

City Council of Peachtree City
Meeting Minutes
June 20, 2013
7:00 p.m.

The Mayor and City Council of the City of Peachtree City met in regular session on Thursday, June 20, 2013. Mayor Haddix called the meeting to order at 7:00 p.m. Other Council Members in attendance: George Dienhart, Vanessa Fleisch, Eric Imker, and Kim Learnard.

Announcements, Awards, Special Recognition

Mayor Haddix recognized Chris Campbell of the Fire Department for 20 years of service.

Agenda Changes

Imker moved to move Agenda Item 06-13-04 to the period just after the Consent Agenda. Dienhart seconded. Motion carried unanimously.

Minutes

June 6, 2013, Regular Meeting Minutes

Haddix noted there was an additional document on the dais – a change from Learnard. Learnard moved to approve the June 6, 2013, regular meeting minutes with one change as noted. Fleisch seconded. Motion carried unanimously.

Monthly Reports

Haddix noted there was an additional document on the dais – the Building Department Monthly Report. There were no comments on the Monthly Reports.

Consent Agenda

- 1. Consider Adoption of Comprehensive Plan - Partial Plan Update (Short Term Work Program, Capital Improvements Element, and Impact Fee Summary Report)**
- 2. Consider Surplus of Tennis Center Goods**
- 3. Consider Amendment to Health and Sanitation Ordinance – Tattooing/Body Art**
- 4. Consider Conveyance of Meade Field property to WASA for Pump Station**

Learnard moved to approve Consent Agenda items 1 – 4. Fleisch seconded. Motion carried unanimously.

New Agenda Items

06-13-04 Public Hearing – Consider Variance to Rear Building Setback, 111 Augusta Drive

Community Services Director Jon Rorie addressed Council, noting there was a 20-foot building setback in the rear of the home at 111 Augusta Drive, which abutted Braelinn Golf Course. The home was in the Masters Square subdivision, a cluster subdivision where the homes were typically built from the front setback to the rear setback. The patio currently extended seven feet into the rear building setback, which was permitted since it was not a structure. The applicant, Betty Gaver, desired to enclose and screen a 12-foot by 12-foot area of the patio, which was 14 feet by 14 feet. The Masters Square Homeowners Association had approved the plan, and Gaver also had received letters of support from her neighbors and Canongate, owners of the golf course. Staff recommended approval with the following conditions:

- 1. The variance shall be limited to no more than seven feet as identified within the variance application. There shall be no other encroachments permitted without first securing additional variances.*

2. *Following completion of the construction and prior to issuance of the Certificate of Occupancy, the Applicant shall provide a revised Foundation Survey to the Building Official identifying the location of the new construction. The purpose of this survey is to ensure the new construction does not encroach any further into setback than permitted by this variance.*

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

Fleisch asked how far the flagstone would go into the setback. Rorie said they did not need to extend the flagstone any further into the setback. The patio itself was currently 14 feet by 14 feet. The screened-in porch would only be 12 feet by 12 feet. Gaver confirmed they would not need to extend any further into the setback than seven feet.

Imker moved to approve the variance to the rear building setback at 111 Augusta Drive with the conditions set forth in the staff recommendations. Fleisch seconded. Motion carried 5-0.

Old Agenda Items

09-12-06 Facilities Bond Projects Status Report/Update

Rorie provided a project summary for the Facilities Authority bond, noting that there had been 36 projects identified initially, and 21 were either completed or in the final stages. Five were in progress, and 10 were parked due to limited funding or because there were other ways to accomplish the goal.

The completed projects included the exterior sealing of the Library, Station 82, and Station 81; Police Department HVAC upgrades, Kedron Pool resurfacing, Library building repairs, Amphitheater building repairs and upgrades, and Public Works buildings.

The projects that were in progress (funds encumbered) included Station 83 sewer, renovation of the Recreation Administration building (McIntosh Place), Tennis Center improvements, Library roof, Tennis Court upgrades, and electrical upgrades at the City's pools.

Rorie continued that two projects had been removed from the Parked Projects list – the Baseball Soccer Complex (BSC) parking lots and the Battery Way boat dock. Both needed maintenance and had been moved to the General Fund. Progress was being made on the work needed at Braelinn Fields, Amphitheater Cast House, Riley Field, and Glenloch Recreation Center through the General Fund, also. The projects that remained parked included Station 81 driveway/lot, All Children's Playground, BMX tower, and Riley Field sewer upgrade.

Rorie said the balance sheet for the \$3 million bond was at \$246,912 encumbered, including \$139,295 with the potential for reallocation and \$107,709 in the Contingency Fund.

The priority recommendations included electrical upgrades at the City pools to ensure adequate grounding, \$45,000; the surface cap for the All Children's Playground, \$42,000; Glenloch Recreation Center – split funding for electrical upgrades and water supply replacement, \$20,000 and \$107,000; replacing the tower at the BMX track, \$42,000; and exterior upgrades and walkway support for the Cast House, \$15,000. The reallocation budget for those items was \$164,000, which left the reallocation budget \$57,000 short.

No action was required.

10-Minute Talk

Pam Reid, Executive Director of AVPRIDE

Pam Reid, executive director of Association of Village Pride, branded as AVPRIDE, addressed Council regarding the non-profit youth leadership development organization. Reid said it took a village to raise a child, and every person had a vested interest in the development of young people. The Fayette County chapter was one of 41 organizations in the state to receive funds from the Department of Behavioral Health and Developmental Disabilities to develop a program on underage drinking. The local AVPRIDE was also the only one of the 41 organizations using young people to affect the change.

Reid said 175 young people attended a summit last summer, and they had done amazing things since, including getting 350 parents attending a Fall Festival to agree not to "social host" (allowing underage children and their friends to drink in their homes).

The young people had also produced prize-winning public service announcements on drinking that aired at Fayette County and Whitewater High Schools. Reid continued that kids were amazing when they were passionate about something and wanted to make a difference. Young people were making a difference in Fayette County.

Old Agenda Items

04-13-12 Consider Traffic Condition Options on SR 54 West and Consider Traffic Engineering Study on SR 54 West & MacDuff Parkway

Dienhart moved to protect the citizens and homeowners of Planterra Ridge and Cardiff Park by setting a clear example and taking a solid stance on behalf of protecting all neighborhoods from intrusive development, that the City Council not allow a sixth traffic light on SR 54 West at Line Creek Drive, to prevent traffic from bogging down any further and potentially damaging existing businesses and residential neighborhoods. He further moved that Council not allow any kind of connector road to Planterra Way, saying it was time to let the citizens know where they stood. Haddix seconded.

Learnard noted this was the fourth consecutive meeting on the same topic, and there had never been anything in the Council packet, not even a position paper. Learnard recalled that Council had approved a Memorandum of Understanding (MOU) in November 2011, which included no internal road connection to Planterra Way as a condition. Everyone, with the exception of Dienhart, had voted unanimously to approve the MOU. Learnard suggested Dienhart go on record as agreeing with the vote of the rest of Council in 2011. She asked Dienhart what he would do if the Georgia Department of Transportation (GDOT) decided a signal was needed at SR 54/Line Creek.

Dienhart said the City would be liable if GDOT said a light was needed, and the City fought it, but he would have to see what GDOT said. A traffic study would need to include all of the side roads along a greater portion of SR 54 than had been studied in the past.

Learnard said she had voted against the larger big box the developer had wanted in January 2010, which she knew would be a deal breaker for the developer. She again asked Dienhart to go on record by supporting the position Council had already taken.

Haddix said he had also voted on the MOU in 2011, and he had gone on record saying that he had not agreed with parts of the MOU. He said Dienhart's motion was valid and deserved a vote.

Fleisch said the SR 54 West area had been zoned commercial since 1977, noting that Haddix had said he preferred offices on the tract. She had done a great deal of research and was not willing to vote on something hypothetical. She asked Haddix what he would do if an office development required a light at Line Creek. All the arguments had been emotional, and not fact-based. She was willing to put a vote off until the next meeting to see the data, asking for data that supported Dienhart's claim that children would die on Planterra if an access road was built.

Haddix said he did not vote on "what if's." He noted Fleisch asked for the other part of the agenda item, Consider Traffic Engineering Study on SR 54 West & MacDuff Parkway, asking where her documentation was.

Imker referred to a recent letter to the editor in the local newspapers from Paul Lentz, saying he appreciated the insight Lentz had given. Imker said Haddix had written another letter saying Imker had supported the light on SR 54 West, and he asked Haddix to retract the statement. Imker said he had never stated any support for the light. He continued he had gotten an e-mail regarding the proposed extended stay hotel at Wisdom Road/SR 74. He wanted to ask Council to vote against extended stay hotels, but there was no plan in front of Council yet. There was no plan for a light or a Special Use Permit for a big box requiring a light before Council, yet they were being asked to vote on it. Imker said this was political posturing, and he planned to abstain from the vote.

Learnard asked City Attorney Ted Meeker what would happen if three Council Members abstained from the vote. Meeker said the motion would fail since it would not receive three affirmative votes. Dienhart asked how abstentions were counted. Meeker said an abstention would not be considered a vote in support of the motion.

Haddix said he seconded the motion because a vote would end the discussion, and the losing side would not be able to bring the subject back up for six months. Imker said there was nothing to end since no one had asked for a traffic light. Haddix said no matter what the logic was, the issue would be put to bed for six months.

Imker asked Meeker if the issue could come back in six months if the motion was denied. Meeker said the prevailing side could bring an issue back before six months ran out. Any abstentions were counted as no votes.

The motion failed 2 (Haddix, Dienhart) – 0 – 3 (Fleisch, Imker, Learnard).

Consider Traffic Engineering Study on SR 54 West & MacDuff Parkway

Fleisch read the draft letter to GDOT, addressed to District Three Engineer Thomas Howell:

We, the following members of the City Council of Peachtree City, following a majority vote on June 20, would like to convey to DOT concerns relative to traffic conditions on SR 54, specifically west of its intersection with SR 74 in Peachtree City. As we are sure you are aware, traffic has become increasingly congested since the widening of SR 54 was completed in 2006. Congestion during peak hours routinely backs traffic up from MacDuff Parkway east to Willowbend Road and often to Lake Peachtree.

We understand the Georgia Department of Transportation (DOT) has made efforts to mitigate this through synchronization of the traffic signals in this area, and subsequent timing adjustments. This effort is greatly appreciated by the City; however, we feel that

it is not as effective as hoped given the increased traffic.

We would like to request that DOT study this corridor in its entirety to determine if there are workable alternatives for mitigating traffic congestion.

Our staff stands ready to work with the DOT to look at these alternatives and decide which might be best suited for possible future projects. If there is anything else we need to do to request this work, please don't hesitate to contact us. Thank you for your time and consideration.

Learnard pointed out that Haddix had had a problem at the previous meeting with the way the letter was written, asking Haddix if he had worked on the wording with Pennington. Haddix said the letter had misrepresented his position, and there had been no contact with Pennington regarding the letter. Haddix said this was the first time either he or Pennington had seen the letter since June 6. Haddix said it had been Fleisch's duty to carry through with any rewrites on the letter. The motion to continue had been just that, and there had been nothing in the motion about rewriting the letter.

Learnard asked Haddix if he had not wanted different wording. Haddix said he had not wanted the letter at all, but he could not rewrite Fleisch's letter, and she had not approached him or Pennington about it. Learnard said she understood that Haddix had wanted a letter he was comfortable with. Haddix said it had been Fleisch's obligation, adding he had not answered Learnard when she brought it up at the last meeting. Learnard told Haddix she could not make him lead and be positive. Haddix said he would not be misrepresented.

Fleisch said she would sign the letter as the Mayor Pro-tem, so they could at least get the ball rolling.

Fleisch moved to approve the letter to GDOT be signed by Mayor or Mayor Pro-tem, then forwarded to GDOT. Learnard seconded.

Dienhart suggested all the supporting members of Council sign the letter.

Imker said the first time he had seen the letter was on June 6, and he appreciated the two-week delay. He now had knowledge of how GDOT worked, and he was prepared to sign the letter as a Council Member.

Haddix asked for clarification on whether the letter would be signed by the Mayor or Mayor Pro-tem or whether it would be revised so the members of Council could sign it. Fleisch asked if it mattered who signed it. Meeker said it would depend on how Council wanted the letter to go out, which was a Council decision. Meeker said Learnard could withdraw her second, and Fleisch could withdraw the motion, then restate the motion correctly. Meeker said who signed the letter was a technicality. Council consensus was to have the letter signed by the Mayor Pro-tem and three Council Members.

Learnard withdrew her second. Fleisch withdrew her motion.

Fleisch restated her motion to give the Mayor Pro-tem and City Council permission to sign the letter to GDOT to conduct a corridor study of SR 54 West. Learnard seconded.

Haddix clarified there would be four signature lines. Imker said he hoped Haddix would not contact GDOT to inform them of his personal reservations following a majority vote of support, which would essentially kill any conversations with GDOT. Haddix said his name would not appear on the letter, and the odds were he would not contact GDOT, but GDOT might contact him. Imker agreed, adding he hoped Haddix would tell GDOT the Mayor Pro-tem was handing the request and pass the call to Fleisch.

Motion carried 4-1 (Haddix).

06-13-05 Discuss/Consider Distribution Methods for SPLOST Funds

Haddix noted he had brought this up during the June 17 budget workshop, pointing out that per the Special Purpose Local Option Sales Tax (SPLOST) law, the County was the sole arbiter that could call a SPLOST, but the County was not the sole arbiter on the distribution. The County had proposed an intergovernmental agreement with the distribution for the Local Option Sales Tax (LOST). For an intergovernmental agreement to be signed, the County plus 55% of the municipal centers (Peachtree City and Fayetteville) had to agree. Haddix did not believe it was in the City's benefit to agree to a distribution based on the Local Option Sales Tax (LOST) distribution. If the municipalities representing 55% of the population did not agree, then the distribution defaulted to population using the 2010 census numbers. Using population as the basis, the City would receive an additional \$437,000 more in SPLOST funds if the voters approved it. Haddix said he did not support the SPLOST, but he wanted the City to get the most it could out of it.

Dienhart asked Haddix if he had talked with anyone at the County, adding it would be better if everyone talked and negotiated a different distribution. Dienhart said he did not want to make an enemy of the County, and he would prefer the City spoke to the County before making a decision.

Pennington said the managers had been trying to get together with County Administrator Steve Rapson, who had presented the original proposal.

Learnard said they were discussing how the law was set up and how the City could get more of the SPLOST funds, but she was not sure Council needed to vote on anything. She would like the City to get the extra money.

Pennington said he could discuss the distribution with the other managers.

Imker said he asked to have the discussion on the agenda, mainly to let the County and the other municipalities know what the City was considering. The City should not unilaterally dictate the terms of the SPLOST distribution. They agreed that there should be communication between the staff and the elected officials. He thanked Haddix for bringing the alternate distribution method to Council's attention.

Haddix said there was a hidden risk in an intergovernmental agreement. There was no Level 1 service that qualified, but the sewer would qualify as a Level 2. The County could take 20% off the top, distributing the remaining 80% between the entities. Imker said they should not give up the current value before entering negotiations for the agreement.

No action was required at this time.

Council/Staff Topics

Hot Topics

Pennington said there were very few topics. The ribbon-cutting for McIntosh Place was on June 21. The Movie Night at Drake Field on June 15 went well, but staff realized there was no popcorn, so that and some other items that had come up would be addressed for the future movies.

Report on Issues Surrounding Boarding Houses

Dienhart asked Police Chief H.C. "Skip" Clark if he had any information. Clark said the Code Enforcement officer looking into the issue was on medical leave. They were still researching the matter.

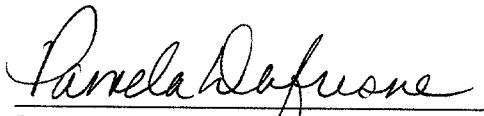
Fleisch said the renovations to McIntosh Place were wonderful. The Sports Alliance Council was meeting on June 21 at 11:00 a.m., and she looked forward to good things happening.

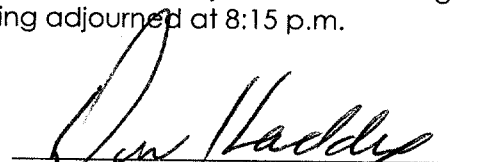
Haddix said he had attended a birthday party that day at Heritage Place for Ms. Edna Ott, who turned 102 years old, adding she was a remarkable lady.

Learnard moved to convene in executive session for the purchase, disposal, or lease of real estate and pending and threatened litigation at 8:05 p.m. Fleisch seconded. Motion carried unanimously.

Learned moved to reconvene in regular session at 8:14 p.m. Fleisch seconded. Motion carried unanimously.

There being no further business to discuss, Dienhart moved to adjourn the meeting. Learnard seconded. Motion carried unanimously. The meeting adjourned at 8:15 p.m.


Pamela Dufresne, Deputy City Clerk


Don Haddix, Mayor