

City Council of Peachtree City
Meeting Minutes
July 21, 2016
7:00 p.m.

The Mayor and City Council of Peachtree City met in regular session on Thursday, July 21, 2016. Mayor Vanessa Fleisch called the meeting to order at 7:00 p.m. Others attending: Mike King, Kim Learnard, and Phil Prebor. Terry Ernst was out of town.

Announcements, Awards, Special Recognition

Mayor Fleisch recognized the winners of the July 4th Parade trophies:

3rd Place Golf Cart – Fur Pet Resort
2nd Place Golf Cart – Jay Scheibler
1st Place Golf Cart – New Neighbors League Club
Most Patriotic – Brian McConnell
Most Creative – PTC Garden Club
Mayor's Trophy – PTC Dragon Boat Races
Grand Marshal's Trophy – Committee to Elect Rudjard Hayes

Deputy City Clerk Pam Dufresne was recognized for 15 years of service to the City.

Agenda Changes

Learnard moved to move New Agenda Items 07-16-03 and 07-16-05 to the top of New Agenda Items in the interest of time. King seconded. Motion carried unanimously.

Minutes

June 7, 2016, Workshop

June 16, 2016, Regular Meeting

June 27, 2016, Budget Workshop

King moved to approve the June 7, 2016, workshop minutes; June 16, 2016, regular meeting minutes; and June 27, 2016, budget workshop minutes as written. Prebor seconded. Motion carried unanimously.

Monthly Reports

There were no comments on the Monthly Reports.

Consent Agenda

- 1. Consider Stormwater Maintenance Agreement – Somerby Phase 2**
- 2. Consider Stormwater Maintenance Agreement – RaceTrac**
- 3. Consider Surplus of Equipment – Ambulance**
- 4. Consider Agreement – EMS Medical Director**
- 5. Consider Coweta-Fayette EMC Franchise Agreement**

Fleisch noted there was an additional document on the dais for Consent Agenda item 4 – a copy of the agreement. Learnard moved to approve Consent Agenda items 1 – 5. King seconded. Motion carried unanimously.

New Agenda Items

07-16-03 Public Hearing – Consider Request to Rezone 4.88-acre tract within Lexington Circle from LUC-16 to LUC-28

Learnard moved to continue New Agenda Item 07-16-03 to August 18 at the request of the applicant. King seconded. Motion carried unanimously.

07-16-05 Consider Contract Approval for Council Chamber AV/Lighting Improvements

Purchasing Officer Angela Egan addressed Council, saying that the Request for Proposal (RFP) had been issued in March. She noted the current system had not been updated when the rest of Chambers had been renovated. There had been demonstrated shortcomings with the current system, which led the City to pursue other options. The proposals were evaluated by an evaluation team that included herself, Purchasing Specialist Savas Mavridis, IT Manager Phillip Abbott, and Joseph Andresen of AVPGI, a third party consultant with expertise in audio-visual systems. The proposals included updating the lighting, audio, visual recording capabilities, and the integration and automation of them. If needed, they could reach the consultant by telephone.

Five firms submitted proposals, and staff recommended accepting the proposal from Summit Systems, Inc. (SSi) for \$67,036.10. The full proposal was for \$95,000 (AV System upgrade for \$67,036.10; two-year warranty for \$4,045.98; and lighting upgrade for \$19,511.75 plus 5% for peripheral costs for a total of \$95,000). Egan continued that SSi had significant experience in lighting.

Prebor moved to approve New Agenda Item 07-16-05, the contract for Council Chambers AV/lighting improvements. King seconded. Motion carried unanimously.

07-16-01 Public Hearing – FY 2017 Proposed Budget

Financial Services Director Paul Salvatore gave a brief presentation on the FY 2017 budget highlights prior to the public hearing. He noted there had been several workshops and Retreat meetings, as well as surveys and a review of statistics and trends, prior to presenting the budget. This was the one public hearing required by state law for adoption of the budget. The adoption was scheduled on August 4.

Salvatore said that, during the June 27 workshop, the draft budget had needed approximately \$163,000 from Cash Reserves to balance, saying the information he would present would now show a budget in the black.

Since the June 27 workshop, funding was cut for the Public Works Director (\$118,237, with \$88,932 coming from General Fund and the rest from Stormwater), Citizen Engagement Specialist (\$86,409), and the Mobile Restroom (\$35,000) for a total of \$239,646. The use of General Fund Cash Reserves had been eliminated, Salvatore said.

Salvatore noted the General Fund had \$33,482,000 budgeted. The Capital Budget [Public Improvement Program (PIP)] had \$1,203,000; Stormwater Operations, \$2,336,000; Amphitheater Operations, \$950,000; Hotel/Motel Tax, \$1,755,000; and the General Obligation Bond Fund was \$626,000.

The General Fund highlights included no change in the maintenance & operation (M&O) millage rate of 6.756 mills. The estimated growth in the tax digest was 4.55%, which led to the elimination of the planned 0.25 mill tax increase for 2017. There would be a slight decrease in the bond millage rate (0.314 mills to 0.306 mills). Salvatore added that all the bonds would be paid off in 2020. There would be no employee pay increases (cost of living allowance or merit). There had been a 2.1% decrease in the expense budget from the FY 2016 current budget (0.1% decrease from the FY 2016 adopted budget). A new part-time court clerk position was included in FY 2017 for \$20,332.

Salvatore looked at the five-year financial model, saying \$1.1 million of the Cash Reserves would be used in FY 2016. Part of that usage, approximately \$769,000, was programmed, and other expenses had been added. No use of Cash Reserves was expected during FY 2017 through FY 2021. The Cash Reserves were projected to stay steady at 34%. At the same time, there would be a decrease in the total millage rate, Salvatore pointed out. The bond millage rate would decrease and would be gone by FY 2020.

Salvatore reviewed the Stormwater Fund highlights, which included a new Heavy Truck Driver position (\$62,085), Maintenance Tech 1 (\$56,443), and removal of a Public Works equivalent (-\$67,442) for a net cost of \$51,086. The new positions included all employee costs in addition to salaries and benefits, such as uniforms, boots, rentals, tools, and more. A replacement for an F-150 truck was also included at \$35,000. No changes had been proposed to the fees.

The highlights of the FY 2017 PIP included \$200,000 for bridge maintenance, five police vehicle replacements, routine vehicle and equipment replacements, and routine server, network, and software upgrades. One hundred sixty thousand dollars (\$160,000) would be appropriated from Impact Fees for fire station design, park pavilions, and Library media.

Fleisch opened the public hearing. No one spoke for or against the proposed FY 2017 budget. The public hearing closed.

City Manager Jon Rorie noted there had been some additional changes to the proposed budget. There would be a performance audit done for the Court Clerk's office prior to hiring the part-time clerk. Library Supervisor Jill Prouty had also asked to convert one full-time position to two part-time positions, which would reduce the City's cost by approximately \$22,000. Rorie said he would bring those items to the August 4 meeting.

Fleisch asked when the City would receive the tax digest. Salvatore said the County had gotten an extension from the state, but he hoped to have the final number soon (end of July), so the City could schedule its millage rate hearings and adoption of the millage rate.

No action was required for this agenda item.

07-16-02 Public Hearing – Consider Transmittal Resolution, 2016 Capital Improvement Element (CIE) Annual Update

Planning & Development Director Mike Warrix said the annual update to the Capital Improvement Element (CIE) of the Comprehensive Plan was required by the Development Impact Fee Act (DIFA). The update was based on the current Capital Improvements Element adopted in 2009 and included the required financial report and Community Work Program. He asked Council to approve the transmittal resolution so the update could be forwarded to the Department of Community Affairs (DCA) for review and approval. Warrix anticipated the update would be on the October 20 Council agenda for final approval.

Fleisch opened the public hearing. No one spoke for or against the annual update. The public hearing closed.

Learnard moved to approve the transmittal resolution and authorize staff to forward the update to the Atlanta Regional Commission (ARC) and DCA. King seconded. Motion carried unanimously.

07-16-04 Public Hearing – Consider Variance to Rear Setback, 609 Longer Drive

Warrix noted that the applicants, Jim and Mary Forestal, wanted to add a screened-in porch to their existing back deck. The porch would encroach 10 feet into the required 30-foot rear setback. He added this was a classic double frontage lot, and staff had to determine which was the rear setback based on the orientation of the house.

Learnard recalled the existing structure already encroached into the setback. Warrix said it did.

Mary Forestal said all their neighbors had signed letters supporting their request, and those letters had been included in the documentation submitted with their application. The current deck was old and rotten, and they would be building a new structure. Jim Forestal added that there would be 50 feet between the end of the proposed porch and their neighbor's house to the rear. There was a 10-foot requirement for the side setback. There were also trees that would block that neighbor's view of their home.

Fleisch opened the public hearing. No one spoke for or against the variance request. The public hearing closed.

Prebor said he was familiar with the neighborhood, and he knew the neighbor to the rear, who told Prebor there was no issue with the request. Prebor and King had no problem with the variance request.

King moved to approve Agenda Item 07-16-05, the variance request for 609 Longer Drive. Prebor seconded. Motion carried unanimously.

07-16-06 Consider Bid – Fire Department Burn Building Repairs – Beluk Construction

City Engineer Dave Borkowski said staff recommended Council award the contract for repairs to Beluk Construction for an amount not to exceed \$44,990. He continued that the Fire Department used the building for live fire training exercises, and it was designed so walls would burn, then be repaired and replaced. The outside frame structure was permanent. In addition to replacing the walls, metal railings would be repaired and repainted and damaged concrete on the superstructure would be replaced. Two bids had been returned and Beluk was the low bid. Borkowski said staff had worked with Beluk before, and they were familiar with masonry construction.

The project was budgeted for \$32,000 in the 2014 Facility Bond, and the bid had come in over budget, Borkowski noted. The remaining funds (\$12,990) would come from the 2014 Facility Bond Contingency line.

Learnard moved to award the contract for repairs of the Fire Department burn building to Beluk Construction for an amount not to exceed \$44,990. King seconded. Motion carried unanimously.

07-16-07 Consider Findings of Hearing Officer in Ethics Complaint

Councilmember King left the room for this agenda item. City Attorney Ted Meeker noted that a complaint had been filed against King and forwarded to the hearing officer in accordance with the Code of Ordinances. The report was before Council, along with the options Council had.

Learnard noted there were three potential options for Council – to accept the findings and recommendations of the hearing officer; accept the findings of fact and reject the recommendation, instead substituting its own discipline; or (requiring supermajority vote) reject

the findings and recommendations and either (a) dismiss the complaint or (b) conduct a hearing to determine alternate findings and recommendations.

Meeker said that a supermajority was required to vote, and once King left the room, there was no longer a quorum. He noted a quorum was the Mayor and three Councilmembers, adding the agenda item must be moved to the August 4 meeting so Ernst would be in attendance. This was not a conflict of interest. King could not participate in the proceedings.

No action was taken. King returned to Council Chambers.

07-16-08 Consider Approval of Settlement Agreement with Shane Ficalore

Meeker said there had been one change made to the agreement in paragraph 1(a) regarding denial of liability on behalf of the City. Otherwise, the agreement was as reflected in the agenda package.

Learnard moved to approve the settlement agreement with Shane Ficalore. King seconded. Motion carried unanimously.

Council/Staff Topics

***06-16-CA1 Consider Alcohol License – PTC Package Store, 1001 Peachtree Parkway N, Ste 1007/002 (Application has been withdrawn by applicant)**

Public Information Officer/City Clerk Betsy Tyler reported that this application had been withdrawn by the applicant. It had been advertised and was on an agenda it June. It had been continued to July 7 at the request of the applicant while they finalized details of their lease. Council had cancelled the July 7 meeting due to the July 4 holiday. The applicant opted to not enter into the lease agreement and withdrew the request.

Update on Development Status – The Overlook, SR 54 West/Line Creek Drive

Warrix gave an update on the planned openings for the businesses in The Overlook. TJ Maxx and HomeGoods were slated to open on August 11. Michaels would open on August 14. ULTA had been issued a temporary Certificate of Occupancy to move in inventory and should open on August 21. Versona was scheduled to open on September 29. Rue 21 would open October 28. Hibbett Sports planned to open in February 2017, and Shops A had not been constructed.

Ordinance Amendment & Action Preview

- **Ordinance Amendment – Land Development Ordinance (Tree Removal, Greenbelts, Transition Yards)**

Tyler briefed Council concerning proposed amendments to the Land Development and Zoning ordinances regarding emergency tree removal. She pointed out there were inconsistencies in the ordinances that needed clarification, as well as the inclusion of the different types of designations for land in which trees were preserved, including buffers, greenbelts, and transition yards.

Tyler noted the language regarding transition yard buffers in the Zoning Ordinance was very restrictive and in conflict with itself. No clearing or grading of any type was allowed, yet the ordinance allowed landscaping enhancements to the transition yard that involved grading. Those changes would be forwarded to the Planning Commission for the required public hearings before they were forwarded to Council for further public hearing and adoption.

The public was not allowed to remove trees in City-owned greenbelt, but City employees and contractors did removed trees that were infested or infected with something that could spread

to surrounding trees. The City also removed storm-damaged trees that overhung paths and private property or posed a threat to human life, fences, and homes. Tyler continued that the Land Development Ordinance addressed the majority of protected areas, and some of that language would be clarified to ensure no misinterpretation.

Learnard asked if the orange barricade in front of the Battery Way dock would be gone soon. Rorie said staff was installing bollards to keep golf carts off the dock. Once they were installed, the barricade would be removed. Learnard asked if Drake Field was open again. Rorie said it was not. The electrical bollards were being installed that week, which required the installation of a concrete base. There were 45 to be installed.

Rorie said there continued to be a geese problem at Drake Field and All Children's Playground, and staff was researching options on how to deal with the Canada geese.

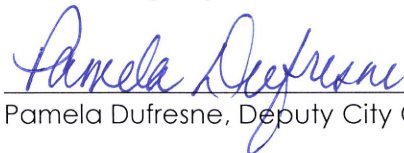
Executive Session

Learnard moved to enter executive session for pending or threatened litigation at 7:41 p.m. King seconded. Motion carried unanimously.

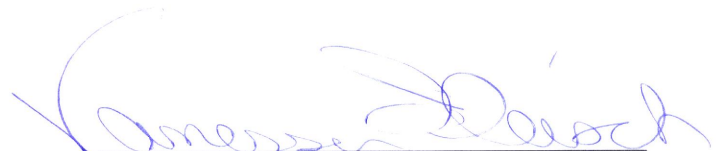
King moved to reconvene into regular session at 8:20 p.m. Learnard seconded. Motion carried unanimously.

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

The meeting adjourned at 8:22 p.m.



Pamela Dufresne, Deputy City Clerk



Vanessa Fleisch, Mayor