City Council of Peachtree City
Minutes of Meeting
July 21, 2005
6:30 p.m.

The City Council of Peachtree City met Thursday, July 21, 2005, in the City Hall Council Chambers. Mayor Brown called the meeting to order at 7·00 p.m. Other Council Members present were: Stuart Kourajian, Steve Rapson, Judi Rutherford, and Murray Weed.

Announcements, Awards, Special Recognition
Jason McKinnon was recognized for 10 years of service. Steve McCook was recognized as Employee of the Month, and Tami Babb was recognized as the Supervisor of the Quarter Members of Fire Department Explorer Post 209 were recognized for earning second place in the fire investigation competition at the National Fire and Emergency Services Exploring Conference. Several members and coaches of the Peachtree City roller hockey program were recognized for earning spots on Georgia State Wars roller hockey teams.

Minutes
Rutherford moved to approve the June 14, 2005, workshop minutes as corrected. Brown seconded. The motion carried 3-0-2 (Kourajian, Weed).

Rutherford moved to approve the July 7, 2005, Regular Meeting Minutes as presented. Kourajian seconded. The motion carried 4-0-1 (Rapson).

Consent Agenda

1. **Consider Extension of Big Box Moratorium**

Brown noted there was an additional document on the dais – a letter from City Attorney Ted Meeker to Mayor and Council dated July 20, 2005, regarding the Moratorium on Commercial Structures over 32,000 square feet, as well as a copy of the resolution.

Weed moved to approve the Consent Agenda. Rutherford seconded. Rutherford asked if the ordinance would be completed within the 90-day extension. Meeker said it should be done. The motion carried unanimously

Old Agenda Items
07-05-CA3 Consider Purchase of Surveillance Equipment
Rutherford moved to approve the purchase of the surveillance equipment. Rapson seconded. The motion carried unanimously

07-05-03 Discuss Impact of the Supreme Court Decision on Eminent Domain
Rapson said there had been a lot of discussion and publicity regarding the recent Supreme Court decision. He wanted his opinion on record. Rapson said the City should send a clear message that the City intended to follow the normal practice of the state. He said the state was working on legislation to put that in place, which was using the ability of the "public use" classification versus seizing private property for the purpose of

economic development. Rapson said he wanted to make sure Council was thinking the same way

New Agenda Items

07-05-06 Consider Request from Development Authority for Funding

Rutherford moved to table the agenda item. Kourajian seconded. Rutherford noted that the City Attorney had asked that the agenda item be tabled. The motion carried unanimously

07-05-07 Consider Change Orders for Library Addition

Leisure Services Director Randy Gaddo addressed Council. Gaddo asked Council to approve Change Order #6 in the amount of $15,143 44 for unforeseen site revisions and owner requested changes. Gaddo explained that the work included the following: adding a yard drain in the front plaza due to a low spot; adding electrical conduits from the power source to the plaza for future electrical work; adding steel corner guards to interior corners to protect them, adding damp-proofing to interior wall of the 1995 building; waterproofing, re-insulating, and installing drywall to selected walls of the 1987 building, and adding a steel cross beam (lintel) at the front of the library

Gaddo continued that Change Order #7 provided a $10,669 credit. The change order included a reduction in the landscape design as requested by the City ($5,017), the return of the remaining contingency from the wall placement in the 1995 addition ($9,766), and the additional charge to extend the maintenance pad to provide easier and safer access to HVAC equipment in the rear of the building ($4,114).

Gaddo said the contingency balance for the project was at $96,364 Approval of the requests would leave the contingency fund at $91,899

Kourajian said that some of the items should have been known up front, such as corner guards. Gaddo said they had looked at the plans in detail and discussed some items that would upgrade the design. He said they just had not discussed those interior details earlier Rutherford added that they also had not known about some of the issues in the older parts of the building until they got to them.

Kourajian asked about the crossbeam in front of the library Gaddo explained that was something overlooked in the initial review The beam was used to hold the split face block on the outside in the vicinity of the entrance door Kourajian asked if it was part of the design. Gaddo said it was, but was somehow missed during the review The contractor picked up on it, and it had to be added.

Rutherford moved to approve Change Order #6 in the amount of $15,134 44, and Change Order #7 and a credit of $10, 669 Rapson seconded. The motion carried unanimously

07-05-08 Consider Ordinance Regulating Motorized Play Vehicles

City Hall Intern Evan Roth gave a PowerPoint presentation (included in the official meeting file) on the proposed ordinance. Roth said the vehicles were sold as toys and were also known as mini-motorcycles, pocket bikes, and mini-motos. The vehicles were less than one and one-half feet tall and were driven on public roads. Websites that sold the vehicles posted the following disclaimer·

"Notice – The vehicle does NOT conform with Federal Motor Vehicle Standards and is NOT intended for use on public streets, roads, and highways."

Roth said there was not an ordinance prohibiting the vehicles on public roads. The vehicles could reach speeds between 25 and 45 miles per hour (mph), much faster than a golf cart. The maximum capacity was 300 pounds, and the engines were gas-powered. Roth said even a small crash could present a potentially dangerous situation. The vehicles were classified as toys and did not have to be registered. Safety gear was not required. Children younger than age 12 would be able to legally drive on public roads.

Roth continued that there were over 10,000 injuries in a one-year period related to these vehicles. The vehicles were so low to the ground that they were difficult for motorists to see. Most drivers could not see them. Most insurance policies would not cover pocket bike accidents and injuries. Approximately one-third of the injuries and deaths involved children younger than 15 years of age. Over 50 people, mostly children, have died. Roth said most children did not have the maturity to recognize the danger when riding the vehicles. They viewed the vehicle as a toy, and assumed people were looking out for them.

Roth noted that governments across the country had already taken action to ban the vehicles on public property ***Consumer Reports*** rated the vehicles as one of the 10 worst toys in 2004 Many police departments had already started to confiscate the toys despite the lack of ordinances.

Roth said the ordinance had to address all types of motorized play vehicles, including the use of pocket bikes on public roads. He said the popularity of the vehicles was rising and, hopefully, the ordinance would reduce accidents.

Brown said he had seen two of the pocket bikes on the paths. Currently, the vehicles were not legal on the path system. He said it would be better to do something now before the City became overwhelmed with the vehicles. The proposed ordinance would ban the vehicles from public streets and property other than the paths. He continued that, currently, there were no regulations at the state or local levels for roads.

Rapson said the state would probably do something as well, but the City was trying to be proactive. Brown agreed and likened it to the smoking ban. The local governments took action first, and the state followed their lead.

Police Chief Jim Murray said the Police Department had been looking at the pocket bikes for a while. They had recently become a problem. One problem was that they were going legislate something that 99% of competent parents would not allow a child to have. Murray continued that the bikes were extremely dangerous. They were prohibited on some streets because of gear, such as turn signals, that the vehicles did not have.

Murray continued that the ordinance also required merchants to provide buyers with a disclaimer that the vehicles could not be used legally Murray said the vehicles were one of the most dangerous things he had seen children on. If the vehicles were sold, the parents must have the information that they could not be used legally

Brown read from a ***Consumer Reports*** article that the brakes on the vehicles worked poorly and had sub par handling. The American Association of Vehicle Administrators and the National Sheriffs Association had also condemned the vehicles. Murray noted that the disclaimer sent a message that the vehicles were unsafe and held parents responsible. He added that eight and nine-year olds had been caught on the paths on pocket bikes.

Rapson recalled the debate regarding electrical bicycles and noted the cutoff for the speed on those was 20 mph, which was currently in the ordinance. The pocket bikes could go 25 mph or faster Murray said the vehicles could go as fast as 75-80 mph if modified.

Kourajian referred to "Section 78-95 Recreation Path – Prohibited Uses." He read "(12) Except as permitted in Section 78-94, any vehicle designed by the manufacturer to be able to travel at speeds in excess of 20 miles per hour under its own power on a flat surface." He asked if the ordinance changes covered one of these vehicles if it was designed to go 18 mph. Meeker said those would be covered by "motorized play vehicles," which was (10) on the list of prohibited uses. Meeker continued that that wording was a catchall because new vehicles would come out as technology changed. Kourajian said he was curious why 20 mph was selected as the speed. Murray noted that a fully loaded golf cart could reach 20 mph, with the governor, when going down a hill, which was a standard for golf carts. Meeker added that it was also consistent with state law

Kourajian referred to "Section 78-96.1 Motorized Play Vehicle: Prohibitions: Disclosure Requirements." He questioned whether the proposed ordinance permitted the operation of the vehicles on private property, such as the parking lot of business in the industrial park. Meeker said private parking lots were standard commercial parking lots. Rutherford noted that there were private roads in some subdivisions in the City Kourajian said he had a difficult time not allowing the vehicles on private property when the owner had given permission, as stated in Section 78-96.1(b). Rapson asked how that differed from Section 78-96.1(a). Both noted that according to the second sentence of (b), the vehicles were not to be operated on private property whether the owner had given written permission or not. Meeker said the first part of (b) said "except for" Kourajian clarified that both parts of (b) said it could not be done. Meeker said that was correct. Brown asked Meeker to clarify the point. Meeker said the vehicles could not be operated in private parking lots, private roads, or private sidewalks. Brown said the vehicles could be operated in the owner's yard. Meeker said that was correct. As long as the vehicles were not on a private sidewalk or road, they could be used on private property Kourajian said that, as he understood the section, he could not ride a motorized play vehicle on a private road that led to his home, or in a parking lot at a business that he owned. Meeker said that was correct, but under that scenario, the vehicles could be ridden in the Kroger parking lot. Kourajian added they could only if Kroger had given permission.

Weed said that Kourajian understood the section correctly Kourajian said if the vehicle was operating on his own land, then it should not matter if the vehicle was on the grass or sidewalk. Brown asked Kourajian if he was willing to accept that written permission of the property owner was needed for commercial sites. Kourajian said yes, but he did not want to open it up so much so the owner of a store could hold a rally Kourajian said he was thinking about a person's private property

Rutherford suggested tabling the item to work out those concerns. Weed said he did not support tabling the ordinance. He said if the vehicles were inherently dangerous in their construction and use, then they were dangerous on private and public property Weed wanted to get rid of them before someone got hurt. Kourajian said everyone had the right to make their own choices as to whether something was dangerous to do in their own area. If he owned one of the vehicles, he should be able to operate it in his own area, whether it was a sidewalk or grass. Kourajian did not support the ordinance in its present form.

Rapson said he agreed with both Kourajian and Weed. The proposed ordinance needed tweaking, and then everyone would be more comfortable. Brown said people would be able to ride the vehicles where they wanted on their own property, unless it was commercial, retail, or an office-institutional use. If the building was functioning, cars would be in the parking lot. One of the prime hazards was there was no line of sight, which created an inherent danger. Rutherford said if she owned her own warehouse and there were no trucks or cars in the parking lot and she blocked the driveway, then she still would not be able to allow her child and friends to use the vehicles in the parking lot. She again noted that some subdivision roads were private. Brown said he had no problem applying the same rules for the homes to other personal property as long as the owner gave written permission to people outside the family

Meeker said the problem was differentiating between that situation and opening up the Kroger parking lot. It would be difficult, if not impossible, to write such an ordinance. Rapson said the commercial people would not accept that an industrial owner could do something they could not. Meeker continued that Kourajian's argument regarding residential versus non-residential property could be more easily drawn. Brown noted that the Braelinn shopping center had already banned skateboards, scooters, and other moving vehicles except for cars and golf carts,

Weed said he agreed with the residential and non-residential restrictions, but questioned apartment complexes. Brown said the owner of the complex was the person to decide. Kourajian said there could be problems with condominiums. Weed said everyone who owned a condominium had rights to parking and ingress and egress.

Rapson moved to table the item and send concerns to the City Manager and City Attorney He said maybe they could come up with something everyone was comfortable with. Kourajian seconded.

Weed asked what the maximum speed was for an unmodified go-cart. Murray said 35 mph.

Meeker suggested that everyone send their comments. He suggested that, in order to adopt the ordinance at the meeting, that "private" could be removed from references to roads and streets, except for parking lots. He noted that would protect the public roads while they were working on the ordinance.

Rapson withdrew his motion. He moved to approve the proposed ordinance with the changes provided by the City Attorney to provide for the clarification of "public." Weed seconded. Meeker asked Council to forward their comments to the City Manager so they could get a consensus on how Council wanted the provision to read. The motion carried unanimously

07-05-09 Consider Amendment to and Extension of Georgia Power Franchise Agreement

City Manager Bernard McMullen noted that the original agreement had been approved in 1976. It was a 35-year agreement that ran through 2011 He said the extension would run until 2025 and kept the franchise rate at four percent. The amendments also put in writing the policy that Georgia Power paid for the relocation of utility lines in the right-of-way He said an immediate benefit would be a savings on moving the lines for the GA 74 South widening and the Walt Banks/Peachtree Parkway roundabout. Brown noted that Georgia Municipal Association (GMA) took the lead in negotiating the amendment.

Rutherford moved to adopt the attached amendment to the existing Georgia Power franchise agreement along with the 20-year extension of the current agreement. Rapson seconded. Rapson requested that a thank you be sent to the Georgia Municipal Association for the work on the agreement. The motion carried unanimously

07-05-10 Consider Award of Bid for Flat Creek Cart Path Bridge

Developmental Services Director Clyde Stricklin addressed Council. Stricklin explained that there were two bids on the project that had to be approved – to Steadfast Bridges for the pre-manufactured bridge for \$45,053 and to JHC Corporation for construction of the abutments and the installation of the multi-use bridge in the amount of \$128,900 He continued that staff was also requesting the transfer of \$90,840 from the PIP contingency to cover the balance. Stricklin noted that the City had received a \$43,000 grant from the DOT for the bridge construction, and that the grant would expire at the end of the year The goal was to have the bridge completed by the end of the year, and Steadfast said they could do the job in 98 days. JHC also could complete the job within 90 days. Salvatore said the grant was 80% of \$60,000

Rutherford moved to award the bid to Steadfast Bridges for the purchase of the pre-manufactured multi-use bridge for \$45,053 and to JHC Corporation for construction of the abutments and installation of the multi-use bridge for \$128,900, and to approve the transfer from the 2005 PIP contingency account of \$90,840 to cover the balance of the cost of the project. Rapson seconded. The motion carried unanimously

07-05-11 Consider Approval of Congestion Relief Accord

Brown noted there was an additional document on the dais – a revised copy of the Congestion Relief Accord.

City Hall Intern Ashley Holley gave a PowerPoint presentation (included in the official meeting file) on the Congestion Relief Accord. In addition to the City, the jurisdictions participating in the accord were South Fulton Community Improvement District, Coweta County, Fayette County, Fulton County, Senoia, Tyrone, Union City, and Fairburn. Five items were included in the accord. The items included improvements to the GA 74/I-85 interchange and adjacent impacts, consideration of a half diamond northward onto I-85 from GA 92 and adjacent impacts, implementation of van pooling and park and ride lot site identification, representation from the jurisdictions within South Metro Atlanta on the Atlanta Regional Commission's Regional Freight Study (CSX multi-modal facility in Fairburn and CSX Rail running through Tyrone and the City), and consideration of studies of I-85 area interchanges. The jurisdictions would also like studies of the intersections north and south of GA 74

Holley showed a list of the criteria used to determine developments of regional impact. She said there were approximately 20 developments of regional impact surrounding the GA 74/I-85 interchange. She continued that it was obvious the projects would have a negative effect on traffic congestion, and there was an immediate need for traffic flow solutions. Parties that would receive a copy of the accord included DOT boardmembers, Governor Perdue, state legislators, the Congressional delegation, DOT district offices, GRTA board, ARC board, and the news media.

Brown pointed out that one of the changes to the accord had been to change the word "implementation" to "consideration." He said some the proposals were not part of the regional transportation plan, and a project could not be implemented if it was not part of the plan. "Adjacent impacts" meant that changes to an intersection would have an impact on the existing roads, which also had to handle the traffic flow Members from Fulton County and Union City said they should look at the other intersections and see what might happen with them. There was no point in fixing one intersection if the intersections above and below it started lagging behind.

Rutherford asked Brown what they wanted done at the interchange. Brown said DOT had a concept for GA 74/I-85 The plan included on-ramp and off-ramp changes and widening the bridge to get the traffic flowing. The problem was the work was not scheduled until 2015 or 2020. Rutherford clarified that they just wanted to move the work up Brown said that was correct. He said there was quite a bit of support.

Kourajian questioned the park and ride and van pooling lots site identifications. Brown said that would be primarily in South Fulton. DOT would purchase those lots. There was not any incentive right now for vanpooling or car pools because there were no HOV lanes on this side of Atlanta.

Kourajian asked if everyone had agreed on the memorandum. Brown said everyone except Fayette County was present at the meeting held earlier in the day, and all had agreed. Brown told Council that, if they approved the accord, the City would be the first of the jurisdictions to approve it. He said they were trying to complete the accord before the General Assembly went into session in January

Rutherford moved to approve the Congestion Relief Accord and give permission for the Mayor to sign. Rapson seconded. Brown explained that the accord would not be signed until all the governing bodies had approved the accord in the event that the accord had to be modified. The motion carried unanimously

07-05-12 Consider Award of Pool Management Contract

Gaddo addressed Council regarding the pool management contract and asked Council to award the contract to USA Pools. The cost for the remainder of the year would $54,225 The cost for the three subsequent years was $274,260 each. Gaddo told Council that staff felt there was ample justification related to safety and operational efficiency not to select the low bidder He continued that the RFP was sent to eight companies, and four had submitted proposals. The preliminary review of qualifications eliminated two of the companies, which did not meet the five-year requirement for professional pool management. Gaddo said the requirement was critical to ensure the support the City needed.

Of the two remaining companies, Gaddo said the most responsive had been USA Pools, the current contractor, which had excelled in experience and record of performance. USA Pools had several large municipal contracts and several had year-round operations. Sears had only two municipal contracts, both smaller than the City, and no experience with year-round operations. He continued that year-round experience was critical. It was difficult to find lifeguards in the winter, so specific recruiting techniques were needed. They also had several contracts in the area, so they had a large number of recruits.

By experience, the City had learned that the most important onsite person provided by the contract was the onsite manager Gaddo said that Sears had not sent the name of the pool manager until requested. The company submitted the name of a young woman who had worked as a lifeguard for the City at one time, but was now employed by another company and had not kept her certification current. Sears had not planned to hire her unless the company got the contract. The USA Pools manager was very qualified and had a proven track record. She had three years experience with the City and inspired a high degree of confidence.

The City's swim program was another key item. Gaddo said Sears had little, or no, experience with large swim programs. The City had a healthy swim program. A loss of confidence by the patrons would lead to a loss of revenue. Sears also would not agree to be responsible for the users of the wading pools. They said the parents would be responsible. Gaddo said the City held the contractor responsible for everything inside the fence. Sears also said the pools would be unmonitored during the lifeguards' 15-minute breaks. Gaddo said no pool would be left unmonitored in the City The lifeguards took breaks during a normal rotation. Sears also said they could cancel the contract if the company recommended maintenance work the City did not accept and the company felt the job could not be done because of that. Gaddo said staff felt that arrangement gave the contractor too much control over the budget and the decision-making process.

Gaddo said staff was aware the difference between the bids was not insignificant, but safety was the number one priority Staff recommended the contract be awarded to USA Pools.

Rutherford moved to award the swimming pool management services to USA Pools as outlined from October 1, 2005, to December 31, 2005, for $54,225 and the option for three one-year calendar renewals for $274,260 for each year Rapson seconded. Rapson asked Rutherford to include a review of the contract by the City Attorney in her motion, as well as a 30-day clause. Rutherford accepted the amendment. The motion carried unanimously

07-05-13 Consider Traffic Signal at GA 54/Stevens Entry

Stricklin said the City had requested that DOT review the intersection. Stricklin told Council that the intersection met the warrants for a signal based on the DOT's study The estimated cost of the light was $70,000 He continued that, once the DOT made the determination that a light was needed, the light was approved. The estimate came from DOT

Kourajian asked who would pay for the light. Assistant City Manager Colin Halterman told Council that the City had asked for the permit, so the City was liable for the cost. He added that it could take five or six years to install the light if the City waited on state funding. Rapson noted that the traffic signal was on the SPLOST list, so the City could reimburse itself once the SPLOST money started coming in.

Rutherford moved to authorize the Mayor to sign all three copies of the attached request for the signal and that the request for funding would come at a later time. Rapson seconded. The motion carried unanimously

<u>Council/Staff Topics</u>

Discuss County Commission Actions Relative to County Library

Gaddo addressed Council and said he wanted to give Council an idea and background on the County Library Board and County Commission's recent actions regarding the Flint River Regional Library System. He gave a brief PowerPoint presentation (included in the official meeting file). Georgia Public Library Services fell under the Board of Regents. There were 58 library systems, either regional systems or county systems, in the state. The state recognized one county library per county in a regional system, and the Fayette County Library was recognized here. There was no requirement for Flint River Regional Library System (FRRLS) to support the City library State resources flowed to the City via FRRLS, which was located in Griffin. The regional director was a state employee who reported to a regional library board. The regional director assigned one state employee as the director of the Fayette County Library Gaddo pointed out that the director chose to do that; it was not required. The regional director also chose to support the City and Tyrone, but that was not required.

Gaddo continued that the Fayette County Library provided no support to the City The state-paid library director was a benefit to the County, but the regional director could pull that person back to Griffin at any time. The regional support to the City and Tyrone came through FRRLS, so there was no incentive for the County to assist the cities.

The agreement with the region was last updated in 1982 and was badly in need of an update. The County Library Board requested a review, and the three library managers conducted the review They produced a draft revised agreement, but could not agree on a funding mechanism. The Library Board voted on June 21 to forward the agreement to the county attorney for review, minus any funding information, since there were many points that they agreed on. After the vote, the board reversed itself and recommended that the County Commission reduce the funding levels to the FRRLS The County Library Board recommended the County pay $4,000 annually for the services provided. Currently, the County paid (pays) $73,000

Gaddo noted that the benefits of regional membership included centralized ordering, cataloging, and processing of materials; weekly van delivery, two courier deliveries per week; consolidated reporting to the state; PINES membership, internet and Galileo access; and professional administration of state and federally-funded grant programs. Gaddo said the benefits were worth thousands of dollars.

Gaddo continued that County Commission Chairman Greg Dunn announced at the July 12 Association of Fayette County Governments (AFCG) meeting that the Commission was not validating the reduction of payments. Dunn also said the Commission did not support the County Library Board's interest in potentially withdrawing from the FRRLS at this time, and that the Commission planned to ask the regional director for pertinent financial information. Rapson noted that was good due diligence on Dunn's part.

Gaddo said he needed to make some corrections to some of Dunn's statements. Dunn had said the County rated three state-paid positions. Gaddo said all state positions were allocated to the system headquarters and could be allotted out at the regional director/board's discretion, and Fayette County had been allocated one of those positions. Dunn also said that if the County pulled out of the FRRLS, the County would rate several state positions. Gaddo said there was no guarantee of state funding or staff support if the County pulled out. Dunn said that Lamar and Spalding Counties did not pay fees to the FRRLS. Gaddo said Lamar paid via the City of Barnesville, $12,065, Spalding paid the largest amount, $199,249; and the Griffin-Spalding County Board of Education paid $7,500 Dunn also said most counties the size of Fayette had created their own systems. Of the 58 library systems in the state, 23 were single county systems and 35 were regional systems. Of the 20 most-populated counties, eight were regional.

Gaddo said several things could happen. The County could be satisfied with the financial information they received from the regional director, and they would continue to update and renegotiate the 1982 agreement. If the County was not satisfied with the information, the County could negotiate with the regional director or take legal action. If the County were to withdraw, the City would have to make some decisions. The City could become part of a new County system, which would dramatically increase payments. The City's library could become independent, with large start up costs to provide the same level of service. Currently, there was no provision for the City to stay with the FRRLS unless there was a loophole, but the costs would still go up to make up the loss of the County's funding.

Gaddo asked Council to support staff's decision to stay with the FRRLS. Staff was happy with the services provided. He continued that staff would develop a contingency plan for all political scenarios. He asked Council to review the materials and become familiar with the many facets of the issue. Gaddo also asked Council to authorize staff to share that material with AFCG members.

Rapson said Gaddo had not discussed that the County was looking at equitable distribution between the municipalities supported by FRRLS. Rapson said he supported staff's recommendation to remain, as well as look at the equitable allocation of the fees. By his calculation, the City should be paying approximately $15,000 vs. the $13,000 currently budgeted. It was a good deal for the City and the other municipalities. Rapson noted that Council would be hypocritical regarding its position on equitable distribution if the City was not willing to be equitable back. Rapson pointed out that Tyrone had been approved for a state grant for its new library in the fall. He said they also needed to share the information with the Association of Fayette County Governments.

Rutherford said there had been issues with the FRRLS, but there had been drastic improvements. The region provided services that the City could not get in a cost effective manner Clayton County had been an independent system for a long time, but it was so long ago that it was cost effective for Clayton County As state funding decreased, there was no incentive for the state to help the City if the County pulled out of the regional system. Rutherford said that, as discussions continued with the County on recreation and EMS, the library would be in the same position as far as the taxpayers were concerned.

Rapson said he did not have to run a scenario to decide whether it was better to spend $1 million to pull out of they system or spend $15,000 to stay in the system. The regional director also took a huge administrative burden off the County and City libraries by filing the state and federal requirements, as well as taking care of the PINES system.

Rapson moved to endorse staff's position to remain a member of the FRRLS and to increase the budget to the equitable allocation of $15,010 vs. $13,000 currently budgeted and to authorize staff to share the information with the AFCG members, as well as support staff in developing contingency plans and providing materials. Rutherford seconded. Rapson said if the motion passed then a copy of the minutes should be sent to Tyrone to let Tyrone know the City supported their efforts. The motion carried unanimously

Gaddo thanked Jill Prouty for her efforts, which contributed to the improvement of the service.

Brown noted that Tinsley Mill had been pummeled by the floodwaters. He said he had spoken to some unit owners. Several units got more water than others. If there were a

FEMA program available to buy the units that routinely flooded, the owners would be interested in selling the units. Brown directed staff to look into the possibility

Weed asked if there had been any word regarding the traffic signal at GA 74/Georgian Park. Stricklin said he not received any word back yet. He hoped to hear from DOT on Friday, July 22.

Kourajian asked if there was any news on the opening of the Three Dollar Café. McMullen said there had been no news. Brown asked City Hall Staff Assistant Pam Dufresne the status of the alcohol license. Dufresne said the time limit for opening the business had expired and they would have to come back to Council.

McMullen reported that Airport Manager John Crosby was working with appraisers to acquire the needed right-of-way for the TDK Boulevard extension. Sequoia Golf and Pathway Communities had asked for some indemnification language to allow appraisers to come on to their properties. All of the appraisers had been unwilling to sign the agreement. Crosby was trying to set up a meeting with all the parties to work something out. Kourajian asked if the clause was unusual and if that was the hold-up. Stricklin said is was a standard clause for right of entry Kelly Gilley of Sequoia Golf had indicated that they wanted Crosby and Stricklin to go with the appraisers.

Rutherford thanked staff, Public Works, Fire Department, and the Police Department, for all the work done during the flooding. She said everyone did a good job in a very difficult situation.

Rutherford moved to reconvene in executive session for pending litigation, real estate, and personnel matters. Rapson seconded. The motion carried unanimously

Brown moved to reconvene into regular session. Weed seconded. The motion carried unanimously

Rutherford moved to acquire the easement on the Mathis tract for an amount not to exceed the amount specified in executive session. Weed seconded. The motion carried unanimously

There being no further business to discuss, Kourajian moved to adjourn the meeting. Brown seconded. The motion carried unanimously The meeting adjourned at 9:30 p.m.

Jane Miller, City Clerk

Stephen D Brown, Mayor

Pamela Dufresne, Recording Secretary