been based on 7% anticipated growth. The original proposal had been to roll back 4% of the estimated growth (0.25%). The 7% growth had been assumed based on the reassessments. The new growth had been unknown at that time.

Salvatore continued that the actual digest had shown a total growth of 12.47% as opposed to the estimated 7%. The reassessments of existing property had made up 8.72% of that 12.47%, and New Added Growth (NAG), which included new properties, had been 3.75%. The new growth had covered the 3% needed to meet the budget estimates for FY 2018, which meant growth from reassessments could be completely rolled back, he explained.

Staff was now proposing that the Maintenance & Operations (M&O) millage rated be reduced by 0.524 mils (6.756 to 6.232), which was a full rollback for the reassessments, Salvatore said. Staff also recommended the bond millage rate be reduced by 0.036 mils (0.309 to 0.274). The total millage rate would be reduced by 0.56 mils (7.065 to 6.505), which was a full rollback. Because it was a full rollback, public hearings were not required.

Staff recommended Council adopt the M&O millage rate of 6.232 and the bond millage rate of 0.273, Salvatore said.

Learnard moved to approve a Maintenance & Operation millage rate of 6.232 and a bond millage rate of 0.273. King seconded. Motion carried unanimously.

08-17-05 Consider WASA Enabling Legislation Resolution

City Manager Jon Rorie said staff had been directed to bring back proposed changes to the Water & Sewerage Authority's (WASA's) enabling legislation, which would ultimately be presented to the Georgia Legislature for adoption, that would change the board make-up and address the extension of sewer outside the City limits. The proposed changes to the enabling legislation and the resolution were in the agenda packet. Rorie noted that Council had received a letter of opposition to the changes from the WASA Board of Directors.

WASA Chairman Bill Holland addressed Council, saying the Authority members had met the previous night and had discussed the issue of removing the present board members, replacing them with City Council, and limiting the Authority's ability to contract services. He said they should also have the letter Rorie just referenced. It had been an honor to serve WASA over the last four years. In that time, WASA's financial well-being had changed and the bond rating had improved from an A- to AA+. The board was proud of the achievements that had been made and of the 40 people on staff who continued to make it happen. The letter to City Council outlined their opinion on the issues, and he requested Council vote no on the resolution. He asked Council to consider the request made by King and Prebor at the July 20 meeting to look at the issues and work with the members of WASA for the benefit of the citizens of the City.

There were no comments from Council, so Fleisch asked for a motion. Learnard moved to approve the resolution of support for the Georgia General Assembly to adopt the changes to the enabling legislation for WASA as presented. Prebor seconded. The motion carried unanimously.

08-17-06 Consider Bid for Right-of-Way Mowing Contract – Yellowstone Landscape
Public Works Superintendent Scott Hicks asked Council to approve Yellowstone Landscape for grass cutting and right-of-way mowing throughout the City for an annual price of $259,000 for fiscal year 2018. He continued that the City had sent out a Request for Proposals, with six companies attending the pre-proposal meeting and three vendors submitting proposals. After evaluating the proposals, Yellowstone was selected. Hicks added that funding was available in the Public Works budget.

Rorie said right-of-way mowing was the only remaining piece at Public Works that was outsourced. City crews were responsible for the mowing of the rest of the City's property. He asked Hicks what the work included. Hicks said the contractor would mow grass, edge, weed eat, spray curbing, and blow grass, etc., along 83 center-line miles of streets. Rorie added that those 83 miles of the City's total 184 center-line miles were mowed every 14 days. The current contractor was using three to four people for the job, and it was difficult to keep up.

In 2014, the City had assessed whether to insource the right-of-way mowing or to continue using a contractor, Rorie said. The cost to bring the work in-house with seven people would be approximately $350,000 annually. The cost to change the outsourced mowing to every 10 days was approximately $380,000 annually. The decision was made to continue with the outsourced contractor, and the City spent between $270,000 – $280,00 annually. He continued that Yellowstone would be a new contractor, so there would be a learning curve. The proposal was a reduced price from what was currently being spent. Staff continued to have a back-up plan so they could respond to issues that might come up.

Prebor asked where the company was located. Hicks said he was not sure, but the company operated throughout the United States, and Georgia Department of Transportation (GDOT) was one of the company's larger contracts.

King moved to approve New Agenda item 08-17-06, the right-of-way mowing contract with Yellowstone Landscape. Ernst seconded. Motion carried unanimously.

08-17-07 Consider Contract for Spillway Construction – North Georgia Concrete, Inc.
Dan Davis of Integrated Science & Engineering (ISE) gave a brief recap of the events surrounding the need to replace the Lake Peachtree spillway. During a routine lowering of the lake to allow for dock maintenance, issues with the 50-year old spillway had been discovered and reported to the state. The state subsequently categorized the dam as Category I. (*CATEGORY I dams were those for which improper operation or dam failure would result in probable loss of human life. CATEGORY II dams were those for which improper operation or dam failure would not be expected to result in probable loss of human life.*)

Davis continued that was not an uncommon reaction from the state's Environmental Protection Division (EPD). Due to staffing issues, the EPD put the burden to prove the dam was not Category I back on the City. Schnabel Engineering had done an analysis that had proven the dam fit the Category II standard, and the state restored the Category II the rating. Davis noted that Crosstown Road could be overtopped if the dam failed, and there were three homes further downstream from Crosstown Road that could be affected. There was also a restaurant on Crosstown that could have minor flooding if the dam were breached. Once the category had been settled, the spillway had been filled with grout, the lake was dredged, and the pool of the lake was restored. Council's choice to proceed with a Category I dam and spillway was wise, he added.

Davis continued that five presentations had been given to Council during the design process. The recommendation was to design the replacement spillway to Category 1 standards. Construction cost estimates had increased during the design. The initial estimate had not been based on any design work. Ninety percent of the spillway would be concrete, and the cost of concrete had a significant influence on the cost.

The contractors had been prequalified and had been part of dam projects in the past. Seven of the eight pre-qualified contractors attended the pre-bid conference in July with City staff, ISE, and Schnabel Engineering, which included a mandatory meeting at the site. Four of the seven attendees submitted bids on August 10, and North Georgia Concrete had the low bid at $4.387 million.

Davis continued that his firm had worked with North Georgia Concrete on 20 projects over the years, adding they had a location in Fayette County as well as one in North Georgia. They had built Category I dams at Pye Lake in Fayetteville, Lake McIntosh, and Hatcher Dam for the Clayton County Water Authority. He asked Allen Harp, president of North Georgia Concrete, how their bid had been so competitive. Harp had replied it was the perfect time for their company after finishing a large job for Georgia Power. The other firms would have to subcontract labor. One of the requirements was for the company to do 60% of the work without subcontracting. North Georgia Concrete was ready to start work shortly after September 1 after a vote to proceed from Council. Davis added the start time for the work was critical, so the project would be finished in May 2018.

Fleisch noted the spillway was 183 feet wide, and they would have to shoe horn in a large structure to get in a Category 1 dam. Davis said they had looked at several options for the spillway. A labyrinth spillway had been the only one to come close to handling a ½ probable maximum precipitation (PMP – the theoretically greatest depth of precipitation for a given duration that is physically possible over a particular drainage area at a certain time of the year) storm, but it would not fit in the gap without opening the dam further. The bridge on Kelly Drive would also need to be replaced. A piano key weir option would allow the bridge to stay. The bid also included the construction of a parapet wall across the dam, which would be one and one-half to two feet tall. It was also the final component to bring the dam to Category I standards. If the state were to change the category of the dam, then the work would be done.

Fleisch asked why the project needed to be done now. Davis noted that the existing spillway had been filled with grout, but he could not say how long the grout would last. It was a wise choice to move forward now and eliminate the jeopardy downstream. The prices could be better in a few years. Rorie asked if the standards for Category 1 could change. Davis said the standards had already changed during the design process, and the design met the new standards.

Ernst asked Davis how confident he was that the bid amount was accurate. Davis said there had been two rounds of borings, and no rock or unsuitable soils had been found, which greatly increased price. They had diligently tried to eliminate the surprises, and the only issue there could be was an overly rainy winter.

Rorie said the forecast was for a rainy season, asking what could happen if there was a ½ PMP storm. Davis said if there was a big rain, they had computed that the temporary pipe in the cofferdam should be for a 25-year storm event (the maximum 24-hour precipitation event with a probable recurrence interval of once in 25 years), which was a 36-inch pipe. North Georgia Concrete had priced, and would be placing, a 60-inch pipe.

Fleisch asked when the concrete would be poured. Davis said he would bring in the complete schedule when it was ready, but the foundation footings should go in by November. Rorie added there would be eight phases to the spillway, and each phase could have eight – 10 pourings. Davis added there would be some occasions where the contractor would have to pour at night. They would need to keep close communication with the neighbors so they would know. Rorie reminded Council that another large part of the project was the removal of dirt so the channel to the spillway would be adequate. Staff's recommendation was to award the bid to North Georgia Concrete for $4,387,730.50 for the Lake Peachtree spillway project.

King moved to approve New Agenda item 08-17-07, the contract for spillway construction – North Georgia Concrete, Inc., in the amount of $4,387,730.50. Prebor seconded. Motion carried unanimously.

08-17-08 Consider Authorization for Mayor to Execute GEFA Loan for Financing Lake Peachtree Spillway

Rorie said staff was asking to finance the project with a loan from the Georgia Environmental Finance Authority (GEFA) until the Special Purpose Local Option Sales Tax (SPLOST) funds started coming in. The project would go before the GEFA board on August 22 for approval for a $3,154,200 loan at 0.81% with a 10-year amortization schedule. Staff wanted to be ready to move forward when the loan was approved. The loan papers would be mailed on August 23. He continued that staff had also considered using Cash Reserves to get the project started, asking Salvatore to brief Council on the GEFA and Cash Reserves options.

Salvatore said quarterly payments of $328,000 would be made on the GEFA loan (total loan rounded to $3,155,000 for the discussion), and the total interest expense would be $132,694. With a one-year construction spend-down, the loan proceeds would accrue approximately $19,718.15 in interest before the funds were completely spent.

The City would continue to earn money by keeping the Cash Reserves invested with the Local Government Investment Pool (LGIP) at 1% interest, according to Salvatore. The compounded interest over the 10-year period for $3,155,000 would be $331,379.15, which would also be invested. Some of the money could be put into certificates of deposit to earn interest at a higher rate. The net advantage of using the GEFA loan rather than Cash Reserves would be $218,403.98. By using Cash Reserves, the City would not pay interest on the loan, but the net loss would be $178,966.48.

Ernst asked if using Cash Reserves would affect the City's bond rating. Salvatore said it would because the bond credit agencies did not like to see large sums of money pulled from the Cash reserves unless there was a good reason. Salvatore said the City would be leaving cash on the table by using Cash Reserves as well as taking a large amount out of the Cash Reserves, which would be looked at unfavorably by the bond rating agencies.

Fleisch said the City had applied for the GEFA loan several months ago, asking if the odds of getting it were in the City's favor. Salvatore said the odds were very good for the City to get the loan. Fleisch asked how the City would know if it got the loan. Rorie said the loan package would be mailed out on August 23.

Prebor asked what would happen if the City did not get the loan. Rorie said it was an identified SPLOST project, and they would pay using SPLOST revenues with some funds coming from the Cash Reserves. The City could also use funds from the Stormwater Utility. Both funds would be reimbursed with the SPLOST proceeds. The GEFA loan would help create cash flow, since the project would be delayed while the City waited to accumulate SPLOST funds, which would impact other SPLOST projects.

Rorie said staff recommended authorizing the Mayor to sign the documents. He noted that the $3,155,000 also represented approximately $400,000 in contingency, if it was needed.

Learnard moved to authorize the Mayor to sign the GEFA loan documents for a loan of $3,154,200 at 0.81% interest rate with a 10-year amortization schedule. Prebor second. Motion carried unanimously.

08-17-09 Consider Award to ISE for Spillway Construction Management
Learnard moved to authorize the City Manager to sign Task Order 223 from Integrated Science & Engineering in the amount of $358,850 for construction management services. King seconded. Motion carried unanimously.

<u>Council/Staff Topics</u>
Ordinance Amendment Preview – Adjustments in Organization and Department Responsibility
Public Information Officer/City Clerk Betsy Tyler discussed the proposed ordinance changes, noting they were housekeeping items, and addressed how the organization was operating at this time. Some of the reporting structures had been tweaked over the last five years, and those changes would be addressed by the amendments.

Under the Administration ordinance, the amendments reflected the elimination of the Community Services and subsequent Community Development Divisions. as well as the changes in reporting for Code Enforcement, Municipal Court, City Hall receptionist/cashier, Building Maintenance, and the Amphitheater.

Proposed changes in the Taxation and Golf Cart Ordinances included moving the collection of occupational tax, insurance tax, bank tax, hotel/motel tax, and golf cart registration to the Financial Services Department since that department oversaw both the software and operations. The amendment would clarify the department of responsibility in accordance with current operations. The change in the golf cart registration process and software system to a regular billing cycle had led to the change in the department of responsibility from City Clerk/Public Information to Financial Services.

Tyler said the amendments would be on the September 7 Council agenda.

Proposed Amendment to Tree Credit Ordinance
Senior Planner Robin Cailloux said that, after the Comprehensive Plan was adopted, staff had been reviewing the ordinances to make sure they were balanced with the goals of the Comprehensive Plan. The proposed amendment addressed how the count for tree credit was calculated. Economic development goals in the plan included maximizing the use of land, utilizing the remaining lots that were difficult to develop, and striving to reduce the tax base dependence on residential properties. The City's identity goals were to maintain the high aesthetic quality of Peachtree City and to protect the natural environment and water quality.

Staff reviewed the ordinances for the certified "Tree Cities" located in the metro area, which included Alpharetta, Dunwoody, Marietta, Milton, Newnan, Roswell, and Sandy Springs. Although the formulas differed slightly in each city, staff found that the average "tree replacement" equivalency factor was 21 units. The City required an equivalent of 46 units. All the jurisdictions counted undisturbed trees toward required tree replacement. The City did not currently allow any credit for undisturbed trees.

Cailloux continued that the current Tree Ordinance only allowed credit for trees on developable land, while excluding wetlands, floodplains, and the required buffer/setbacks. The proposed amendment to the ordinance would allow credit for all undisturbed areas except landscape buffers, while keeping a maximum 25% cap on credit as in the existing ordinance.

ALTA-Technical College Recruitment Video
Rorie noted an inordinate amount of time had been spent discussing the skills gap and job creation in Peachtree City. He introduced a video regarding the topic that was filmed at ALTA Refrigeration in the Industrial Park that referenced the training employees had received at West Georgia Tech and ALTA. Rorie noted that one of the biggest issues brought up by local industry was to make sure the labor force was available to provide and supply those jobs.

Executive Session
Learnard moved to convene in executive session for threatened or pending litigation and personnel at 8:16 p.m. Ernst seconded. Motion carried unanimously.

King moved to reconvene in regular session at 9:02 p.m. Learnard seconded. Motion carried unanimously.

There being no further business, King moved to adjourn. Learnard seconded. Motion carried unanimously. The meeting adjourned at 9:03 p.m.

Pamela Dufresne

Pamela Dufresne, Deputy City Clerk

Vanessa Fleisch, Mayor