City Council of Peachtree City
Minutes of Meeting
July 21, 2011

The Mayor and Council of the City of Peachtree City met on Thursday, July 21, 2011, in City Hall Council Chambers. Mayor Don Haddix called the meeting to order at 7:00 p.m. Council Members present were: Vanessa Fleisch, Kim Learnard, and Eric Imker. Doug Sturbaum was unable to attend.

Announcements, Awards, Special Recognition

Mayor Haddix recognized the winning entries for the 2011 4th of July Parade and swore in Police Officer Stephen Stoyell. Haddix recognized the June Employee of the Month, Firefighter Robbie Shelton; recognized Police Sergeant Sam Smith for 20 years of service; and recognized Kedron Manager Scott McCord for 15 years of service.

Citizen Comment

Jim Ryan of 401 Vardon Way expressed concern about the recent reorganization and the newspaper headlines incorrectly indicating that Leisure Services Director Randy Gaddo had been fired.

Randy Boyett of 1000 Pleasance Grove expressed concern about recent headlines that were inappropriate and distorted facts, saying this was not the way government should operate.

Ralph (Bill) Hall of 220 Felspar Ridge expressed displeasure over the Stormwater Utility Fee and staff's lack of response to clogged drains in the Morallion Hills area.

At the request of an audience member, Haddix allowed additional citizen comment. Brian Dingivan spoke about the proposed E-911 agreement and was advised that item was later on the agenda and public comment would be allowed. Scott Austensen addressed Haddix's recent letter in the newspaper that criticized Council Member Imker's proposed budget cuts, noting many of those had been citizen suggestions.

Agenda Changes

Imker moved to consider item 07-11-09, Consider Name Brand Purchase of Elgin Street Sweeper, after item 07-11-03, Public Hearing – Consider Amendment to Section 908 Accessory Uses – Donation Drop Off Boxes. Learnard seconded. Motion carried unanimously.

Fleisch moved to consider items 7-11-04, Consider Reallocation of SPLOST Funds, and 07-11-05, Consider Full Redemption of 2006 Development Authority Revenue Bond, after 07-11-10, Consider Amendment to Alcohol License – Change in Distance Requirements. Imker seconded. Motion carried unanimously.

Haddix asked Council to consider continuing item 07-11-11, Consider Resolution to Censure Mayor Haddix, until August 4 due to Councilmember Sturbaum's absence.

Minutes

Learnard moved to approve the June 16, 2011, regular meeting minutes as submitted. Fleisch seconded. Motion carried unanimously.

Monthly Reports

Imker highlighted several elements of the Monthly Reports. The City's revenues were at 88% through June and expenditures were just under 75% at 75% of the fiscal year. He felt the budget would come very close to the projections. Imker also thanked the Peachtree City Optimist Club for their donation to the Police Department's K-9 unit. The Recreation Department was on track to exceed projected revenue for the year. The top five accident locations had changed in June, and the intersection of SR 54/SR 74 was not even on the list. There had been 142 tree removal permits in June, and Imker found the loss of over 700 trees to be staggering. He said the current rules were unenforceable and asked staff to reprioritize the ordinance revision.

Consent Agenda

1. **Consider Agreement with Youth Football Association**
2. **Consider Budget Adjustments for FY 2011**
3. **Consider Reimbursement Resolution – Kedron Bubble**
4. **Consider PCAA Water Line Easement**

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

Old Agenda Items

06-11-CA1 Discuss and Consider Surplus of Dive Team Equipment

Haddix asked if the costs had changed significantly for the Dive Team. Fire Chief Ed Eiswerth said no and that $18,000 would still be needed for FY 2011. Eiswerth said staff had removed the needed $50,000 from the FY 2012 proposed budget. Fleisch moved to approve the surplus of the dive team equipment. Imker seconded. Motion carried 3-1 (Haddix).

New Agenda Items

07-11-01 Public Hearing – FY 2011-2012 Budget

Financial Services Director Paul Salvatore gave a brief presentation on the proposed FY 2012 Budget, noting this would be the fourth consecutive fiscal year of managing the budget during a severe economic downturn. Salvatore also reported that the City had gone from 268 full-time employees in 2008 to a projected 236 at the start of FY 2012.

The proposed budget included a major reorganization of personnel, a one-time 2% employee incentive, and emphasized maintaining and revitalizing the City's infrastructure. The proposed budget included no change in the millage rate from FY 2011 and a Fund Balance increase of $1,092,568.

Hearing no comment from the public on the budget, Haddix closed the public hearing.

Imker said staff's proposal was very conservative to help minimize expenses, and made several suggestions to further reduce costs for 2012 and in the five-year model.

1. FY 2012 departmental operating expenses reduced by $100,000
2. FY 2012 and all future years Public Improvement Program (PIP) Contingency reduced to $15,000 per year ($35,000 reduction in FY 2012)
3. FY 2012 and all future years PIP Police vehicle replacements reduced by one vehicle in each year (10 reduced to nine in FY 2012)
4. General Fund debt service reduced in FY's 2012-16 to reflect refinancing of existing debts ($24,500 in FY 2012)
5. FY 2011 Development Authority of Peachtree City (DAPC) bond debt service expense projection increased by $784,139 to reflect pay off of DAPC revenue bond
6. FY 2012 and all future years debt service on DAPC revenue bonds eliminated ($138,843 for FY 2012- total debt service savings of $53,841 thru 1/1/2017)
7. FY 2013 Public Works expense projection reduced by an additional $705,232 to reflect reallocation of remaining SPLOST funds to resurfacing

8. FY 2013 and all future years Public Works expense increases for Street & Cart Path resurfacing reduced from $2 million to $1.5 million
9. $500,000 reduction of LOST revenue projected for FY 2013 reduced to $250,000, impacting future years projections accordingly
10. Departmental expense increase assumptions reduced from 2% to 1.5% for FY's 2013 - 2016
11. FY 2013 millage rate increase of 1.1 mils removed and replaced with 0.213 mil increases in FYs 2013, 2014 & 2015 as shown in last years five-year model
12. FY 2016 still shows no millage rate increase, but use of cash reserves reduced to $696,970 (was $1,006,452 in staff's model)

For Item #1, Imker noted several places in the Mayor and Council departmental budget as a place to start. He suggested reducing the Council training line item from $18,000 to $12,000, and reducing the $16,400 for council chamber furniture and new microphones to $5,000, saving $11,400, to achieve $17,400 of the $100,000. He also suggested that Council consider reducing their own salaries ($1.00 per year) to demonstrate good faith with the rest of the City's employees and to achieve an additional $33,000 savings. He later emphasized that was just an example but would not recommend it.

Imker said the current proposed budget included 2% pay in lieu of salary, and he favored making it equal for each employee, but did not have the necessary support on Council. However, he suggested adding the conditions that the payment only be given to full-time employees and that the bonuses be issued on the payroll date closest to December 1. He said there should be a six-month employment requirement to receive half of the distribution, with a corresponding proportional payment for service up to one year.

Haddix said, for #1, he could only support the proposed cuts to operating expenses if they did not impact the actual departmental operations. He felt waiting until the City had concrete numbers on debt service savings from the effects of the Facilities Authority before making projections was more appropriate. He opposed #3, noting that the Police vehicle life spans had already been pushed to the maximum without resulting in undependable vehicles. He said Items #4 and #5 were up for consideration later in that night's agenda, and #7 could be adjusted mid-year once the City knew the final impact of the Special Purpose Local Option Sales Tax (SPLOST) renegotiation. He felt there was no crisis to change the numbers now and that it could be done in December or January. Making assumptions now due to the varying projections in sales tax and housing projections was impossible. Haddix said he was fine with #5, but clarified for #9 that Local Option Sales Tax (LOST) was not based exclusively on population, so projections were not possible. He said he would consider any reasonable cuts, but wanted staff's input.

Learnard said that waiting until they were certain on projections would delay the budget indefinitely. The budgeting process required some level of estimating and planning, and she felt that a plan should be in place for five years, even though they only voted on one year.

Learnard asked Police Chief H.C. "Skip" Clark about impact of reducing police vehicles from 10 to nine. Clark said there was a methodology based on years of service and mileage in rotating the vehicles, and he did not know how to pull one from the mix if that methodology dictated it was time to be removed from service. Clark noted that, if there was any life left in the vehicles after their use by the Police Department, they were assigned to other departments in the City.
Imker asked if the majority of Council supported the direction he had given for the budget presentation at the August 4 meeting, with the understanding that some things could be put back in at that time. Haddix said he did not support #3. Fleisch noted that #1, the reduction of $100,000, should not be a cut across the board, noting that some departments had much larger

budgets in which to find the savings. Council also noted that Council Member Sturbaum had proposed some savings, and would ask him to forward those to Pennington.

Pennington said Council was asking staff to go back and look at the budget. He said that staff had put forward a rock solid budget that they felt was best in terms of what the City needed to operate. They would look at the additional cuts, but would present the corresponding negative impact along with those cuts.

Imker said that, following the budget workshop, no changes were made because staff said there was not direction from the majority of Council. Learnard and Fleisch supported bringing back the budget with the changes on August 4. Haddix said he had concerns about some of the proposed cuts, but felt Council would make adjustments as issues arose. Imker reemphasized to staff that the next budget proposal include changes as presented this evening as a majority of council concurred.

07-11-02 Public Hearing – Consider Variance, Rear Building Setback, 643 N. Fairfield Dr.

Rast said that several of the homes on North Fairfield Drive backed up to City-owned greenbelt, with the cluster homes built on the rear setback. The applicant wanted to construct a deck that would encroach 12 feet into the setback.

Staff findings in review of the request included Fairfield's cluster development style, with smaller lots and many of the homes constructed at either the front or rear building setback line, meaning there was little room for expansion of the homes. Additionally, most of the lots along the north side of North Fairfield Drive sloped from the street to the greenbelt, meaning many of the homes were constructed on partial or full basements. Rast noted that the City had granted variances to two of the existing homes on North Fairfield Drive for decks that encroached into the rear building setback, and this proposed deck would not impact the homes on the adjoining properties.

Staff recommended approval subject to the following conditions:

1. *The variance shall be limited to an encroachment of no more than 12 feet into the rear building setback. There shall be no additional encroachments permitted without first securing additional variances.*
2. *A Foundation Survey shall be provided as apart of the Building Permit process.*
3. *Following completion of construction and prior to issuance of the Certificate of Occupancy the Applicant shall provide a revised foundation survey to the City identifying the location of the new deck. The purpose of this survey will be to ensure the new construction does not encroach any further into the building setback than permitted by this variance.*

No one spoke at the public hearing

Imker moved to approve the variance for 643 North Fairfield Drive. Fleisch seconded. Motion carried unanimously.

07-11-03 Public Hearing – Consider Amendment to Section 908 Accessory Uses – Donation Drop Off Boxes

Rast said staff was proposing the ordinance amendment to address some issues that were occurring around town with a variety of donation drop off boxes. Most of the donation boxes had been installed before coming to the City for approval. Many were located in parking lots, some in setbacks and some blocking emergency access. There were boxes with either no contact information or displaying disconnected numbers. Rast said Planner Tony Bernard had reviewed ordinances from other jurisdictions that regulated these types of boxes to make them look compatible with the centers they were in and required permitting. Rast noted the ordinance did not ban these boxes.

Rast said the Planning Commission had reviewed the proposed ordinance, provided input, and unanimously recommended approval.

No one spoke in favor of the ordinance amendment. Al Yougel of Keep Peachtree City Beautiful (KPTCB) said he was not necessarily opposed to the ordinance, but noted that KPTCB had a donation box at the McIntosh Trail drop-off station, and wanted determine how the ordinance would affect their operations.

Rast addressed Yougel's concerns, saying the recycling bins did not involve salvageable personal property as defined in the ordinance, and the donation box would not fall under the limitations. The ordinance was primarily to address boxes in commercial and office areas.

Learnard moved to approve the ordinance amendment as presented. Fleisch seconded. Motion carried unanimously.

07-11-09 Consider Name Brand Purchase of Elgin Street Sweeper
City Engineer Dave Borkowski addressed Council, saying a representative from Elgin was present. The City was looking at buying a street sweeper versus contracting for sweeping services to achieve greater efficiency and responsiveness, and to save nearly $20,000 per year with the option for greater use.

Learnard asked about the driver's license requirement for the vehicle, and staff indicated a Commercial Driver's License (CDL) would be required. Imker said any sole source purchase was a big decision, and he wanted to confirm the reason for going with the company over their competitors.

Borkowski said this product had only one engine to maintain, compared to the other brands' two-engine model. No other design matched this model, the hopper was better suited for dumping into a pilot vehicle, and the competitors do not have the same features to meet the department's needs. Imker said he was satisfied

Learnard said Dividend Drive by Café Pig and the pedestrian bridge by Public Works had problems with sand in the roadway, and Borkowski said owning the equipment meant those areas could be addressed more easily than modifying the regular service by an outside contractor.

Learnard asked what happened to the sand after it was cleaned up. Borkowski said that, because it was from the street, it was considered trash and had to be disposed of.
Imker moved to approve the brand name purchase of the Elgin Street Sweeper in an amount not to exceed $153,052. Learnard seconded. Motion carried unanimously.

Imker clarified that this was coming from the Stormwater Utility. Pennington said that staff's evaluation of the current contract versus bringing the operation in-house included the volume of citizen calls and complaints, and they had looked carefully at the machinery options available.

07-11-06 Consider Community Garden Agreement
Tricia Sterns of Fresh South Market, a 501(c)(3) company operating as the Peachtree City Farmers Market, addressed Council, saying they had started the farmers market last year and

began researching options for a community garden. The request was for an 80-plot community garden, with 20% of the plots ADA accessible raised beds. Their design was modeled after the Suwannee community garden, with 8x10 and 10x20 plots. Phase one of the project including securing the site, completing the design, and establishing community partnerships and a local board. Phase one would be ready for April 2012 planting.

Imker asked for clarification on the location, and staff confirmed this was the former County Water Department site on Kelly Drive, just west of the Lake Peachtree spillway. Imker asked about user fees for participants, and Sterns said the fees would help cover the pavilion and restrooms planned for the site.

Ken Martin, of Sweetgum Road, asked how the proposal would impact the adjacent neighborhood. Sterns said the existing buffer would be maintained, and Rast noted that no additional clearing of the site would be needed. Sterns said the Suwannee park had only had one or two people in it when she visited. Learnard said she understood Martin's concerns but felt the area that might draw more people for picnicking was located further away from the neighbors. Rast suggested that Sterns' organization meet with neighbors as the project progressed.

Fleisch moved to approve the Community Garden agreement as presented. Learnard seconded. Motion carried unanimously.

07-11-07 Consider Request to Abandon Easement, 108 Nettlecure

Rast said that some lots platted several years previously off Nettlecure Court and Postwood Turn had a 50-foot easement that contained the path and sewer lines. Rast noted the City typically required a 20-foot easement for these uses. In the intervening years, the City had accepted ownership of several unbuildable lots off Postwood that were set behind the existing homes with driveway access ("flag" lots). Currently, there was no real reason or need for the 50-foot easement, and the City retained access to the remaining easement via the additional property.

The applicant's home was set further back from the road than the adjacent neighbor due to the cul-de-sac, leaving inadequate space to add a new swimming pool. Staff recommended approval of the request.

Meeker said approval should be conditioned on the property owner bearing the cost of preparing the plat and legal description for the conveyance. Imker moved to approve abandonment of the easement behind 108 Nettlecure, subject to the conditions stipulated by the City Attorney. Learnard seconded. Motion carried unanimously.

07-11-08 Consider Intergovernmental Agreement with FCBOC for E-911

Pennington said Peachtree City had for several years participated with the County and other municipalities in a consolidated 911 center. Over the past year, the City had been negotiating with the entities to develop a new agreement. During the talks, there has always been the discussion of double taxation and how the municipalities contributed, whether by call volume or by population.

The proposed agreement provided for a consolidated E911 system and Communications Board, setting the parameters for that board. The agreement was contingent on the County establishing an E911 Tax District that covered the County. The municipalities would no longer contribute additional funding.

Pennington said the City would be foolish to consider taking on the expense of establishing its own 911 System. This was a service that benefitted from regional cooperation. The employees would continue to be employees of the county. The municipalities did not have a say in hiring and firing of those employees. The agreement was not perfect and would never be so, but it provided for the service to continue operation.

Brian Dingivan addressed Council, asking about the federal and state taxes for 911 service, noting that now they were going to charge at the County level as well. He said Georgia had repurposed $30 million in E911 funds and asked what guarantee existed that the County would not do the same thing. There was nothing in the governmental agreement on funding. Peachtree City had been paying $250,000 from the General Fund, and what happened to that money when the new tax district was enacted.

Haddix said that he also had some concerns about not having a say since Peachtree City was such a major contributor. The Board of Commissioners had ultimate control of the funding.

County Administrator Jack Krakeel said the agreement vested significant power in the eight-member Communications Board, on which Peachtree City would have two representatives (five of the eight representatives were municipal representatives). The Communications Board would establish the operating procedures and policies. The Board of Commissioners' duties lay with funding approval. Krakeel continued that the agreement provided for input from the Communications Board to the Board of Commissioners for the annual budget.

Krakeel then addressed Dingivan's concern about state funding, explaining that the state E911 Fund had been set up to establish E911 in Georgia communities that did not yet have the ability to identify the location of the caller. In contrast, the County was required by state law to maintain a separate dedicated fund for E911 funds collected that was audited annually.

Haddix said the Communications Board was good, but asked, if a future Board of Commissioners and a future City Council disagreed, how the decision would play out on satisfactory levels of service.

Meeker noted that Tyrone had made a couple of modifications to the agreement prior to approving it that night. Krakeel addressed these, saying the first issue was the penalty clause for withdrawal from the agreement. The original wording said that, if the City withdrew, they were still subject to the tax for a period of two years. Tyrone had expressed concern about legality o f taxing citizen without receiving service. Tyrone accepted modified language that the penalty would be equivalent to the taxes that would have been collected over the two2-year period.

Krakeel said the second issue reduced the per-capita contribution based on the residual balance from the prior prior year (two years previous). That contribution would stay in the fund (after establishment of the tax district). At that point, a rollback of tax rate could be implemented countywide.
Krakeel also noted that the modification of the overall agreement had been requested by the municipalities in Fayette County. The Board of Commissioners would consider establishing the tax district at their meeting the following week, prior to establishing the millage rate.

Randy Boyett asked how the E911 Service was currently being funded for Peachtree City. Administrative Services Director Nikki Vrana said the City had paid as much as $270,000 a year, and was currently paying $160,000 to the County. The new tax district would eliminate that payment.

Dingivan asked how the taxpayers benefitted from the change. Krakeel said the County's general fund received 60% of its revenue from property taxes. The Board of Commissioners was willing to establish the new district because the 1992 agreement put the burden for all capital expenses on the County. The proposed tax district would create a funding source that was equivalent Countywide for all taxpayers, whether for operating or capital funds. The current budget for the 911 Center was $2.9 million per year. Of that, $2 million came from user fees (on phone bills). The remaining $900,000 was the balance that used to be covered by municipal and County contributions but would now be levelized through a more predictable approach to funding the service.

Boyett asked if the millage rate would be adjusted appropriately for the FY 2013 budget, but that was a decision those on Council would have to make in 2012.

Imker noted the start date for the agreement was July 1 and said the payment was already in budget. He asked staff if the equivalent rollback was reflected in the FY 2013 projections. Salvatore said no, and that, by not enacting the millage rollup in FY 2012 (to counter the decrease in the digest), the City was basically enacting the decrease in FY 2012.

Imker moved to approve the agreement subject to legal review based on the changes approved by the Town of Tyrone. Fleisch seconded. Motion carried unanimously.

07-11-10 Consider Amendment to Alcohol License – Change in Distance Requirements
Public Information Officer/City Clerk Betsy Tyler presented an amendment to the Alcohol Ordinance requirements for distance from schools and churches that licensed establishments were required to meet. Staff recommended that the City modify its distance requirements to mirror state law to avoid confusion.

At the request of Learnard, Tyler clarified that there was no change in distance requirements for establishments serving distilled spirits. The change allowed establishments serving beer and wine to be located closer to churches and school grounds. The issue had become more important recently because two colleges had opened satellite campuses near Westpark Shopping Center, which had always had several establishments with alcohol licenses. However, two new businesses were requesting licenses and could not now qualify due to the distance requirement from schools. Another issue had come up in discussing the rental of The Gathering Place. City Ordinance prohibited alcohol at that location due to its proximity to Huddleston Elementary School, where state law would allow it.

Meeker confirmed that the proposed amendment cleared up a discrepancy between City and state law.

Imker moved to adopt the amendment. Learnard seconded. Motion carried unanimously.

07-11-04 Consider Reallocation of SPLOST Funds
Salvatore said that, as of June 30, the City's 2005 SPLOST Fund had slightly over $3 million of unspent/unencumbered funds available. The majority of the funds were for 2011 and 2012 street resurfacing and multi-use path system upgrades. However, $159,000 was also included for the SR 54 West Gateway multi-use bridge project, which had been cancelled, and an additional $546,000 in unallocated SPLOST funds and interest earnings.

Salvatore said that, between the bridge and unallocated funds, a total of $705,232 could be reallocated to FY 2013 for street resurfacing ($505,000) and path system upgrades ($200,232), which would allow that amount to be deducted from the 2013 Public Works project budget in the five-year model, as proposed by Council Member Imker.

Haddix said there were still some questions floating, but if that funding were needed in the future, the funds could be moved back.

Imker moved to approve the SPLOST fund reallocation. Learnard seconded. Motion carried unanimously.

07-11-05 Consider Full Redemption of 2006 Development Authority Revenue Bond
Salvatore said staff had reviewed the outstanding debt in looking for potential savings. Staff was seeking direction for several opportunities for savings by refinancing three debt issuances, the 2004 Library General Obligation Bond, the 2007 Bricks and Mortar note with BB&T, and the 2006 Energy Performance equipment lease. Council directed staff to bring these items back for official consideration.

Salvatore continued that staff had also looked at the possibility of paying off some debt, and the two loans with highest interest rates were the SR 54 West land purchase, which had a prepayment penalty, and the revenue bond for the DAPC. On the latter, the City would see a reduction of $58,444 in debt service payments if it were paid by August 15.

Imker moved to pay off the 2006 DAPC Bond in the amount of $779,536.23 by August 15 and that the funds come from General Fund fund balance. Fleisch seconded. Motion carried unanimously.

07-11-11 Consider Resolution to Censure Mayor Haddix
Haddix requested a continuance of the item due to the late addition to the agenda and the fact that there was a revision on dais, which gave him no time to respond, and due to Council Member Sturbaum's absence.

Learnard asked the City Attorney if Council could legally proceed with the item. Meeker said yes. Learnard said she felt they needed to move forward with the item. Haddix said, if Council refused to continue the item, he would recuse himself, leave, and end the meeting before the scheduled Executive Session. He asked them to reconsider continuance.

Learnard clarified that Haddix was saying, if Council moved forward, then the Mayor would recuse himself and leave the room. Haddix said that was correct and was legal for him to do. Meeker confirmed that was legal. Imker said he would take over the meeting as Mayor Pro Tem. Haddix said he could not do that because there would not be a quorum. Imker argued that there would be a quorum for discussion, just not for a vote. Meeker confirmed that the discussion could proceed. Learnard asked if the discussion occurred, would they be able to vote at the next meeting. Meeker said, if no action was taken, the item would be alive for action at a subsequent meeting.

Haddix noted that continuing the item allowed for Council/Staff Topics and Executive Session, but if he departed, the meeting ended. Meeker clarified that the meeting could continue, but there could be no further action taken, including a motion to convene in Executive Session.

Imker asked about the items for Executive Session, and Meeker said there were some time sensitive items. Imker asked if he could make a motion to go into Executive Session at that time, and Learnard noted Council had broken mid-meeting for an Executive Session before. Meeker noted that was for items under discussion, and felt the Executive Session needed to remain at the end of the meeting as advertised.

Imker accused the Mayor of maneuvering the meeting into the position of saying he was prepared to disrupt what was going on and the potential impact of the Executive Session so that Council could not execute item 07-11-11. Haddix said his intent was to exercise what had been requested by other Council Members at several times, to continue a non-critical matter for one Council Meeting. This had been granted repeatedly in the past.

Imker asked if the Mayor would consider recusing himself and returning in 15 minutes. Haddix said he would not and that, if he left, he was gone for the evening. Learnard said there was nothing to stop the Mayor from the same action at the next meeting. Haddix said that, if there were five members present and he had a respectful amount of time to prepare a response, rather than having a subject dumped on him at the close of business Wednesday when it was common knowledge that he had a transportation meeting, and then walking in to find a revision on the dais. This gave him no reasonable amount of time to prepare a response.

Fleisch asked what the proposed amendments were. Meeker noted that names of specific employees had been removed. Fleisch said she did not see that as a major revision and did not have a problem continuing. Haddix reiterated that he had less than eight hours to prepare for the item.

Learnard asked what the Executive Session items pertained to. Meeker said the items included real estate acquisition, personnel, and pending or threatened litigation. Learnard said that, given that the Mayor had made it clear he was less concerned about City business and dealing with an item legally placed on the agenda, she would consider moving to continue the item. Haddix disputed that categorization. Imker asked Learnard if she would agree the need for continuing was one of the reasons for the agenda item, and Learnard said yes.

Haddix said what was occurring from the majority was one of the reasons that this Council was having such problems. Learnard said she was not sure why Haddix felt his response was any part of the item, asking if Haddix understood what censure was. Haddix said he understood and would respond to the censure. He asked Learnard to decide whether she wanted to shut down Executive Session by refusing to continue the project. Learnard said, for the record, it was not her refusal.

Learnard clarified that she had not actually made a motion to continue the item, but that she would consider doing so. Imker said the agenda item was added to do one specific thing and was not seeking a response. He had a hard time understanding the argument of the need to prepare a counter argument. Haddix said that illustrated his point.

Haddix said Council was engaging the agenda item and moved to continue the item to August 4. The motion died for lack of a second. Haddix recused himself and left the meeting at 10:29 p.m.

Imker asked Meeker if it was proper for him to take over the meeting. Meeker said Imker was the Mayor Pro Tem, but Council could not take any action. Imker opened the subject for discussion among Council.

Learnard said Peachtree City had what other communities could only dream of – cart paths, sports, special events, and all the other positive elements. She moved here because she wanted to live here, and did not understand why there was so much negativity. Learnard continued that Mayor Haddix had engaged in an 18-month pattern of negativity that was inappropriate for Peachtree City and did a disservice to the citizens.

Learnard then referenced several recent newspaper headlines: "Lawsuit alleging Peachtree City apartment ban racist," with the Mayor's picture on the front page, "Mayor in hot water for wife's remark," "PTC out of business," and "Minutes correction gets testy in Peachtree City."

Learnard said those types of headlines did not belong here and said the City had to do better. She did not understand how someone could live in this wonderful place and be so negative in blogs, emails, comments, conversations, and editorials. She said every one of those negatives took something away from Peachtree City and everyone in it.

Learnard continued that everyone outside Peachtree City recognized the problem with the negativity. The County officials knew the negativity was not an accurate portrayal of community, as did the Fayette County Development Authority (FCDA). Learnard said that, under gold dome, they referred to "that delicate situation" in Peachtree City. The Atlanta Regional Commission (ARC), the Department of Transportation (DOT), and the Georgia Economic Development Commission (GEDC) were all watching.

Learnard said that, last October, all the local elected officials had participated in workshop on economic development with the County in October and had learned that Georgia Power and EMC were the big industrial recruiters in conjunction with GEDC. When quality companies were looking at coming to Georgia, and all 159 companies competed for those companies. If they visited, the prospects might have an hour to visit. So they read local newspapers and went online when they were considering relocation.

Learnard said these prospects were seeing the headlines she had noted, thanks to Mayor Haddix. She continued that six of the eight highest-level economic development officials in Georgia lived in Peachtree City. Learnard said she and Council Members Fleisch and Imker worked very hard to promote the positives in Peachtree City for economic development, but the negativity made it difficult to portray what a wonderful community this was. Learnard said this resolution was not about one incident or one editorial, but was about the 18-month pattern of negativity that needed to stop. She said Peachtree City had to stop being its own worst enemy. A censure meant a public rebuke.

Imker then spoke, saying one of the issues had been economic development. The City hired the best Economic Development Coordinator that could be found in entire country, from a city ranked higher than Peachtree City as a best place to live. That employee had left the City, twice. The first time, Council talked him into staying because they felt his potential contribution was so important. He ultimately left again and was back in Texas before Imker could reach him to ask why he left. Imker read the reply he received, with the former employee's permission:

> *Hey Erik,*
> *I left because of Don Haddix and the unstable nature of the position, as well as being away from my family. You, Vanessa, and Kim were the reason that I stayed the first time I thought about leaving. You three were great and gave me tremendous support - cannot say that for others who are more focused on ego development rather than economic development.*
> *Good luck!!*

Imker said that employee joined the City in January and noticed the problem immediately.

Imker said he wanted to point out one of the most irresponsible letters to the editor, dated June 29, in which Haddix wrote that the "Fayette County Development Authority (FCDA) did not proactively pursue good employers." Imker said he asked the FCDA for list of businesses they had worked to bring to Peachtree City, and it included Sany, Aventure Aviation, Hoshizaki, Shinsei, Cooper Lighting, Cooper Wiring, AIM Aircraft Spares, Rinnai, and more. The FCDA still had millions in outstanding bonds for these and other companies that have located and expanded here.

Imker said that 90% of the industry that came to Fayette County came to Peachtree City, and he did not know where the Mayor got the idea that they did not pursue good employers. Imker said he sent an email to the FCDA Chairman, Randy Hayes, apologizing for the Mayor's comment, and received the following response:

> *Thanks Eric.*
> *It is very unfortunate that the Mayor takes this tactical approach to Community building. These are the types of instances that our competitors seize upon to denigrate our great County and especially PTC. I recoil at the thought that the Sany, NCR, and Cooper employees and management read such statements and think that they are lumped into the category of "not good employers" . . . These companies, and many others, recruited to PTC, are wonderful corporate citizens and provide tremendous volunteers to our community and support many of the smaller local businesses, restaurants, and sponsor many of our local efforts such as the Fred, the Fayetteville amphitheatre, blood drives , cancer walks, Chamber of Commerce, Rotary Clubs, etc. The FCDA is not going to change our mission of recruiting quality companies and employers to come to PTC because of this. Eric we appreciate your comments and assure you that the FCDA Board and Brandt will continue to work with you.*
> *Randy*

Imker said there should be no need for him to have to apologize to the FCDA for something written by the Mayor. He said they would be giving notice at the next Council meeting that something had to change.

Fleisch then spoke, saying she had held off, waiting for critical mass - the point at which, if Council did not take action, the citizens would lose faith. She said the last article was, which again mentioned the former Economic Development Director even though he had been gone for months, was an example of beating a dead horse. She said she had also been on an apology tour with the FCDA, as well as the DOT, and felt the community should be very proud that County Commissioner Herb Frady and Fayetteville Mayor Ken Steele were now representing the County in an excellent manner.

Fleisch continued that representatives from the City had gone to the DOT to ask for a traffic signal at the Baseball Soccer Complex, but knowing the City would not prevail. She said the DOT listened to the City's concerns and granted a blinking light, which was better than had been granted in the past. At the following meeting, the Mayor denigrated the DOT, and Fleisch said Council could not develop working relationships if they were constantly making apology tour s.

Fleisch then noted a portion of the resolution that addressed the Mayor's public belittling of current and former elected officials, appointed officials, and employees. She said she felt empathy for staff because some of the meetings were less than professional, and part of being Mayor was running a meeting with decorum.

Learnard said she wanted citizens to understand that Peachtree City had a Code of Ethics that was sacrosanct, and it stipulated that the elected officials create environment of honesty, openness, and integrity. Learnard said only the citizens could evaluate whether that was happening.

Learnard said the Code also called upon Council to ensure that citizens have confidence in the integrity of their government and that the City's officials use the power of their position for the wellbeing of their constituents.

Learnard concluded by saying the City's Mission statement called upon Council to create a healthy environment to live, work, and enjoy leisure time and to promote a sense of community, saying she wanted Council to get back to the positives because no one was benefitting from the negativity.

Imker said that one item of the resolution, the statement that if Mayor Haddix could not or would not take corrective action, then Council asked for him to resign, would be read at the next meeting.

Council/Staff topics

Pennington said the City had received a lot of comments and emails about the repairs needed at the Library. City Engineer Dave Borkowski reported that the design drawings for repairs of the stairway tower were completed. The structure consisted of a steel skeleton and concrete block with veneer. The veneer block was not supported, which had led to the crack. The final design to repair the problem would screw the veneer to the block and tie it to the steel frame. The rough estimate for the cost was under $30,000. Meeker reported that the statute of repose had passed on requiring the contractor for that phase to contribute to the repairs.

Pennington congratulated Salvatore for receiving a Government Finance Officers Association scholarship to the Advanced Government Finance Institute at the University of Wisconsin the following week.

Imker asked if a Special Called Meeting could be set up for the following Monday to address the Executive Session items. Meeker said, under the City Charter, only the Mayor could call a Special Called Meeting. Imker said he would approach the Mayor about doing so.

There being no further business to discuss, the meeting ended at 10:55 p.m.

Betsy Tyler, City Clerk

Don Haddix, Mayor