

City Council of Peachtree City
Meeting Minutes
July 19, 2018
6:30 p.m.

The Mayor and Council of Peachtree City met in regular session on Thursday, July 19, 2018. Mayor Vanessa Fleisch called the meeting to order at 6:30 p.m. Others attending: Terry Ernst, Mike King, Kevin Madden, and Phil Prebor.

Announcements, Awards, Special Recognition

Assistant Fire Chief Kevin Baggett thanked the Firehouse Subs Foundation for its donation of a Lucas Chest Compression System, worth about \$15,000.

The Mayor presented trophies to the 4th of July Parade winners. They were: 3rd Place Golf Cart – Board and Brush; 2nd Place Golf Cart – Southern Harm; 1st Place Golf Cart – Church of Jesus Christ of Latter Day Saints; Most Creative – Creative Learning Studios; Most Patriotic – A Better Way Ministries; Mayor's Trophy – My Floral Bliss; Grand Marshal's Trophy – The Funky Shack Mercantile & Flower Market.

Minutes

June 21, 2018, Regular Meeting Minutes

June 25, 2018, Budget Workshop Minutes

King moved to approve the minutes as written. Ernst seconded. Motion carried unanimously.

Quarterly Reports – 2nd Quarter 2018

Ernst noted that he had reviewed the reports and wanted to commend all departments for their good work.

Consent Agenda

- 1. Consider Alcohol License – NEW – Mini Mart Intl, 104-A Huddleston Road**
- 2. Consider Alcohol License – NEW – The Curious Pig, 114 Huddleston Road**
- 3. Consider Resolution of Support for Brunch Bill Alcohol Referendum on November 6**
- 4. Consider FY 2018 Budget Amendment – Contractual Services for Tree Removal**
- 5. Consider FY 2018 Budget Amendment – Building Repair & Maintenance**
- 6. Consider Surplus of Fire Engine**
- 7. Consider Contract for Online Payments – Point & Pay**

Ernst moved to approve Consent Agenda Items 1-7. Prebor seconded. Motion carried unanimously.

New Agenda Items

07-18-01 Public Hearing – Consider Variance to Side Setback, 306 Pemberton Court

Prebor recused himself from this item due to a business relationship.

Planning and Development Director Mike Warrix stated Council would consider a request for a variance from Section 1001.4, Paragraph (h), of the Zoning Ordinance. The property was zoned R-22, single family residential, in The Oaks at Timberlake subdivision. It was owned by Cheryl and Brian Cooper. The request was for one-foot encroachment into the required 15-foot side setback.

Warrix showed an aerial view of the property, along with the site plan and building permit application that staff reviewed and approved for a two-car garage. The plan showed a 16-foot, five-inch setback, which was in compliance with the ordinance requirement of 15 feet, but when the foundation was poured, the required foundation survey indicated that the setback was

actually 14 feet. The applicant provided photos to show the improvement and the front of the home, with the garage visible. Another photo showed the house and property line from a neighbor's point of view. Fleisch opened the public hearing. Brian Cooper explained they did a survey of the property and engaged the services of an architect at the beginning of the garage building process, basing the location of the garage on those professionals' work. He said they did not discover the setback problem until the foundation was poured, when the foundation survey was submitted to the City for approval. Cooper said they had letters from neighboring property owners and the Homeowners Association (HOA) saying they did not object to the setback encroachment.

Cooper showed a photo illustrating that only one corner of the garage was over the setback boundary. Cheryl Cooper explained that the house was perpendicular to the street, and the garage was parallel to the house. However, the property lines were not straight, and that was what caused this issue with encroachment in the required setback.

King said he visited the property and had no problem approving a variance for a small setback overstep on a slanted property line. Madden said he met with the Coopers and with the owners of the property next to the garage. He affirmed that the neighbors were okay with the garage location.

Madden moved to approve New Agenda Item 07-18-01 with staff's recommendation that the variance be limited to an encroachment of no more than one foot into the side building setback as shown on the foundation survey submitted by the applicant, and that there should be no other encroachments permitted without first securing additional variances. Ernst seconded. Motion carried 4-0, with Prebor abstaining.

**07-18-02 Public Hearing – Consider Variance to Floodplain Ordinance, 10, 11, and 12
Northlake Circle, Tinsley Mill**

City Engineer Dave Borkowski said Tinsley Mill Village was developed in the early 1970s, prior to any floodplain data. He showed a floodplain map from 1975, with no information. When the first floodplain map was published in 1977, it showed the entire Tinsley Mill Village area within the floodplain.

Borkowski related that Peachtree City became a member of the Community Rating System (CRS) in 1993. CRS was a voluntary program of the Insurance Services Office that rated a community's efforts to protect floodplains and mitigate flooding. The City's ordinances and other stormwater mitigation activities were considered good and earned flood insurance policy holders a 15% discount on their premiums.

One of the credits the City earned was for having elevation standards above the federal minimum of one foot above the 100-year floodplain, Borkowski reported. The City required three feet above the 100-year floodplain or one foot above future flood, whichever was greater. This requirement accounted for 330 of the City's 1,500 CRS points, which made it a category 7 city, with 10 being the worst, and 1 being the best rating.

At issue with this variance request was the elevation standard. A secondary issue involved the City's prohibition against rebuilding in a floodway. Units 10, 11, and 12 were damaged more than 50% of their value in a fire, Borkowski said, which required them to be rebuilt at three feet above the 100-year floodplain or one foot above the future flood. He said the structure would have to be raised 1.4 feet at one end to 3.5 feet at the other to meet current elevation standards. The range was due to the sloping of the stream downhill.

The HOA was asking for the variance due to the significant financial impact compliance would have on residents. Insurance would not cover all the cost of elevating the structures, so the expense would be assessed to all residents. Borkowski said the applicant was present and would explain that issue.

Borkowski noted there would be consequences if Council granted the variance. The City would lose elevation credits in the CRS standards. Currently, 82 Peachtree City property owners had flood insurance, and they would see a 5% increase in their premiums due to this loss of credit. Premiums varied depending on the property's location in relation to the floodplain, so it was difficult to tell just how much this would mean in dollars. Tinsley Mill Village residents would probably see about \$100 a year increase.

Borkowski said Staff reviewed the variance request against the requirements in the Land Development Ordinance and recommended denial of the elevation variance request because it did not meet all the variance criteria, most significantly the statement in the Ordinance that said its intent was to minimize public and private losses due to flood conditions in flood hazard areas.

Staff recommended approval of the floodway variance request, saying refusal of permission to rebuild in the floodway would be overly egregious because there would be no flood hazard impact if the buildings were reconstructed in the same spot. In addition, requiring elevation of the building would meet the intent of the ordinance and mitigate future flooding probabilities. Borkowski said City records showed there had been flooding at this building in the past, most recently in 2005, and there may have been other instances not recorded.

In summary, Borkowski said staff recommended Council approve the variance request to Sections 1007.4.5 (1) and 1007.4.5 (2) and deny the variance requests to Sections 1007.5.1 (1) and 1007.5.2 (2). The recommended action would allow the property owners to rebuild, but require them to meet City elevation standards.

Property Manager Steve Harrelson of HomeLink Property Management presented the applicants' case, first asking the many residents of Tinsley Mill Village Condominiums in the audience to stand. Harrelson said he was asking Council to allow them to raise the sunken lower floors in the three units to the level of the first floors. That would move all the floors significantly above the Federal Emergency Management Agency (FEMA) 100-year floodplain. In unit 10, Harrelson reported, it would raise the elevation to 793, compared to the FEMA flood level of 791.4. In units 11 and 12, the elevation would rise to 793.8.

Harrelson asked Council to bear in mind that, even though they were talking about a flood ordinance, the issue was triggered by a fire, not a flood. Regarding the second variance request, SafeBuilt had certified that the initial floor system was intact. The first floor in unit 12 was intact, while there was major damage in unit 11, where the fire began, and crossover damage in unit 10 where a firewall would be needed. The structure would need a roof, he noted, but more than 50% of the building was fine.

He said the property managers and the Tinsley Mill Village Board of Directors had taken action in the past few years to mitigate flooding in the development. In the past, it was common for the Fire Department to be called because of flooding when there was a significant rain event. The last time this was necessary was in December 2015. This was due to actions the Board of Directors had taken, such as enlarging the culvert ingress and egress at Northlake Drive and removing sediment from these culverts. Other improvements included increasing berm heights on both sides of Northlake Drive, and creating an emergency spillway to take water off Cherry Creek and divert it to the lagoon to prevent flooding. This was all paid for by residents of Tinsley Mill Village, not the

City. Last fall, two named storms swept through the area, but there was no flooding at Tinsley Mill Village.

Harrelson explained the need for the variances, saying that after the fire, three families were immediately displaced. This would put them back in their homes. If the variance was not granted, some families might have to file for bankruptcies. The variance would also prevent blight in one of the City's first communities.

Harrelson described the layers of insurance that came into play in a catastrophe such as this fire. The first layer was the insurance rebate that the insurance company provided to the association to rebuild the units the way they were. No building plans were on record, and they had to be re-created, modeled on units of similar design. The next layer was recoverable depreciation, which Harrelson said was similar to the check after an auto accident to reimburse for depreciation related to the crash.

Harrelson explained that a section called ordinance and law enabled the policyholder to pay for the cost of bringing the rebuilt structure up to current standards beyond those in place when the structure was originally built. The community's policy was the "Rolls Royce of the industry," providing the most ordinance and law coverage available. It was allocated per building, not per unit, and in this case, a whole building was affected. However, ordinance and law coverage provided \$60,000, which was significantly less than the cost to demolish the units and rebuild at the required elevation. This would cause an assessment to every owner in Tinsley Mill Village.

Harrelson estimated that it would cost \$133,000 to tear the buildings down and raise them back up. Subtracting the \$60,000 insurance payment meant the HOA had to come up with \$73,000. Around 50% of the owners would not cut a check immediately, so he would need to raise that estimate to about \$110,000. Spread among 53 units, that would be \$2,100 per household. Harrelson said he could not do anything until he came up with that money. There would also be necessary upgrades in other areas to meet plumbing and electrical codes that had to be covered.

Harrelson said they were required to hold a certain amount in reserve for events such as this because they had \$25,000 deductibles for insurance claims. It would be unwise to gut the reserves to do this.

Another reason to grant the variance, probably the most important reason, Harrelson remarked, was the construction of the new spillway on Lake Peachtree. This was one of the most technologically advanced spillways in North America and was built to handle a 15.9 PMP (Probable Maximum Precipitation). The PMP for the Peachtree City area was 31.8. The Dam Safety Act standards to which the spillway was built required it to handle half of the normal PMP. He said 15.9 inches of rain in a 12-hour period had never been recorded in this area. In 1994, a 500-year year rain fell, with a little over nine inches falling in a 24-hour period. Last year, a Category 4 storm dropped 15.1 inches of rain in Columbia, S.C. That was not even the amount of rain the spillway was built to handle. He noted that Columbia was much closer to the ocean than Peachtree City. In any rain event, the spillway was designed to keep the water levels in Lake Peachtree between 784 and 786 feet. The spillway would prevent flooding and could affect the CRS rating that Borkowski had mentioned.

Harrelson noted there were 83 flood insurance policies in Peachtree City. People knew where they bought and made a conscious decision to buy there. They purchased flood insurance because of that decision. Prices always changed, he remarked, generally increasing. He felt denying the variance and overlooking the financial impact on the residents of Tinsley Mill Village, while bringing

up the 5% rate increase in flood insurance premiums was a bit duplicitous. Most of the 83 with flood insurance lived in Tinsley Mill Village, Harrelson commented, noting there were 53 units in the community.

Not granting the variance left the Tinsley Mill Village Board of Directors some unsavory options, Harrelson said. They could assess to fund the reconstruction or tear down the damaged units, both of which had negative consequences for Tinsley Mill Village homeowners who might try to sell their properties or for people who wanted to invest in Tinsley Mill Village. Special assessments must be disclosed, he noted, and tearing down a building because of a City ordinance sent a negative message.

To summarize, Harrelson said Tinsley Mill Village had done its part and its part was working. Compliance was a hardship, denying people of their money, and, in three cases, possibly their homes. He said the Board of Directors would have to make a tough choice if Council denied the variance request, a choice that would possibly blight their own investments.

The spillway design was one of the most valid reasons to grant this variance, Harrelson pointed out. He noted that all 53 residents of Tinsley Mill Village lived in knowledge that they were in a floodplain. They had taken action over the past two and a half years to mitigate potential damage from flooding.

Harrelson introduced Jim Williams, a member of the Board of Directors, who said he had owned in Tinsley Mill Village for about 40 years. He told Council it was a great feature and worth protecting. He said the variance would pay off in benefits to the community more than forcing the razing of three units to satisfy the requirements of an ordinance.

For almost 50 years, Williams related, Tinsley Mill Village had stood as one of Peachtree City's most unique architectural projects. The reserves, plus insurance money, would be enough to elevate the sunken lower levels in these units to the level of the existing first floors. This would be relatively inexpensive and had been done to several existing units already.

If Council did not grant the variance, one option would be to raise the units up to ordinance standards, which would make them look out of place, Williams said. These units were near the entrance to the community, so the shift in appearance would be especially jarring and could cause a deterioration of property values. The huge financial burden that would come with this would harm everyone in the subdivision for the sake of three units and for a regulation adopted relatively recently that had no bearing on the current situation.

Williams said the Board would probably decide this was not a viable option. Instead, the Board would pay off the people who had lost their homes, tear the units down, and leave open space. That would be detriment to Tinsley Mill Village and to the community as a whole because of a decline in the tax base. Most of all, he emphasized, the three property owners would lose a tremendous amount of money, resulting in bankruptcy for at least one owner, possibly more.

Williams said there was a strong argument for this variance, adding it was the right thing to do. He thanked Council for their time in hearing their position.

Fleisch asked if Williams was once on the Fayetteville City Council, and Williams replied that he was. Fleisch asked if the owners of the three units were present and identified them in the audience.

Harrelson said the payout would come from the first layer of insurance he referenced, if the Board elected not to rebuild. They could not get the recoverable depreciation back if they did not rebuild.

He said he had presented a viable compromise of raising the sunken floors and believed it created a win-win situation. It was logical and was the right thing to do. He remarked that the Mayor ran for office on the premise that Peachtree City suffered from neglected infrastructure. Tinsley Mill Village was about as old as Peachtree City and had its own infrastructure problems. Every year, the Board decided to make interim repairs, with the knowledge that they would soon have to spend more money to correct the situation properly. This was similar to what the City faced when it decided to move forward with the spillway. The spillway was a major part of the puzzle, he reiterated.

He said Tinsley Mill Village had done all it could do. It was tapped out. It needed an extra 50 yards on the ball field, and he was asking Council to grant it. He asked Council to meet them in a compromise – raising the lower floors to a level well out of the FEMA flood zone.

The Mayor opened the public hearing. Tinsley Mill Village resident Suzanne Stern asked Borkowski if there was a precedent of a similar requirement to raise multiple buildings in one area over three feet above the flood zone. Borkowski said he had been with the City 13 years and could not recall another incidence. The Mayor said there was one unit on pilings there, but Stern said she did not believe it was to the height that would be required by the ordinance. Harrelson said the unit referred to was built higher, on stilts, but was not built to the FEMA flood level.

Fleisch asked Borkowski about Kedron Ponds and their relation to the flooding situation at Tinsley Mill Village. He said when those ponds were built, they helped mitigate flows to the Tinsley Mill area. When they were rebuilt and rehabbed, they made sure that mitigation was still occurring.

There were no further comments, and the Mayor closed the public hearing.

Rorie asked Harrelson and Borkowski to review the horizontal elevation above the floodplain if the sunken floors were simply eliminated. Borkowski said raising the living rooms would put them above the FEMA floodplain and showed the FEMA elevation requirements, along with the existing floodplain and the future floodplain. He had figures for the minimum finished floor elevation (MFFE), the required MFFE and the proposed MFFE for the plan to raise the sunken living rooms. In all cases, the MFFE would be above the 100-year floodplain, Borkowski confirmed. Rorie asked if this was an effective mitigation strategy, and Borkowski said the state would say "no," but the residents would disagree.

Rorie next wanted to re-examine the projected increase in flood insurance premiums if the City lost its CRS credit. He confirmed that 53 Tinsley Mill Village residents, along with 30 or so other residents in other locations in the City, would see about a 5% increase in premiums. He asked about the annualized cost in insurance was per policy.

Fleisch asked if flood insurance was required to get a mortgage in Tinsley Mill Village. Harrelson said mortgage companies did not issue mortgages in Tinsley Mill Village was because it was a condominium. Mortgage companies had developed standards based on Fannie Mae compliance based on whether a mortgage could be sold in a secondary market. A condominium must have a master FEMA flood policy. Tinsley Mill Village did not have that due to the cost, \$57,000 a year. That would be more than \$1,000 a year increase for each resident. Assessments such as taxes and insurance premiums added to the monthly payment and would kick the price of a condo at Tinsley Mill Village to about the \$400,000 range. Harrelson added that triggers for flood

insurance were grossly unfair to the policyholder and would have been used only once in the past five years. Every time it was triggered, there was a \$25,000 or \$35,000 deductible. It did not make financial sense. Because of the age of the development, a master flood policy was not required.

Prebor asked who would cover flooding if these units flooded. In 2015, Harrelson said, unit 15 flooded. The owner's flood insurance and insurance policy covered that. Another layer of insurance kicked in on the Tinsley Mill side, but that was only because active termites were discovered during construction.

Rorie said he still wanted to know what a typical flood insurance policy cost a resident. Harrelson said one resident told him they paid \$2,300 a year, so a 5% increase would be about \$150.

Resident Amy Rue stated she paid \$800 in flood insurance premiums the first year she owned her condo, and then the premium dropped to about \$680, where it had remained. Prebor calculated there would be about a \$40 increase, and Rue said she would gladly pay that extra 5% rather than take on the extra cost of rebuilding the units or the detriment of having them torn down. She said she paid \$327 a month in association fees, and it would go up if the units were demolished because the costs would be spread among fewer dwellings.

Rorie asked why flood insurance premiums would go up citywide. Borkowski said the City received a credit for maintaining a higher standard. Granting a variance would mean the City was no longer adhering to that standard. To clarify, Rorie stated, granting a variance made it appear that the higher standard would not be enforced throughout the City. Borkowski confirmed this.

Rorie also confirmed that this type of variance request was rare. He said he wanted Council to compare the costs of raising the buildings three feet versus the costs of additional assessments and higher flood insurance premiums.

Rorie stated that people knew where they bought, and there were consequences. He reflected on the 1994 flood and noted there was no guarantee there would never be a flood like that again. However, raising of the bottom floor would lessen the chances of flood damage.

Harrelson said the spillway should prevent the damage Tinsley Mill Village experienced in 1994 because it affected runoff from Lake Peachtree into the lagoon. In 1994, the water was to the top of a four-foot fence. The spillway should take water from the lake and prevent flooding.

Madden clarified that losing the CRS credit would only influence flood insurance, not other insurance policies, and Borkowski confirmed this.

King asked if the City would have a liability if these two variances were approved. City Attorney Ted Meeker said it would be a continuation of what was already there, and raising the MFFE would actually be making the situation better. King said CRS called for a three-foot height requirement above the 100-year flood plain. This high standard made him wonder why flood insurance was even necessary.

King said he went back to what Williams said: "We've got to look at doing the right thing." King said the right thing would be to bring it above the 100-year flood plain, and Prebor agreed. Prebor noted that people knew they were subject to flooding when they bought their homes. Ernst recalled that he was a police officer during the 1994 flood and said they lost a patrol vehicle at Tinsley Mill Village.

Prebor said this was the first time this had come up since the ordinance was passed, and he thought it posed a major financial hardship.

Madden said he met with Harrelson and saw the units in question. It was raining hard that day, he said, noting they would need every dollar to mitigate future flooding.

King asked if two separate motions were needed to approve the variance, and Meeker explained how it should be worded, noting that staff had provided language.

In response to a question from the Mayor, Borkowski said elevation certificates would be required during the reconstruction process.

Rorie noted that it was never a good idea to re-write zoning ordinances one variance at a time. It would always be staff's position to follow the ordinances to the letter. The purpose of a variance was to allow Council to compare and consider variances across different properties and consider the uniqueness of each situation. Staff believed it was good public policy to follow ordinances, but it was also good public policy to look at individual consequences of a variance request. He added that the variance went with the property; it did not apply everywhere. It could or could not set a precedent.

Madden said there was more than 50% damage caused by a fire. If it had been caused by flooding, it would be a different conversation. Fleisch said she felt it would be the same conversation.

Using Meeker's suggested language, Prebor moved to approve the variance request to Sections 1007.4.5 (1) and 1007.4.5 (2) and to Sections 1007.5.1 (1) and 1007.5.2 (2), with the condition that the finished floor elevation in unit 10 be 792.99 feet, for unit 11 be 793.88, and for unit 12 be 793.86. Madden seconded. The motion carried unanimously.

07-18-03 Public Hearing – Consider Rezoning, AR/GI to LUR, 180 Old Senoia Road

Senior Planner Robin Cailloux said this public hearing was to consider rezoning 66 acres in Wilksmoor Village. There were six parcels in the request, with various owners. She showed an aerial view of the property, pointing out the railroad tracks and SR 74. The property was zoned Agricultural Reserve (AR) and General Industrial (GI). It was surrounded by Cresswind and Everton residential developments. The Future Land Use map called for single-family low density for the AR zoning and industrial for the GI zoning. To clarify the language, she explained that the adjacent single-family medium zoning allowed for one – four units per acre, and single-family cluster allowed for three – six units per acre. Single-family low density was for greater than one-acre lots.

The applicant was requesting rezoning to Limited Use Residential (LUR) for 180 single-family residential lots, 26 acres of open space, and a 2.5-acre amenity area. Cailloux displayed the proposed plan, showing one street connecting to MacDuff Parkway, curving around and crossing the railroad. There would be one intersection with MacDuff and a connection to Everton to the south.

Cailloux said this would be a single-family medium zoning designation, with about 2.7 units per acre, similar to Cresswind. The Planning Commission voted to recommend approval of the rezoning, but had some questions about the amenity area. The developer had since provided a drawing of the proposed amenity area, showing a clubhouse, a pool, an enclosed dog park, along with other park spaces.

Cailloux said staff recommended approval of the rezoning with a litany of conditions to codify the proposal the developers had put forward. She said the City had been working with the railroad to close some of the at-grade crossings, and one of the conditions was to provide access to Wilks Grove Church via the new road, eliminating the need for that railroad crossing.

Answering a question from the Mayor about railroad crossing closings, Cailloux said there would be internal access through Everton, allowing for another crossing to be closed, and they were working with the utility to get the crossing closed south of this property as well. She said the City's goal was to get all non-signalized at-grade crossings closed for safety reasons. These were the last such crossings remaining.

Fleisch opened the public hearing. Applicant Mike Meshkaty of Century Communities highlighted some of the features of the community. He showed a crossing in the area that he believed was used by Coweta Fayette EMC to access a smaller power easement. He said they were working with the church to provide access to MacDuff Parkway and remove a second crossing used by the church and property owners.

Meshkaty showed where the utilities would be moved underground. He said they planned to provide golf cart access and would construct a multi-use path to cross MacDuff and link to the paths in Everton. There would be access to the new road through Everton Phase 6.

Meshkaty said the actual lot count would be 176, or 2.64 lots per acre, comparable to Everton. This was accounting for the City's requirement that there be a 20-foot easement between every 10 lots. Additionally, there was a condition for no mass clearing of the site, and he showed where protected areas would be located, as well as other open space areas that would be graded during construction but otherwise left undeveloped. Open space would be 33%, he reported.

A map showed proposed access for the church. Currently, the church members traveled eastward and crossed the railroad. Meshkaty said they had offered to provide a paved road to connect to the new development and had agreed with the church's request to make the road wide enough to allow two cars to pass. Nothing had been finalized, but Meshkaty was confident they would reach an agreement with the church, and the crossing could be closed.

He also showed photos of the type of homes planned, which included ranch style homes, two stories with the master on the main, and traditional two stories. Amenities would include parkland, a dog park, walking trails, a playground, a clubhouse, a fireplace, grills, and a pool. He showed renderings of the amenity area from several angles.

Ralph Hale asked where runoff from this development would go. Mike Haponski with Ridge Planning and Engineering answered, saying there would be two detention ponds, each serving half the property, and showed on a map how water would flow into them. He said there was no floodplain on this property.

There were no further comments. The Mayor closed the public hearing.

King clarified the number of detention ponds, and Haponski again said there would be two, adding that the stormwater provisions met City standards.

Prebor said this property should be residential since there was no further industrial usage planned for this area. Cailloux noted that, just north of this, the Messana property was still zoned industrial. The church was zoned industrial, and she pointed out other industrial property in the area. Fleisch asked about plans for the Messana property, and Cailloux said the owners had asked if the plan

the City approved in 2015 was still valid, and they were informed that the plan expired after 12 months. Cailloux stated she believed the family was still exploring their options, but they had not approached the City.

Madden moved to approve New Agenda Item 07-18-03. King seconded. Motion carried unanimously.

Meeker noted that the conditions were listed in the ordinance in the Council packet and would be included in the motion Council approved.

07-18-04 Public Hearing – Consider FY 2019 Budget and CIP

Financial Services Director Paul Salvatore explained that one public hearing was required before adoption of the budget, and the budget resolution was scheduled for the Aug. 2 Council meeting. They received the County tax digest the previous day and were placing the advertising for the three required millage rate hearings. That cycle should be complete by the August 16 Council meeting.

Salvatore summarized the budget information presented in two previous budget workshop sessions, starting with the City's Mission Statement and Budget Policy. He then reviewed highlights of the proposed General Fund Operating Budget:

- Estimated revenues of \$37,056,830, or 3.4% increase (\$1.23 million)
- Appropriations of \$36,879,943, or 2.4% increase (\$871,000)
- Decrease in total millage rate of .1 mills (due to the payoff of a bond)
- Cash reserve increase of \$176,887, or 0% (still 38%)
- Street and path resurfacing – no change (\$1.8 million for 3-4 miles)
- Personnel changes
- \$146,047 funding for Fayette County Development Authority and \$25,000 for non-profit organizations (no change)
- \$2,250 decrease in airport funding (down to \$81,600 per agreement)

An overview of the General Fund projected a \$1.2 million revenue increase, \$871,000 expenditure increase, and a \$176,000 increase in cash reserves to maintain a 38% fund balance. A breakdown on the \$1.2 million increase in revenues showed most came from ad valorem and Local Option Sales Tax (LOST). The expense increases included new positions, eliminating the mowing contract and bringing those employees in-house, and pay increases for City employees.

The five-year financial model showed budget projections through 2023. The millage rate would decline when bonds were retired. Salvatore pointed out there would be a spike in expenditures in 2021 when the west side fire station came online.

He also showed the General Fund revenue sources, which included taxes and use fees. Police, Fire/EMS, and Public Works accounted for most of the City's expenditures.

The highlights of the Capital Improvement Plan (CIP) included:

- \$445,000 cash for citywide facilities and infrastructure improvements
- \$316,333 for Public Works and Grounds equipment purchases
- \$675,325 for Police Department vehicles and equipment, including 10 patrol vehicles at \$56,000
- \$447,800 for Fire Department/EMS vehicle and equipment, including a Medic Unit replacement at \$275,000
- \$530,092 for technology, including more cyber-security \$219,000 for citywide personal computer replacement (146 PCs) and upgrading to Windows 10.

The total CIP projects proposed for 2019 totaled \$2,414,550. Ongoing plans to consolidate recreation facilities could impact this as well.

Stormwater and the amphitheater were enterprise funds that operated on their own revenues, Salvatore explained. He showed the goals for the Stormwater Department and said it had a \$2.3 million budget proposed for 2019. Salvatore listed the plans for the amphitheater and noted that its proposed budget was \$1.3 million. He also detailed how the hotel/motel tax revenue was divided.

There were no comments from the public, and Fleisch closed the public hearing. Council had no comments.

07-18-05 Consider Resolution in Support of Local Legislation for the Power to Create Community Improvement Districts

Rorie explained that Community Improvement Districts (CIDs) were an economic development tool that allowed non-residential property owners to tax themselves to pay for mutually beneficial public projects. The Georgia Constitution authorized CIDs to promote planning and economic development. Rorie said there were 26 active CIDs in the state. A CID could collect additional property tax, fees, or assessments from members for agreed upon community improvements in the district. They could manage the design and engineering for capital-intensive projects. In short, he summarized, a CID was an entity that collected taxes within a given boundary to pay for projects they chose.

CIDs could be used to provide one or more of the following:

- Street and road construction and maintenance, including curbs, sidewalks, street lights, and devices to control the flow of traffic on streets and roads
- Parks and recreational areas and facilities
- Stormwater and sewage collection and disposal systems
- Development, storage, treatment, purification, and distribution of water
- Public transportation
- Terminal and dock facilities and parking facilities
- Such other services and facilities as by general law

These were big-ticket items, but they could only be provided within the boundaries of the approved CID. They could not tax property owners in one part of the City and put the projects in another.

Rorie remarked that the primary motivation for forming a CID was to attract additional funding and promote economic revitalization. The seven services usually drove it, and beautification could be a motive as well. CIDs could pair their tax revenue with local tax revenues such as Special Purpose Local Option Sales Tax (SPLOST), State and federal sources, or grants from regional development entities. Rorie said he wanted to focus on local sources.

Rorie outlined the process for creating a CID, saying it began with an idea. He presented a hypothetical situation – the person who owned MacDuff Crossing suggested a golf cart bridge across SR 54 West that would allow residents on the north side of the highway easy access to the businesses at MacDuff Crossing. Rorie said he would respond that it was a good idea, but how would the City pay the \$2 million cost (or about \$200,000 a year for 10 years to finance it). He might suggest the property owner ask his neighbors if they would help fund the bridge.

The property owner could then look at all the businesses in the area that might benefit from that bridge. He could approach Walmart and Home Depot and ask them to put a little into the pot.

Of course, those businesses were on the north side of SR 54, so they did not need the bridge. However, Rorie interjected, they might want to improve the traffic flow in and out of Home Depot by upgrading the signalization so motorists could get in and out faster. Owners on the other side of SR 54 might ask for intersection improvements. Rorie reminded Council that transportation improvements was one of the approved purposes of a CID project.

Rorie estimated that the bridge would cost about \$2 million, while the improved signalization and the intersection improvements would cost about \$650,000 each, for a total of \$3.3 million. Using three property owners, the cost would be \$1.1 million each, but bringing in more property owners would lessen the individual cost. Rorie noted that all of these projects were SPLOST projects, so this meshed with the idea of leveraging CID money with SPLOST money.

In describing the requirements for forming a CID to execute these projects, Rorie went over the list of property owners in his hypothetical CID, reminding Council that each property owner got only one vote in the CID, regardless of how many parcels they owned. Walmart owned one parcel with a value of \$10 million. Home Depot owned one parcel, valued at \$5.5 million. Trinity owned five parcels, one valued at \$10 million, another at \$2.5 million, one more at \$1 million, and two at \$1.5 million. Still, they only had one vote. Tree Top, the owner who proposed the bridge, had two parcels, one valued at \$8.7 million and the other at \$1.3 million. There were four other owners of individual parcels. In all, Rorie summarized, the total value was \$46 million. There were 12 parcels with seven owners and seven votes.

To establish a CID, three elements had to be met. The City had to pass a resolution allowing the property owners to establish a CID. Then, four of the seven owners would have to agree to establish the CIDs. Finally, those four owners had to represent 75% of the assessed property value, a total of \$34.5 million. Rorie said these elements served as checks and balances, preventing a situation where the big property owners controlled the CID.

Rorie said CIDs were not common, but were becoming more popular. Currently, Peachtree City had no legal authority to create a CID. That was what he was bringing before Council. The first step was to pass a resolution requesting power from the General Assembly to create CIDs. The General Assembly would need to pass a bill giving Peachtree City that power.

He listed the other components for creating a CID. A CID boundary map was required, and it would depend on what was trying to be accomplished. The CID petition had to be signed by more than 50% of the property owners representing at least 75% of the value. The petition had to be certified by the Tax Commissioner. Then, the City would consider the resolution forming the CID. If approved, the CID would elect a board and sign an agreement with the City.

Rorie said the Council might never be asked to establish a CID, but passage of this proposed bill, House Bill 4, would give them the power to do so if approached.

He said he would not ask Council to take action at this meeting, but to review the information they had been presented in their meeting packets and vote on adopting the resolution to the General Assembly at the Aug. 2 meeting. He said the resolution asked the legislative delegation to introduce the 23-page bill at the next session of the General Assembly.

The bill included 17 sections. One section called for written consent of those governed by the CID, which must be more than 50% of the property owners representing at least 75% of the value. Rorie said the value was determined by ad valorem tax records.

Prebor clarified that owners of multiple property owners got only one vote. King asked about the mechanism and said two big property owners could get one of the smaller property owners to join them.

King also asked if each CID had to be approved individually, and Rorie said yes. Prebor asked if any were forming. Rorie said he was not aware of any, but he could identify potential projects. On SR 54 eastbound, Trinity wanted the City to extend turn lanes going to SR 74 North. Rorie said that was an example of a potential project.

Meeker told King that Council could have a CID that it wanted, but property owners would have to buy in. It had to be a mutual agreement.

Fleisch asked if a property could be required to join a CID if it sought annexation to the City, and Rorie said it could, because annexation was not a right. Meeker said it could be required if there was already a CID established, with actual projects, but probably would not be binding if there was no formal CID in place.

Each district required a five-member board. The current language, Rorie noted, said the Mayor would be a member, plus a County Commissioner from that district or another City Council member. That could be changed. The remaining three would be property owners in the CID, elected by the other participating property owners. Board members would not be compensated, except for expenses.

The board could levy taxes, fees, and assessments on real property used non-residentially to pay for projects. Rorie said those must be apportioned equitably according to property value based on ad valorem tax or in proportion to the receipt of services. The board could also agree on another manner of assessment that it deemed equitable. He noted that the legislation mandated a cap of 2.5% of the assessed value for any given annual project.

Boundaries of the districts would be designated by the governing authority. This meant they had power to include or exclude a property. Madden asked if the properties had to be contiguous, and Rorie said they did not, but since the money collected had to be spent in the district, it would not be feasible to have scattered properties included.

Rorie said boundaries could be changed upon vote of a majority of property owners and those who held 75% of property value. For instance, if a CID was created on the edge of the City and property in the County was left out, the CID's boundaries could be changed to include that parcel if it were ever annexed. In response to a question from King, Rorie said properties could also be removed from a CID.

Districts could incur debt, but that debt would not be backed or supported by the local government, Rorie pointed out. The owners were voting to tax themselves and incur the debt, and they had to make up the collateral and figure out how to pay for it.

The CID did not limit the authority of the City to provide services or control its facilities. If the cart path bridge was built by the CID, Rorie said, the City would still own and control the bridge.

The CID could bring and defend actions, make and execute contracts, acquire property, finance property, maintain property, issue bonds, etc. Meeker said this related to Prebor's question about access. A CID would not have eminent domain powers. There must be an agreement between the property owner, the CID, and the City before any improvement project could be undertaken.

Meeker explained that any bonds issued would be an obligation of the CID, not the City. Revenue bonds would be paid from the taxes, fees, and assessments collected by the district. Issuing bonds was not mandatory, he said; a "pay as you go" concept could be utilized. Those assessments would be collected, and the project would proceed once there was enough money. The bond revenues had to be used to pay for the designated projects.

Rorie reiterated that if the General Assembly passed this legislation, the City would have the power to create CIDs, but might never use it. It would merely give the City the option. Going back to his hypothetical example, he said the CID was formed, the three projects identified, boundaries set, the assessment decided, and financing determined. The board could borrow the money, collect it through assessments, taxes, or fees, or put the collected funds aside each year until there was enough to pay for the projects. Once the projects were complete, the CID could dissolve. The Council would have to vote for dissolution, and all the CID's debts had to be retired. Two-thirds of the property owners had to vote for dissolution, as would the owners of the property with 75% of the CID's value. The projects would become assets of the City, if they were not already.

King asked if the City would be obligated to maintain any projects if the CID was not dissolved. Rorie said maintenance could be part of the CID agreement.

Rorie told Council that the resolution before them authorized the Fayette County Legislative Delegation to introduce legislation giving Council the power to authorize CIDs. He referred Council to the information in their meeting packet. Although the agenda said they would consider the resolution at this meeting, he asked them to review the proposed resolution and bill, ask questions, and vote on the resolution at the Aug. 2 Council meeting.

Prebor moved to continue New Agenda Item 07-18-05. Madden seconded. Motion carried unanimously.

Council/Staff Topics

Update on Glenloch Pool and Splash Pad

Recreation and Special Events Director Quinn Bledsoe said this her second update to Council on renovations at Glenloch Pool and the new splash pad. In her previous presentation, she showed how parking would be reconfigured and where the splash pad would be situated in relation to the pool and tennis courts. Greg Perkins from Aqua Play Solutions would provide details on the splash pad itself. She also had a new rendering from engineer's drawings.

Bledsoe said she would focus on pool renovations. In 2015, a team of citizens worked to determine if a splash pad would be a suitable amenity at Glenloch. In February of 2016, the team made a presentation and said they would like Council to consider funding a splash pad in the future, but they also presented a list of immediate repair needs for the Glenloch Pool. These needs included repairing three ladders, which Bledsoe said had been done, along with providing shade, which also had been installed. They asked for stairs with handrails, which Bledsoe said was planned. Another item on the list, repairs to the baby pool, was completed. The addition of a slide costing \$20,000 was also suggested. Photos of the pool were displayed, with Bledsoe pointing out the ladders, the kiddie pool, and the shade that had been installed.

Other renovation needs included:

- Replacing the concrete deck
- Removing and replacing the sand in three filters
- Installing interior pool stairs with handrails
- Replacing six-inch waterline tile with depth markers in both pools. Currently they were painted on the deck, but that was not up to code, Bledsoe noted.

- Installing new bonding grid wire to pool per code
- Pressure testing lines that feed the skimmer baskets
- Re-plastering the pool
- Repairing fencing
- Upgrading/relocating utility and sewer tie-ins
- Paving, including paving the gravel lot behind the community center
- Adding tables with shade structures
- Renovating the pump room

Bledsoe showed a photo of the concrete decking, pointing out patches and discoloration. She said it could not be cleaned. This concrete would look even worse when the new splash pad opened. The old City logo needed to be removed from the pool, Bledsoe pointed out. Another photo showed the pump room, with three valves that did not operate properly. She said they had been working around problem, but it was time to get them repaired.

The committee mentioned an optional slide, and Bledsoe showed a photo of a vortex pool slide, which she said cost about \$20,000. A water supply from the pump room would be required and making that connection could be very involved. In addition, per Health Department requirements, a lifeguard would be required to stand beside the slide at all times. That meant an additional ongoing labor cost. Purchase and installation of the slide would cost \$36,950, plus an additional \$3,500 per season for the lifeguard.

Perkins, whose firm handled design work for the splash park, said he was a Peachtree City resident and his business was in the City. The splash park would be 3,500 square feet with no standing water. He said water was always in transit to the drains with no suction dangers.

The splash pad was separated into two areas – one for younger kids, with less intense features, and another area with bigger features for older children. Shading was included. The water was treated and recycled with a maximum flow rate of 350 gallons per minute.

Perkins noted that all features were manufactured in Peachtree City and met the highest standards in the industry. They were made of schedule 40 stainless steel in most cases. He showed a photo of the touch sensor activator and said there would be one in each zone.

Perkins then showed depictions of the volcano spray feature, fire hydrant, ground spray, geyser spray, and arcing sprays. A misting arch that would be painted with graphics of the City's choice would also be part of the splash pad. He showed a lady bug tunnel, but noted that they would work with the City to create a special design, if desired.

Loch Ness, or Nessie, would be the largest feature in the park and fit in with the Glenloch theme. It consisted of three parts, a tail, center hoop, and the head, all of which shot mist or water on the kids. A palm tree was another feature, and Perkins said it would rain water through the leaves. Finally, he noted, the one "must have" at any spray park was the tipping buckets.

Perkins responded to a question from Ernst by saying this equipment was tough to damage. He said it was out of reach of most children, and the features were climb-resistant. Some of their parks were in "rough" areas, and the powder coated metal made it easy to scrub off graffiti.

King asked if the features could be dismantled and stored in the winter. Perkins replied that they could be made to be removable, but that was a big job for really no reason. King said removing it would lessen the possibility of damage or loss, but Perkins said it rarely happened because the

components were big and heavy. It would be easier to dismantle the tipping buckets, but in general, everything stayed in place year-round.

Fleisch asked how long construction would take. Perkins said if the permits were in hand, it would take six weeks to two months, weather permitting. Along the way, there would be inspections and cure times.

Rorie said this update was coming tonight because the pool would be closing in a few weeks, and they wanted get started as soon as possible.

Bledsoe went over the costs for these projects. She noted that this was a SPLOST project with some money coming from the CIP fund. The deck removal/replacement would be \$54,000, with the Kool Deck option adding another \$13,000. Stairs would be \$5,500 per set. Bonding was necessary and would cost \$1,500. The waterline tile would be \$4,400. Sand replacement would cost \$1,500. Bledsoe said quite a bit of testing, such as soil compaction, concrete testing, pressure testing of lines, was needed. She estimated the costs at \$9,800.

Bledsoe did not have an estimate on the costs for new fencing. She said some of it could be re-used, but the poles could not. Regarding the utility upgrades and relocation of tie-ins, Bledsoe said power from the upper tennis courts could be run to the splash pad. Right now when there was a backwash, the water was dumped into a ditch, which was outside of code, so tying into sewer was mandatory.

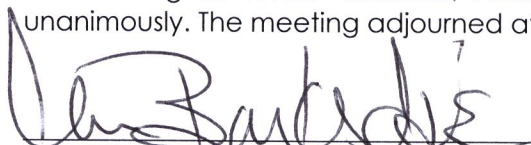
Rorie jumped in to indicate that some items were SPLOST projects amounting to \$330,000, and they would also need \$159,000 in CIP funds. He noted that the slide would not be installed at this time, due to the additional pump upgrades and personnel it required.

Rorie thanked Perkins for attending and noted again that Aqua Play Solutions was a Peachtree City business.

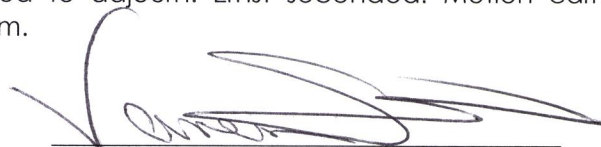
Discuss Charter Changes

Due to the late hour, the Mayor said she would table this discussion for a future meeting.

There being no further business, Prebor moved to adjourn. Ernst seconded. Motion carried unanimously. The meeting adjourned at 9:36 p.m.



Martha Barksdale, Recording Secretary



Vanessa Fleisch, Mayor