City Council of Peachtree City
Minutes of Meeting
June 20, 2002
7 p.m.

The City Council of Peachtree City met Thursday, June 20, 2002, in the City Hall Council Chambers. Mayor Brown called the meeting to order at 7:00 p.m. Other Council Members present were: Annie McMenamin, Steve Rapson, Dan Tennant, and Murray Weed.

Announcements, Awards, Special Recognition
Brown recognized Jennifer Michel of the Police Department as the Employee of the Month for May. Brown proclaimed July as Parks and Recreation Month in Peachtree City.

Approval of Minutes
McMenamin moved to approve the May 16 Workshop Minutes as written. Weed seconded. The motion carried 4-0-1 (Tennant).

McMenamin moved to approve the June 6 Regular Meeting Minutes as written. Weed seconded. The motion carried 4-0-1 (Tennant).

Consent Agenda

1. Change in License Representative for Outback Steakhouse
2. Change in Renewal of BI Inc. Probation Services Contract

Brown moved to bring the BI contract out of the consent agenda for discussion. McMenamin said that she felt both items needed to be discussed. Brown amended his motion to include both consent agenda items. Weed seconded the amended motion. The motion carried unanimously.

1. Change in License Representative for Outback Steakhouse
McMenamin asked that if anytime there were additional notes from the Police Chief on any alcoholic license change that the change be placed on the regular agenda, not the consent agenda. She requested that Mr. Chadwell, who was not present at the meeting, attend the July 18 meeting so he could be questioned about his failure to include everything on his application.

Police Chief Jim Murray told Council that the department took alcohol license applications extremely seriously. Occasionally, the Department found that all arrests were not noted on the applications. When that happened, the applicant was called and told to go to City Hall and amend the application to disclose the arrests. Once the application was amended, it was sent back to the Police Department.

McMenamin commented that Council needed to impress upon applicants that Council took the licenses seriously and moved to table the license change for Outback until the July 18 meeting. Tennant seconded. The motion carried unanimously.

2. Change in Renewal of BI Inc. Probation Services Contract
Administrative Services Director Jane Miller explained that the contract had been placed on the consent agenda initially because the company had provided probation services for four years and had provided an outstanding service. The company was prompt in collecting money and in sending it to the City. The company also opened an office in the City to better monitor probationers. Miller

continued that she received an anonymous call on Tuesday, June 18, from someone who claimed the company was misrepresenting itself and that one of the probation officers was not qualified under the State. Miller said staff checked with BI and was comfortable that the probation officer was qualified. Miller said she wanted to call the matter to Council's attention since something was obviously going on. Additionally, there had been a change in the term of the agreement. Brown pointed out to Council that they had a copy of Section 2.2, which was defined as Terms.

City Attorney Rick Lindsey told Council that he and Council Member Weed had a conversation late that afternoon dealing with the term of the contract. He explained that the State had a law that prevented City Councils from entering into multi-year leases or lease/purchase contract. Lindsey said he and Weed had discussed which provision of the code controlled it. Out of caution, the term of the contract had been revised to start at midnight on Thursday, June 20, and would continue until midnight on December 31, 2002, and then automatically renew for successive one-year periods basically following the calendar year. Lindsey continued that the City also had to disclose how much money the City would pay each year under a multi-year contract. Lindsey clarified that the City did not pay for the service; the probationers paid for the services. The City was not gaining any title to products or services, but under the rules governing multi-year contracts the City had to agree that until the contract was fully paid the title remained with the vendor. The changes just made sure the contract complied with all the Georgia laws.

Weed moved to approve the contract as amended. Rapson seconded for discussion.

Rapson said he had a lot of questions that he asked Miller concerning ratios, revenues, how the revenue stream worked, and how the City got its portion versus how the probation company got theirs. Miller satisfied all his questions. Rapson said he had questions about the term of the contract and the new statement answered them. The new statement was in essence a perpetual contract with a 30-day kick out, which was similar to other contracts he had seen. Rapson added that the attachment that showed the different programs and charges was beneficial.

McMenamin asked Miller if she would be agreeable to meeting with other interested applicants who might come in before the end of the year and wanted to make a presentation. Miller said yes and said she had heard from another company. Miller continued that the City had just gone to the arraignment court system and was still getting its feet wet and did not want to make any other changes right now. She added that the City had been so pleased with BI's service that unless the company's service level faltered she did not know if the City could get a better service. The Judge was satisfied, as was the police chief. She told the interested person to send information and it would be kept on file. Miller said she would be happy to meet with others if contacted.

Tennant asked if staff had solicited any proposals and Miller said no. Tennant asked who owned BI.

Roy Harrell, BI's marketing person, told Council that BI had been a publicly-owned company until approximately one year and a half ago, when all the stock was purchased. The Georgia Big Star regional offices were located in Conyers and the company supervised approximately 30,000 offenders in Georgia in 100 municipal courts. Colberg, a holding company, owned 85% (eighty-five percent) of the stock.

Brown asked Lindsey if it was all right to sole source the probation services. Both Lindsey and Financial Services Director Paul Salvatore answered yes. Rapson added that there were several judges in Fulton County who very satisfied with BI's services. He pointed out there were only about three or four entities that provided probation services in the state.

Harrell recalled that when the City first contracted with BI the company reported to Council on a regular basis. He said they were willing to report to Council every six months or whatever schedule Council wanted to provide an update on probationers and collections. He felt that made for a better partnership. Council liked the idea.

Lindsey said he had a copy of the revised agreement with the changes in Section 2.2.

Miller told Council that before BI was chosen the Judge, Court Clerk, and she had interviewed a number of firms. BI was selected because of its extensive experience and its willingness to open an office in the City. They felt that was important.

Tennant noted the average Court costs collected per client. The state average was $50 and it was $166 in Peachtree City. Ginny Nichols of BI explained that typically a probationer started off reporting weekly. She said people in Peachtree City were motivated and did a good job and the collection rate was very good. She continued that the Judge always worked with those who had financial problems. He lowered the payments and lengthened probation.

The motion carried unanimously.

Old Agenda Items
10-01-10 Budget Reduction Update
Financial Services Director Paul Salvatore noted that they now had data for two-thirds of the year and there had been no dramatic changes in revenue. The shortfall in hotel/motel taxes decreased from $73,000 (17% shortfall) to $58,000 (10% shortfall). The shortfall for Interest Earnings was still up due to the low interest rates. The shortfall was $174,000. There was still an overall surplus in total revenues in excess of $300,000, or about five percent (5%).

Salvatore continued that now attention was focused on expenditures, specifically insurance and retirement. Rising insurance costs and retirement costs had led to a projected overrun of approximately $600,000. Staff had issued requests for bids for most of the City's insurance policies since the last budget update. Salvatore said the City's insurance consultant had not been encouraging regarding any cost savings. Other actions included proposing increases to employee contributions to the plan. Salvatore said neither of the actions would solve the problem, but would raise $38,000 to $40,000 more. Salvatore continued that staff was also looking at auditing the City's claims administrators to ensure that no double payments or overpayments were occurring. Salvatore said the issue would be a major concern during the FY 2003 budget process and would become a long-term concern for the City.

The other major expenditure was the cost of the City's contributions to the pension plan. The overrun on the employee pension plan was $75,000. Salvatore said staff was looking at sending a letter to challenge the actuarial computation that resulted in the 39% increase in the contributions. Staff was also looking at establishing a defined contribution plan, as opposed to a defined benefit plan, that could be mandatory for new employees to help control the budget better and as an option for current employees. Staff was also looking at changing the plan administrator to save money. Salvatore continued that staff might look at an independent pension consultant.

Salvatore continued that staff was inclined to leave the remainder of funds in the Contingency Plan impounded, with the exception of a few crucial items which totaled $29,750 that needed to be rebudgeted in FY 2003. The items included a ¾ ton F-250 pick-up truck for $22,500 for Public Works, a consultant to implement the Federal mandate GASB 34 for $6,300, and file cabinets for the Fire Marshal at $950. Salvatore said staff also requested authorization to proceed with the procurement of the balance of the City-wide phone system. The original amount budgeted was $100,000, but the quote from the vendor, AMC Global, came in just under $57,000. AMC Global won the bid on the Phase I equipment for City Hall and the library and this fell under the brand name provision of the purchasing ordinance. It was paid for under the master lease agreement for equipment. Salvatore said the City should not see a payment until the next fiscal year. Salvatore continued that Council would not have to release the funds, but staff would need approval to go forward. A payment on the debt service would be due in October. Salvatore noted that the phone system at Public Works had serious problems and money would have to be spent to fix it. Salvatore said staff was asking Council to approve the release of $29,750 in operating funds and to award the bid for the telephone system expansion of $56, 504 to AMC Global Communications on a brand name basis.

Rapson asked Salvatore if he could net the $29,750 against the CCY funding in the FY 2002 budget since the CCY no longer existed and there was more than $5,000 left in its operating budget. Salvatore said the CCY money was still part of the impounded funds. Rapson said the CCY money was budgeted and available and would reduce the money needed to just over $23,000, or it could be used for the GASB 34 consultant. Rapson said it would just use that bucket of money first. Salvatore said that would be fine.

Rapson asked if the networking standards needed for the phone system were already in place. Salvatore said the cost for the network cards needed to connect the library and City Hall to remote sites was another $13,000, and was detailed in the request. Salvatore said with the new equipment in place the City could switch to PRI lines, which could realize a savings of $1,000 to $2,000 per month.

McMenamin moved to approve the release of operating funds as detailed in Attachment 2, except for the one item Council Member Rapson discussed about the money in the CCY budgeted amount, and award the bid for the telephone system expansion for $56,504 to AMC Global Communication. Rapson seconded. The motion carried unanimously.

04-02-06 Update on Golfview Drive Traffic Calming Devices

Brown commented that obviously work had already been done on Golfview Drive. Brown emphasized that this was a pilot program and the City was learning as the program went along. The program was not working as planned and Plan B was on this meeting's agenda. Brown said the City had gotten other ideas. If adjustments needed to be made after Plan B, then the City would look at those.

Basinger said the City had received much feedback from Golfview residents and many ideas were incorporated into the Plan B.

City Engineer Troy Besseche displayed a map of what was proposed for Plan B. The original plan included multi-way stop signs, split or offset speed humps and associated striping and warning signs at various locations. He continued that the after initial installation there were positive comments, but over time driver behavior adjusted to the traffic calming devices and drivers resumed speed and began avoiding the speed bumps. There was also continued concern about Thrill Hill. Besseche noted that there were multi-way stops planned at Pinemount and Oakmount. He noted that it was a complicated matter because of the road's geometry and that installing stop signs or putting in speed humps would slow people down. Staff wanted to look at the issue slowly and carefully. Staff had also considered a partial or full closure, temporary or permanent, at the top of the hill. He pointed out that would prevent traffic from speeding over the hill. If the closure were permanent, it would preclude traffic from going over the hill. It was ruled out because it was intrusive and deemed excessive. Staff also wanted to approach the problem incrementally so the right level was reached without being excessive. The multi-way stop signs at Pinemount and Oakmount would provide stop conditions at either side of the hill. Besseche continued that one of his concerns was the sight distance issue, which was a characteristic of the road itself. Drivers should be able to see about 250 feet and Besseche said he did not know if that was the case in this location, especially at the posted speed limit. Part of staff's recommendation was to reduce the speed limit at the Thrill Hill location to 20 miles per hour. Reducing the speed limit gave people adequate sight distance, if they were traveling at the recommended speed. Staff also proposed stop ahead warning signs and rumble strips, which would provide adequate warning to drivers that were approaching a stop. Besseche said the Police Chief supported that recommendation.

Staff recommended extending the speed humps across both lanes of Golfview to address the weaving issue. In addition, the most effective speed humps in the metro area were four inches, or more, high. Staff proposed raising the speed humps to 4½ or five inches.

Besseche continued that another concern was to look at what these changes would do to traffic on the west side of Golfview Drive. Another multi-way stop would be installed at Cockspur and Golfview, which provided similar obstacles to the other side of Golfview and reduced any increase in traffic because of the additional obstacles on the east side of Golfview.

Besseche stated that staff's recommendation included three elements – to raise and extend the speed humps, to reduce the speed limit to 20 miles per hour, and to install the multi-way stops at the indicated locations. The estimated cost of installation was $10,000.

Owen Cook told Council that he appreciated what had been done. If drivers kept speeding through the area after this, he did not know would what else could be done.

Brown pointed out that the hill on the street created the burden and had been a nightmare

Alvin Baird told Council the second speed hump was at the end of his driveway. He felt the speed humps had not helped Thrill Hill, but believed the humps had helped slow down traffic with the exception of 20-25 flagrant offenders.

Kevin Fork told Council he had seen drivers ignore the stop signs and that they only stopped when the police were in the area. Fork continued that he had not seen any reduction in speed over the speed humps. Fork said he worked odd hours and had seen drivers ignore the stop signs during very late or very early hours. Fork also expressed concern that the only way for pedestrians, bicycles, and golf carts to get to the cart path was to go on the road. Fork supported the suggestion of making Golfview a one-way street as long as it included a pedestrian walkway. He continued that, when his neighbors had young children walking or riding to the cart path, traffic was not an issue. Fork noted that Golfview was a residential street, not a highway, which was how the street was used. Fork said he was glad to see the City doing something, but felt the first set of traffic calming devices were a waste of money.

Tennant called Golfview a work in progress. He continued that the traffic calming devices had not worked to the extent that Council had hoped. If Plan B did not work, then Council and staff would look at Plan C.

Weed noted that it was hard to make the residents happy and to serve the public interests, while addressing the concerns of the Fire and Police Departments and their vehicles.

Grady Stone told Council he did not feel they had concentrated on the real problem, which was children going to pools and tennis courts in the summer using the road. He said SUVs would come over the hill at a high rate of speed and would not slow down. He asked Council to keep that in mind. He asked what Plan C was. Tennant said this was truly an example of a government that listened and responded. They would continue to work and make it better. Stone said the City was still not taking care of the children and they had a right to safe passage.

McMenamin noted that one point people seemed to be missing was that Golfview was a pilot program for the entire City. She said the City was making its mistakes on the Golfview area residents, but the City was trying to determine what would and would not work. Golfview had some extraordinary circumstances such as the hill that the City would not face in other areas with speeding problems. McMenamin said there were problems with every plan and pointed out that new plan had some very aggressive steps. She had some problems with Plan B, mostly because of the Fire Department's concerns, but she was willing to give the plan a try.

Cook suggested putting speed humps at the base of the hill if the multi-way stop signs did not work. McMenamin said stop signs would slow people down. They might not stop, but they would slow down to drive through them. Brown agreed and said there was no "out of the box" solution. He pointed out that that what Cook proposed was an engineering problem that would have to be looked at.

Dick Orr thanked Council for their concern and action. He asked that Council balance the load on both ends of street.

Tennant thanked staff and said they had been responsive and listened well in trying to come up with a plan. Tennant moved to incorporate the three recommendations – One, to raise each speed hump an appropriate amount at the mid-point and to extend the humps across both lanes of traffic to prevent driver avoidance; two, to reduce the speed limit in proximity of the hill to 20 miles per hour and to install the appropriate regulatory signs; also to install three-way stops at Cockspur Court and Golfview West, Oakmount/Golfview East, and Pinemount/Golfview East with appropriate warning signs and to allocate funds in the amount of $10,000 from the PIP Contingency Fund. Brown clarified that the 20 miles per hour speed limit should include all of Golfview Drive and was not to be limited to Thrill Hill. Tennant amended his motion to include the 20 miles per hour speed limit on the entire street. Brown seconded. The motion carried unanimously.

New Agenda Items

06-02-05 FY 2002 Budget Amendment

Salvatore explained to Council that the budget amendment was a housekeeping issue and the purpose was to amend the budget to reflect prior Council action. He continued that none of the expenditures from bond issues had been included in the budget appropriations since it was not known at the time which items would be approved. At that time, Council decided that if any of the referendum items passed, the funding would be handled with a budget amendment. Salvatore reminded Council that the voters had approved the refinancing of Airport Authority debt and the entire amount, including closing costs, of the transaction was $1,620,000, none of which was budgeted. In addition, the City recently purchased five acres of land on Highway 54 West for $843,775, including closing costs, none of which was budgeted. Salvatore said staff recommended, pursuant to state law, that Council take action to amend the FY 2002 budget to reflect those changes.

Tennant moved to approve the resolution as stated in the Council book. Rapson seconded. The motion carried unanimously.

06-02-06 Alcoholic Beverage License – NEW – Peachtree Bottle Shop

Rob Foster and John Lee, the applicants, appeared before Council. McMenamin noted that Foster did not fill out his criminal history form correctly the first time. She said they understood that he was very young when an omitted incident had happened, but Council wanted to make it clear that alcoholic beverage license applications were taken very seriously. McMenamin continued that Council wanted to make sure they understood the seriousness of awarding the license to them. They responded that they did. McMenamin also pointed out that Foster and Lee should contact the police should they have any questions at all.

Brown move to approve the alcohol license with Robert H. Foster appointed as licensee and John H. Lee appointed as the license representative for the Peachtree Bottle Shop. McMenamin seconded. The motion carried unanimously.

Council/Staff Topics

Salvatore introduced Janet Camburn, the new assistant finance director. Salvatore noted that Camburn was a certified management accountant with extensive government experience. He was proud to have her as part of the finance team.

Basinger told Council that City Hall had received a number of phone calls concerning 15 year-olds being allowed to drive golf carts without the required license driver and that it was effective on

July 1. Basinger emphasized that there had been no changes to the ordinance at this time. Council was scheduled to look at the proposed changes to the ordinance at its meeting on August 15.

McMenamin noted the budget workshop meeting scheduled for July 18. She pointed out that staff had a difficult time scheduling the workshop. She asked Council to check their calendars to see if they could take few hours off work that day so there would be adequate time to discuss the budget. McMenamin said the budget meeting was very important and she did not feel there was adequate time scheduled. She asked them to look at continuous time and suggested starting the meeting at 4 p.m. Brown said he would prefer to start at 3 p.m. Weed said he was willing to give up a Saturday morning. McMenamin said she was concerned about staff. Tennant said he was willing to come at 3 p.m. Rapson suggested moving the Council meeting to 6 p.m., then holding the workshop after the Council meeting and meet until midnight. He added that he was in the middle of Fulton County's budget meetings because of his job. McMenamin pointed out they tried to keep the Council meeting time and date consistent for the public. She continued that she understood Rapson's situation, but added that possibly he could get to the meeting as quickly as he could. Tennant and Weed both noted that they wanted Rapson at the meeting. Brown added that he thought the last thing Council needed was to be impeded during the workshop by having to stop and hold a Council meeting, then resume the workshop. Council agreed to check their calendars.

There being no further business to discuss, Brown moved to adjourn the meeting. Rapson seconded. The motion carried unanimously. The meeting adjourned at 8:25 p.m.

Pamela Dufresne
Pamela Dufresne, Recording Secretary

Stephen D. Brown, Mayor

Jane S. Miller
Jane Miller, City Clerk