

City Council of Peachtree City
Minutes of Meeting
August 4, 2005
7:00 p.m.

The City Council of Peachtree City met Thursday, August 4, 2005, in the City Hall Council Chambers. Mayor Brown called the meeting to order at 7.25 p.m. Other Council Members present were: Stuart Kourajian, Steve Rapson, Judi Rutherford, and Murray Weed.

Announcements, Awards, Special Recognition

There were no announcements, awards, or special recognitions.

Minutes

Rutherford moved to approve the July 21, 2005, regular meeting minutes as written. Kourajian seconded. The motion carried unanimously

Reports

Brown noted the following events – Youth Council Concert on August 6, Kids Fest on August 20, City Hall offices closed on September 5, Patriots Day on September 11, Shakerag Arts and Crafts Festival on September 17-18, and the Hispanic Festival on September 24. Brown pointed out that single-family residential building permits were down. There were 77 permits issued year-to-date this year compared to 220 last year. The top five accident sites were GA 54/GA 74, GA 54/Huddleston Road, GA 54/Planterra Way, GA 54/Marketplace, and GA 74/Crosstown Drive. The website had 31,170 hits last month and 226,800 hits year-to-date.

Consent Agenda

1 Consider Appointments to the Planning Commission

Rutherford moved to approve the Consent Agenda. Weed seconded. The motion carried unanimously

New Agenda Items

08-05-01 Consider Alcohol License – NEW – Right on Thyme

Weed asked City Attorney Ted Meeker if he had a conflict of interest on this item and 08-05-02 since he served as chairman of the Peachtree City Tourism Association. Meeker said there was no conflict.

Gayla Foster-Whitestone addressed Council and represented her sister and business partner, Gail Downing, who was out of town and designated as the Licensee and License Representative.

Rutherford moved to approve the application for an alcohol license for Right on Thyme. Rapson seconded. The motion carried unanimously

08-05-02 Consider Sign Request for 4 Nights in October

City Planner David Rast told Council that the request would be recurring. If approved this year, staff could work with the event staff in subsequent years.

Event Director John Paone explained that 4 Nights in October was a Christian festival held at the Frederick Brown, Jr Amphitheater. He said there would be two types of signs, directional signs to the Amphitheater, and satellite parking signs to direct people to Providence United Methodist Church.

Rapson moved to authorize the installation of the directional signs within the City and the Georgia DOT right-of-way for the upcoming 4 Nights in October music festival. Weed seconded. The motion carried unanimously.

08-05-03 Consider Library Change Order #8

Leisure Services Director Randy Gaddo addressed Council and asked them to approve Change Order #8 in the amount of \$15,674. The change order covered the work to establish the look of the front of the City Hall plaza. The plan was revised to add more bricks to the plaza area since grass would be difficult to maintain. The pavers from the original site would be reused. A 10-foot wide span of sidewalk was also added to the plan for easier accessibility for those with disabilities. The amount left in the contingency fund would be \$72,670.

Rutherford moved to approve Change Order #8 to the library renovation construction contract in the amount of \$15,674 for owner-requested changes to the front landscape. Rapson seconded. The motion carried unanimously.

**08-05-04 Consider Approval of GA DOT Contract for GA 54 West/CSX
Multi-use Bridge**

City Planner David Rast explained that the contract was for the multi-use bridge to span the rail line under GA 54. He said this was the final document necessary before the project went out to bid and was a standard DOT contract. Rast said staff recommended Council approve the resolution and authorize the Mayor to sign the contract.

Rutherford asked where the bridge would go. Rast said the bridge would parallel GA 54 over the CSX rail line. The bridge was included in the documents for the road-widening project. The bridge would connect the path infrastructure in front of Ethan Allen to the path infrastructure that would be in front of the Line Creek Baptist Church (Best Buy) tract. Two tunnels were also 50% completed that would allow golf carts to cross under GA 54. The east tunnel would come out to the path connection in the rear parking lot by Books-a-Million in The Avenue.

Rutherford moved to authorize the Mayor to sign the project management agreement and authorizing resolution for the GA 54 West multi-use CSX bridge. Rapson seconded. The motion carried unanimously.

08-05-05 Consider Award of Bid for Dividend Drive Culvert Replacement

City Engineer Dave Borkowski addressed Council. He asked for approval of a bid for \$80,850 from Ronnie Jones Enterprises to replace the culvert on Dividend Drive. Borkowski said the bid was the lowest responsive bid. Rutherford asked how quickly the work would start. Borkowski said they should start within 10 days after receiving the notice to proceed.

Rutherford moved to approve the \$80,850 bid tendered by Ronnie Jones Enterprises for the Dividend Drive culvert replacement, with \$50,000 to come from PIP and \$30,850 from PIP contingency. Weed seconded. The motion carried unanimously.

Weed asked Borkowski if similar projects would be covered by the stormwater utility when it was in place. Borkowski said they would. He hoped to have in-house crews that could make such repairs within a week.

08-05-06 Discuss Golf Cart Decal Replacement Program

Public Information Officer/Deputy City Clerk Betsy Tyler addressed Council. She said Council Member Rutherford had requested that staff research golf cart registration. The ordinance requiring golf cart registration had been adopted in 1993. She continued that a one-time fee of \$10 was required for City residents, and out-of-town golf cart owners paid \$60 annually because they did not pay taxes to support the path infrastructure. Tyler said the City relied on cart owners for notification regarding registration transfers. Approximately 12,000 decals had been issued. Tyler explained that the estimate was there were about 8,000-9,000 carts actually in the City. Over the last 12 years, the data had gotten less and less reliable as carts were sold, given away, or owners moved out of the City. People failed to notify the City regarding transfers, and new owners failed to come in and re-register the carts, making it difficult to research when carts were stolen or involved in accidents.

One option to help bring the database up-to-date was to replace the decals on a regular basis. State law limited the maximum fee to \$15. Tyler said a \$15 fee would allow the City to recover costs using existing staff. A five-year rotation of the decals would provide more accurate data without putting an onerous burden on citizens. A nine-month billing cycle from January to September was proposed. The Police Department would help monitor the program.

Tyler said staff proposed the following timeline:

- August 2005 – include revenue and expenditures for program in the FY 2006 budget;
- September 2005 – modify ordinance to reflect the decal replacement program fees and timeline;
- January 2006 – begin billing cycle for replacement program,
- Spring 2006 – request modifications to state law via the Fayette County legislative delegation; and
- January 2011, 2016, etc. – begin billing cycle for future replacements.

Brown asked why they did not go ahead and go to the legislature now. Tyler said the session started in January. The request should be completed by the time the legislative session ended in the spring.

Weed questioned whether dealers registered carts when they came in, or if they were registered at the point of sale. Tyler said carts were registered when they were sold,

unless it was a rental cart. Rutherford noted that the purchaser was responsible for registering the cart. Weed asked if there was good cooperation between the City and the dealers. Tyler said the cooperation was very good, but the people who bought the carts were causing the problems. There was a communication breakdown when people decided to sell their carts.

Brown asked how the billing would work. Tyler recommended mailing out notices to the businesses that had registered carts in January. They would have February to pay. In February, those with the carts numbered 0001-3000 would be billed with payment due in March. This schedule would continue through September, when all the decals would have been replaced.

Rutherford asked Police Chief James Murray if five years was sufficient. Murray told Council it would be better to have the registration every three years, but his department could live with five years. Rutherford said they might want to build some flexibility in the request to the legislature. Chief Murray said the time should be no longer than five years.

Rapson questioned what should happen if he owned 20 golf carts and sold five. Tyler said the ordinance said the owner needed to notify the City, but it was difficult to enforce. Murray said the person who owned the cart was responsible for notifying the City. He added that golf cart dealers were generally the best at complying with the ordinance.

Rapson said three years would be better from a public safety perspective to ensure who the owners were. Tyler agreed. Meeker added that license plates on vehicles were replaced every five years. Rutherford said she also preferred three years. She noted a recent incident in which a golf cart had torn up an athletic field, and the registration was at least four owners out of date. Rapson said they should also ask the legislators to make the change in to state law in January so that it would be completed by spring.

Weed said the decals would have to look different when the carts re-registered so police officers could tell from a distance. Tyler said they were considering a different color decal so the enforcement officers could easily tell who was out of compliance by the end of the year. Rutherford noted that people could do the registration on line. Tyler said that would cut down on lines waiting at City Hall. Staff was also looking at a possible drop box.

Residents who spoke on the issue included Ralph Hall and Bob Brown. Their comments included.

- Residents were told it was a one-time deal when carts were first registered,
- Those who broke the law should be penalized,
- Fees should be reasonable and cover costs;
- Fees should not be an additional revenue source for the City;
- Registration should have a more phased approach.

Rutherford said there was a list of the costs for the project, and any additional money would go towards path maintenance. Tyler said staff costs were allocated to the project. If staff was working on this project, they were not working on other projects. Tyler said the database was in an old format that would be converted into a database that was more accessible and easier to use. The further the registration stretched out, the easier it would be for things to fall through the cracks. A new database might have to be purchased. Rutherford said the primary reason for the program was to find out how many carts were out there. It was better to find out sooner rather than three years down the road.

Kourajian said he did not think of the fees as a revenue stream. The proposed costs were an estimate. This had not been done before. The fees could change. Rapson said the true break-even point would be closer to \$12 than \$15. Rapson said his figures were based on 8,000 golf carts. Tyler said about 100 new carts were registered each month, so the cost estimate included possible new registration as well. The order for 15,000 decals should be enough. Rapson said they could order 10,000 decals to leave room for some growth, then leave the cost at \$10. Tyler said she tried to include buffers for the best and worst scenario for the actual number of golf carts, but she did not think her estimates were inflated. The cost of the decals was the largest expense.

Weed asked Chief Murray for his estimate on the number of carts. He said the number of new decals issued would not drop dramatically. He added the City's system was already connected to Tyrone, and other areas would be connected eventually. Chief Murray said he estimated there were between 8,500 and 9,000 carts based on random checks. During those checks they found that four out of 10 carts were not registered to the drivers. Sometimes the carts changed owners three to four times. The number one complaint to the Police Department involved reckless golf carts causing damage.

Kourajian asked what people who lived outside the City would pay and if they would have different decals. Tyler said they would have the same color decals. It would help keep track of those carts as well. Out-of-City residents had claimed they had gotten rid of their golf carts to keep from paying the annual fee. The different color decals would help prevent those situations.

Kourajian said his concern was losing money. He did not want to nickel and dime the cost until the City lost money. The registration was not a moneymaking venture, but a safety concern.

Rapson moved to approve the proposed process and timeline as outlined by staff, to seek modification at the state law through the Fayette County legislative delegation in January to clarify state law, set the fee at \$12 initially with a staff review at the end of the second year and any residual funds would be mandated to cart path repairs. Brown asked Meeker if Council still had to pass the resolution even though the state request was included in the motion. Meeker said Council still had to approve the resolution. The motion allowed staff to move forward. Weed seconded.

Weed asked Rapson why he suggested \$12 as the fee. Rapson said \$12 put the program at a break-even point, assuming there were 10,000 carts. At the \$15 rate, 8,000 golf carts

would generate an additional \$24,000. Rapson said he assumed the number of carts would be closer to 10,000 carts, which would break even with a \$12 fee.

Kourajian asked whether the fees would be prorated for people who bought and registered new carts at the two and one-half year mark in the three-year period. Tyler said that Council would have to decide whether to prorate the fees. Rapson said the fees could be \$12, \$8, and \$4.

Rapson restated the motion – that Council approve the process and timeline as outlined by staff, that staff seek legislation modification through the Fayette delegation to clarify state law, that the fee be set at \$12, and that any additional proceeds generated remain with the golf cart program for path maintenance.

Kourajian asked where the money would come from if there was shortfall. Rapson said there would not be a shortfall. Rutherford said she would rather not have a shortfall upfront because then the money would come out of somebody's taxes. Kourajian said he would rather keep the cost at \$15. Rapson said \$12 would generate enough funds to break even, based on 8,000 carts. Kourajian pointed out that no one knew how many carts there were. Weed said he understood what Kourajian was saying, but he trusted the facts and was fine with a \$12 fee. Rapson removed the staff review at the end of the second year from the motion. Weed seconded the restated motion. The motion carried 4-1 (Kourajian).

08-05-07 Consider Wi-Fi Pilot Program

System Administrator Matt Robinson addressed Council. He recommended that Council approve a pilot wireless fidelity (Wi-Fi) program at three City facilities for a cost of \$14,000, which would come from the Council contingency. Robinson said part of his job was to look at emerging technologies to see what could best apply to City staff.

Robinson gave a PowerPoint presentation (included in the official meeting file) to explain the Wi-Fi program. The program would allow access to high-speed networks through radio signals. High-speed "wired" connections at the facilities would be enhanced by extending the coverage, which would allow City employees and residents to use PDAs, laptops, tablet PCs, and other devices.

Robinson continued that the ability created an attractive option for residents, business people, tourists, and visitors. It also gave sports associations and tournaments the capability of updating statistics and running events across the internet in "real time." The prestige and image of the City as a "tech town" would increase. The ability also created a mechanism for staff to access more data in the field.

Currently, Wi-Fi was available at the library and in the terminal building at Falcon Field. Several businesses in the City also had either free access, or fee-based access. The three areas selected for the pilot program were the Peachtree City Tennis Center at GA 54/Planterra Way, the Kedron Fieldhouse & Aquatic Center at GA 74/Kedron Drive, and the Baseball/Soccer Complex on GA 74 South. Robinson continued that the benefits of those areas included the traffic and concentration for sports tournaments, the facilities

already had "high-speed" wired capabilities either on-site or in close proximity, and the facilities were owned by the City

Robinson said the potential total cost of the project was \$13,302. The remainder of the \$14,000 requested would be used to cover ancillary costs such as additional wiring and labor. The proposal included two wireless connections at each facility, one for private access and one for public access. The public access portion of the program would cost \$8,397, and the private access portion for City staff would cost \$4,905. The "hot spot gateways" allowed the City to provide public access on a public network.

Robinson said there were several issues to consider. Staff at the facilities had to be trained on the basics of accessing, signage had to be put up in non-staffed areas, and not all wireless devices/laptops would work. Staff did not need to be experts, but should know the basics of how to get into the connections. Wireless ranges could vary due to weather conditions that affected signal strength, building materials, and signal blockage. Robinson continued that there was always the risk of inappropriate behavior on the network. There was also a slight potential risk to the "host" network even though safeguards would be in place. There could also be "bleed over" areas that would provide free access to homes and businesses in the coverage area.

Robinson noted that the legal concerns included U.S. House bill HR 2726, which was in the House committee as of June 17, 2005. The legislation would ban governments from providing information services where other agencies were provided "substantially similar services." Existing wireless services would be exempted by a grandfather clause. The legislation could also squash further expansion of any wireless networks. Bob Brown said that some cities had already been sued over free wireless access for taking away from private sector businesses.

Kourajian noted there were no maintenance costs included. Robinson said it was a pilot project, so they could only project possible costs. Kourajian said the program would be good for employees, but he was trying to see the benefit to the average citizen. Kourajian referred to the reasons given for providing the public access. He saw Wi-Fi as more of a tourism function. He asked how it would benefit staff. Robinson said the issue was coming more into play, especially for the Fire Department, Police Department, and Code Enforcement, all departments that used laptops. Wi-Fi would allow those employees to access and enter information in the field, rather than coming back to the office. Service delivery would improve. The long-term strategic goal was to provide information to City staff wherever they were. Kourajian asked how big an area one Wi-Fi connection covered. Robinson said it would cover a radius of 1,600 feet, but booster antennas would increase the area by 50% depending on weather conditions, or about a half-mile radius.

Kourajian said he was fine with the private access for employees. He had a problem with public access. If tourism reasons brought people in, then maybe the Tourism Association should be involved.

Weed noted that the Tourism Association did not have the money to contribute to the program, but had approved the concept. The Tourism Association anticipated a \$14,000

profit for the next fiscal year, but that money would go back into the facilities for improvements and maintenance.

Kourajian said the cost for the program would come out of everyone's pocket. He said it would take away from the work-life balance when parents worked during games and practices. Rutherford said it would benefit the volunteer scorekeepers. They could send in the information from the site, rather than going home and sending it in. Rapson said he saw the program as a tremendous improvement in quality of life by allowing parents to participate with their children, rather than just dropping them off at the field. He did not envision public access throughout the City, but only in highly used areas.

Kourajian said he did not disagree, but a small number would benefit while all would pay. Weed disagreed. He noted that the City had never lagged behind. Council should be visionary. The technology was here. They should be frugal with dollars, but the program would benefit everyone.

Rutherford asked if there was any way to monitor public use of the program or to know if the service was being used in six months. If no one was using the access, then it was not needed. Robinson said the public access could be easily converted to private access, and the hardware could be moved to other locations. Rutherford noted that the City had several programs that benefited the few. Rapson said there would be a minimum recurring expense to provide an extreme enhancement. Brown said they were going to implement the private access anyway, so the program would cost \$8,000 for public access.

Rapson moved to approve up to \$14,000 from Council contingency to fund the purchase and installation of outdoor wireless access points at the Peachtree City Tennis Center, the Kedron recreation complex, and the baseball/soccer complex as outlined. Weed seconded.

Rutherford asked the status of the repairs at the Tennis Center and whether it would affect the installation of the program. Weed said there were three floods in the Center in four months. The Center did not close for a single day. Only the pro shop had to close for four days. Weed assured Council that the facility would stay open. McMullen said the Welcome Center, the restaurant, the pro shop, and the courts were fully operational. The pros had been displaced from their offices in the basement of the Tennis Center and were operating out of the Welcome Center.

The motion carried 4-1 (Kourajian).

Council/Staff Topics

Discuss Public Safety Commission

Rutherford said many communities had public safety commission. In some places, the commissions were supervisory, and they were regulatory in others. The commission could act in an advisory capacity and as advocates for the Fire and Police Departments. She noted that the City had a Library Commission, Planning Commission, and Recreation Commission, and they had roles in the departments. Rutherford noted the report on the

Fire Department, saying a committee had been put together to look at the report. The committee met and did what had to be done, then had not met again. A commission could look at reports and make recommendations to Council. There would also be impartial people making decisions that impacted all citizens. A commission would provide advocacy and advice to Council on issues the Council might not have fully researched. She said the Teen Court was a good example of items the commission would deal with. Council would not lose anything, but would gain information and perspective.

Brown said he would like more citizen input on accreditation, but not policy. Rutherford said a commission could work on the five-year plans for both departments. More people would be involved in public safety and obtain more citizen input. A goal of Council had been to maximize citizen input. The commission would be an impartial advocate to Council.

Rapson said most public safety commissions were formed because of a lack of confidence in public safety, or due to possible corruption in the entities. He saw her point, but said the Recreation and Library Commissions dealt more with the "bells and whistles," quality of life-type issues. The commission would also add another layer to the bureaucracy. Rutherford said she saw the commission as citizen input and people doing things that needed to be done.

Weed said he was willing to look at a mission statement, but he needed more information. He wanted to see the goals, what was hoped to be achieved, and the parameters of authority. Brown said he also wanted to know about the focus of the group.

Rapson asked about the status of the TDK Boulevard extension. McMullen reported that the Airport Authority had provided the notice to proceed for the appraisals regarding the TDK Boulevard extension. One of appraisals had started and the notice to proceed for the other company was signed on August 3.

Brown asked about the Three Dollar Café. McMullen said they should be open by September 30, or lose the franchise.

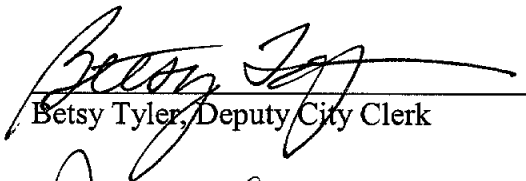
Jim Savage addressed Council regarding the use of the consent agenda to approve an appointment to the Planning Commission. He knew the information was available on the website. Savage said the appointment was approved and the name was never given. Savage said he understood that the Consent Agenda was used for routine matters, but an appointment should be announced and should be a regular agenda item. Rapson said he understood Savage's point. It appeared Council was just sweepingly approving items. Savage continued that a Planning Commission appointment was important. The members did an incredible amount of work, and the public had a right to know who had been selected. Rutherford told Savage his point was well taken. Brown said access to the information was not restricted. The information was on the website and he had recognized the appointee during the meeting.

Rapson directed staff to have Police Corporal Heather Lackey recognized for her work on internet predators. Rapson said she should be officially recognized at a Council meeting. Rapson said the Police Department should be recognized for its work.

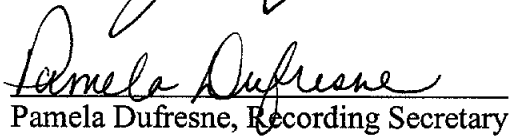
Rutherford moved to convene in executive session for pending litigation and a personnel matter Kourajian seconded the motion. Motion carried unanimously

Rutherford moved to reconvene in regular session. Weed seconded the motion. Motion carried unanimously

There being no further business to discuss, Brown moved to adjourn. Rapson seconded the motion. Motion carried unanimously The meeting adjourned at 9:55 p.m.


Betsy Tyler, Deputy City Clerk


Stephen D. Brown, Mayor


Pamela Dufresne, Recording Secretary