City Council of Peachtree City
Minutes of Meeting
June 16, 2011

The City Council of Peachtree City met Thursday, June 16, 2011, in the City Hall Council Chambers. Mayor Don Haddix called the meeting to order at 7:04 p.m. Council Members present: Vanessa Fleisch, Erik Imker, Kim Learnard, and Doug Sturbaum.

Announcements, Awards, Special Recognitions

The graduates of the summer session of the Junior Police Academy were recognized.

Citizen Comment

Jeff White told Council that his home backed up to the cart path. Over the years, there had been incidents, including a broken fence. The loud music blaring from the golf carts was very annoying, and he had been told by the Police Department that nothing could be done unless they could actually catch those playing the music, even after he had given the Police the golf cart number.

Cyndi Plunkett addressed Council concerning Council procedures, specifically the revised agenda that was published 24 hours prior to the meeting. She said two of the items added were significant, and more than 24 hours notice should have been given to allow citizens time to respond.

Agenda Changes

Imker moved to add New Agenda Items 06-11-05 Consider Bid for Bunker Gear and 06-11-09 Consider Cancellation of July 7 Meeting to the Consent Agenda and to move New Agenda Item 06-11-10 Consider Reorganization & Elimination of Positions to the top of New Agenda Items. Learnard seconded. The motion carried unanimously.

Sturbaum moved to vote on the Consent Agenda items independently. Imker seconded. The motion carried unanimously.

Minutes

Learnard moved to approve the March 21, 2011, workshop minutes as amended and the June 2, 2011, regular meeting minutes as written. Imker seconded. The motion carried unanimously.

Monthly Reports

Imker referred to page 30 of the agenda packet, the Budget Summary Year-to-Date of Revenue and Expenses, noting the Local Option Sales Tax (LOST) revenues were at 64.7%, instead of the expected 67% that should have come in at the two-thirds point in the fiscal year. He continued that, if those numbers were extrapolated, the year should end with LOST revenues at 97% of what was projected, $130,000 short of projections. As for expenditures, for eight of 12 months, each department had spent 67% of its budget, but one line item stood out. Litigation expenses were at 234% of the budgeted amount. He asked City Manager Jim Pennington to ensure what was projected for FY 2012 was double or triple what had been projected for FY 2011. Imker pointed out that the hotel/motel tax revenue was at 72% of what was budgeted, which was really good. He thanked the Convention & Visitors Bureau (CVB) and Recreation for their efforts to bring people to the City.

Imker referred to page 32 of the agenda packet, thanking Connie and John Grant for their donation to the Police Department K-9 program.

On page 35 of the agenda packet, Imker said great work was continuing in the Information Technology (IT) department, adding that 80% were extremely satisfied with the IT support provided and 20% were very satisfied, with zeroes for the other categories, which included satisfied to dissatisfied.

Imker referred page 40 of the agenda packet, the Police Department report, noting the year-to-date total for Part I Crimes had been 191 last year and was 163 for 2011, a 15% drop. He thanked the department for doing an excellent job. He also noted there had been 22,000 calls for service answered year-to-date for 2010, compared to 28,000 for 2011, with the same staff. Imker was concerned that SR 54/SR 74 continued to be listed as a Top 5 Accident Site, asking what could be done to lower the number of accidents. There were nine accidents at the location in May.

<u>Consent Agenda</u>

1. Consider Surplus of Dive Team Equipment

Sturbaum said he understood why the equipment needed to be surplussed as the team had been disbanded and he had been on the losing side of the vote, but asked if the action could be held until September and the approval of the FY 2012 budget. If the equipment was eliminated now, then it would increase the cost of replacing it if the team was included in the next budget. Imker asked Sturbaum if something was going to happen regarding the funding in the next three months. Sturbaum said he wanted to discuss the funding at the budget workshop to see if any funding might be available. Imker said he had no problem with that since, without the continuation, Sturbaum would have to wait six months to bring the issue back to Council. Learnard said she also supported the request as a courtesy.

Sturbaum moved to continue Consent Agenda #1 until after the budget workshops and hearings. Imker seconded. The motion carried unanimously.

2. Consider Donation from Dog Park

Imker thanked the Dog Park Association for its donation of a covered children's play area inside the Dog Park, which was worth approximately $1,284. Imker moved to accept the donation from the Dog Park. Learnard seconded. The motion carried unanimously.

06-11-05 Consider Bid for Bunker Gear

Imker moved to approve the bid for the bunker gear. Fleisch seconded. The motion carried unanimously.

06-11-09 Consider Cancellation of July 7 Meeting

Imker moved to cancel the July 7 meeting. Learnard seconded. The motion carried unanimously.

Old Agenda Items

05-11-04 Consider Recommendation for New Air Supported Structure Contract for Kedron / Report on Concrete Testing

Haddix noted there was an additional document on the dais – a letter dated June 16, 2011, from Tim Welker, field services manager for Arizon Companies. Public Services Director Mark Caspar went over the proposed options for the pool at Kedron Fieldhouse. Option 1 was a permanent structure at an estimated cost of over $4 million. Option 2 was a clamshell/sprung structure, which was considered permanent under the City's Building Code, but would not meet the required energy code and was not intended to be set up and taken down annually. The manufacturer did not recommend the product for the City's application, and the quote that had been received was for $500,000, excluding any needed foundation work. Option 3 was to install the old bubble, which posed a high risk of failure and was not advised by the consultant. Option 4 was to proceed with the new bubble. Option 5 was to discontinue the fall/winter pool activities for this year.

Referring to Option 3, Caspar read the following from the letter from Tim Welker regarding using the current bubble again: *Continuing to use the domes poses a serious safety risk to all patrons using the facilities. Tears in the fabric, which you have indicated have occurred upon several occasions in the past two seasons, could happen at any time, and the fabric may now be too old to repair. Additionally, the exposed threads, brittle pegs and anchors that have been repaired on several occasions indicate a serious need for replacement.*

Caspar reported on the results of the grade beam testing, noting that 11 samples had been taken and all the samples were inconsistent. In areas where there were no grade beams, there were six inches of concrete, but Caspar said that was not a foundation. He added that no grade beams were found in the small pool area. He continued that Arizon said they could not do any calculations based on the samples, and they recommended another 40 tests be done, basically doing probes, to determine the actual load capacity of the foundation and the extent of repair that was needed. The worst case cost of digging up the entire foundation and putting it back down was $108,000, which included testing, anchoring, and removal of the deck to install the anchoring system. The speculated need was a 30% to 35% replacement at $79,462 including testing, anchoring, and removal of the deck to install the anchoring system. Caspar said the work had to be done regardless of the decision Council made concerning the bubble.

Caspar said the proposed timeline, if Council gave notice to proceed, would be to submit the plans for architectural and Building Department review by no later than July 1. The plans would be returned to Arizon so manufacturing could begin no later than July 18. On September 1, the pool would close so grade beam modifications could begin (five weeks for the work and two weeks cure time would be needed). The bubble would be on site no later than October 15, and the pool could re-open by November 1.

Imker said he had cost concerns, noting that the bubble replacement was originally budgeted at $250,000 that would be paid over a five-year period, with the bubble estimated to last 10 years. Now the total project cost was $460,000. He asked Financial Services Director Paul Salvatore if the Public Facilities Authority, which would essentially become the City's loan company once it was approved by Council later on the same agenda, could spread the payments over 15 years, which would be an additional $20,000 per year in the budget for the 15-year life of the bubble. Salvatore said a 10-year Facilities Authority bond would be proposed rather than a 15-year bond since many of the proposed projects only had a 10-year life. Financing the cost of the bubble would be included in the FY 2012 budget, with $45,000 projected annually to pay the 10-year debt service. If Council chose to go with the lower cost option of $79,462, the debt service would only increase by approximately $10,000 for a cost of $55,000 annually.

Learnard said her inbox had been flooded by Kedron users. The facility was part of the City's lifestyle. Council had seen this coming, and the cost was a lot more than was thought. The fieldhouse had been built due to a referendum, voted on by the citizens. It was worth saving.

Fleisch said that, in this time of declining property values, it sent the wrong message to not maintain an amenity the City already had. The cost was more than anticipated, but it was worth doing.

Sturbaum said he supported the bubble, but he was concerned about the cost factor. Sturbaum asked for clarification that the $346,177 was confirmed as the maximum cost with the needed upgrades. Caspar said that was the design/build cost of the bubble based on the original cost. Any scope changes should be included in the $108,000. Sturbaum said the cap should be $460,000. Caspar said it should.

Haddix said the $108,000 figure was more realistic based on past experience. The concrete was aging and he did not want to put a new structure on top of what he had seen. He understood it was an amenity and that home values were sliding, but his concern was how to pay for it without another tax increase. He had wanted to use the work needed at Kedron as part of next year's LOST negotiations, and that would be gone if Council chose to go ahead with the repairs and bubble.

Imker asked if the pool closing on September 1 could be delayed by one month since the weather would still be hot, which would shift everything from September 1 and November 1 to October 1 and December 1. He did not need an answer at the meeting, but would like to know. Caspar said that was a scheduling question that Kedron staff would have to answer.

Sturbaum said if Council was going to approve the new structure, they should plan for the $108,000 and repair the substructure properly. Caspar said if Council decided to go ahead and spend the money for a complete replacement, then it would save the testing fees. He clarified that the $79,000 figure was based on the testing that had been done so far and speculation about what else was there. The additional 30-40 tests would cost $6,000, and those tests could show there needed to be a 100% replacement. Council could waive the $6,000 testing fee and have Arizon to rip it all out and start all over.

City Manager Jim Pennington said staff had been very concerned about making a recommendation. The facility was heavily used, and there was a lot of pride in it. If he was in Council's position he would have the same concerns, but he would move forward planning to spend the additional money.

Learnard clarified that Pennington would move forward with the vendor's "turnkey" plan to put in a new foundation. Pennington said that was correct. Learnard asked Caspar what the $78,000 scenario covered. Caspar said that, based on the testing that had been done, they felt replacing 30-35% could be fine, but would cost almost $80,000. Caspar said there was the potential to do more selective repairs than was cost effective. If Council chose to replace the entire foundation to ensure it was done correctly, they would save the $6,000 testing fee. Imker said the new bubble would not last more than its 10-year lifespan without the replacement of the foundation. He hoped a new one would last 15 to 20 years.

Fleisch asked if the warranty on the foundation would be separate from the bubble. Caspar said that, in general, foundations were supposed to last for the life of the facility. Kedron Manager Scott McCord added that the problem with the beams was not just with the width of the beams, but also with the depth, saying the beams should have been placed six to seven inches deeper. Haddix agreed that, from a construction standpoint, he would not want to put a structure on at least three of the beams, and the foundation should be replaced. Sturbaum also agreed the foundation should be replaced and done right. He felt staff and Council could find the funding.

Fleisch noted that it would take 12 weeks for the air handler to be manufactured, asking if work could start on that now. Caspar said it was built into the timeline. All the mechanical drawings would be submitted to the City by July 1, and the City's architectural consultant told staff they could get the review done in three days.

City Attorney Ted Meeker said the motion should include a not-to-exceed amount and be subject to his review of the agreement. Salvatore said the amount for the total project was $460,000.

Learned moved to approve the contract with Arizon for purchase, installation, and foundation work of a new pool bubble for an amount not to exceed $460,000 and subject to the contract review by the City Attorney. Fleisch seconded. The motion carried unanimously.

01-11-09 Reconsider Modifications to Hotel/Motel Tax Distribution Structure

Haddix noted there was an additional document on the dais – the memo from the City Attorney. Imker moved to continue the agenda item indefinitely. Fleisch seconded. The motion carried unanimously.

<u>New Agenda Items</u>

06-11-10 Consider Reorganization & Elimination of Positions

Haddix noted there was an additional document on the dais – the memo regarding the reorganization. Pennington said he had been tasked by Council to take a hard look at the City's organization to see if it was operating in the most effective and efficient manner possible. The idea was the coordination and streamlining of the delivery of municipal services in a strong, cost-effective manner, while remaining responsive to the citizens. The departments and services would be aligned in a manner that accentuated the organization's strengths and was reflective of the delivery processes that were needed today. He continued that, in local government, the needs of the community changed constantly. The organizational structure might have been effective for a long time, but as times changed, there was a new normal, and the City needed to adjust to that to continue to provide effective services.

Pennington continued that the proposal focused on two core functions – operational services and support services. The operational component included Police, Fire, and Code Enforcement. Public Services and its components (Public Works, Buildings and Grounds, Stormwater, and Engineering) provided internal and external services and were an operational service and support service. He pointed out that the presentation on the Kedron bubble was an example of the combination efforts of Engineering and Kedron staff. The focus had existed before, but not to the degree he preferred. Administrative Services (City Clerk, Human Resources, and Municipal Court) was in the support services area and was the backbone that supported all operations of the City. Financial Services (Accounting, Accounts Payable, and Information Technology) was also integral to the City's operation. The new department, Community Services, was absolutely not the leftovers. It reflected a coordinated approach to the delivery of community-oriented services, including Planning and Zoning, strategic planning, community facilitation, Recreation, and special events. Bringing those areas together in a new formulation would make the City's operations more effective at a better cost. Staff was trying to do everything possible to meet the new normal and to ensure services to residents were top-notch.

The proposed changes included the following:

1. A reorganization of divisions to eliminate Leisure Services and Community Development and to create a new division named Community Services,
2. A reduction-in-workforce eliminating the following positions effective July 1, 2011, to include severance benefits – Leisure Services Director (one position) and Recreation Facilities Manager (one position),
3. A reduction-in-workforce eliminating the following position effective June 17, 2011 – Community Development Director (one position),
4. The reclassification of the City Planner to Planning and Zoning Administrator (one position), and
5. The creation of the Community Services Director (one position) effective June 17, 2011.

Mayor Haddix opened the floor for public comment. Residents who spoke included George Martin, Eric Snell, Kim Westwood, David Pena, Scott Bradshaw, Geraldine Holt, Cyndi Plunkett, Frances Meaders, Jim Basinger, and Tom Carty. Their concerns and comments included the following:

- Changes could achieve short-term goals, but ruin long-term procedures,
- Council should consider any changes carefully,
- Community Services could also incorporate Police, Fire, Court, City Clerk, as well as Leisure Services,

- Changes could affect sense of community and interaction between residents,
- Leisure Services Director Randy Gaddo brought honor, dignity, and patriotism to City's programs and was not being treated in the same way,
- Good programs had been built in the City because of the people involved,
- Council needed to ensure changes were beneficial to the City,
- Neither Gaddo nor Community Development Director/City Planner David Rast were being treated with integrity and dignity,
- A City Manager with less than a year on the job was not able to grasp what was in the City,
- Several comments were made regarding the late addition of the agenda item and the timing,
- Council should defer the decision and look at other options,
- Public debate was most important in making decisions, and Council was making the decision without the most important aspect,
- The City that had been built was quickly being torn down,
- The wrong message was being sent to citizens and potential citizens who moved here because of schools, safety and security, and the recreation programs that were offered,
- Downsizing in the Building Department was good, but Council should use extreme caution in lopping department heads.

Haddix said there had been nothing fast, casual, or solo about the reorganization. A broad net had been cast that gathered information from many sources. The City Manager had to make a rough decision, and now Council had to make a tough decision.

Imker moved to approve the reorganization and elimination of positions as recommended by the City Manager. There was no second, and Imker rescinded his motion.

Sturbaum moved to go convene in executive session for personnel at 8:35 p.m. Imker seconded. The motion carried unanimously.

The regular session reconvened at 8:40 p.m.

Sturbaum addressed those attending the meeting, saying that Council heard what the citizens were saying and understood. He continued that the decision was not a budgetary issue and had nothing to do with the character or personalities of the people involved. Council had asked the City Manager to look at change and increasing services based on his experience and knowledge in a more efficient and effective manner.

Learnard said the comments made during the meeting were deeply personal, correct, and appropriate, and she was thankful for the comments, but the only thing continuous was change. Council had a responsibility to do what was right for the City and not to rest on its laurels. She would not make any decision she could not make in good conscience, and she was ready to make a decision to sharpen the focus on services, facilities, and amenities going forward. Council was doing its best to take the personal out of the decision and do what was right.

Fleisch said the agenda was posted on the website in the appropriate amount of time, and she appreciated that fact that Pennington had met with all the staff involved, as well as the sports associations. Things were handled as well as they could have been.

Imker apologized for appearing or sounding cold when he made the earlier motion. He saw business that needed to be done. He agreed with the personal positions everyone had taken, and he felt the same, but said the City needed to move forward.

Imker moved to accept the reorganization and elimination of positions as recommended by the City Manager. Fleisch seconded. The motion carried unanimously.

06-11-06 Consider Resolution of Support for Hearthside at Peachtree City Senior Apartment Community Funding Application

Kathy Zickert, attorney for NorSouth, the developer, asked Council to consider a formal endorsement of the developer's application for funding from the Department of Community Affairs, which would help NorSouth move forward with their plan. She continued they had all been through a journey of re-understanding on the project, and wanted to continue on that path.

Haddix asked Meeker if there was anything in the resolution that was a concern. Meeker said the property was zoned. The resolution and application for funding would allow the developer to follow through on some of the conditions included as part of the zoning process.

Imker asked if there had been any interest from people wanting to move into the development. Zickert said they could not take any reservations without an approved project, but they had gotten calls. If the funding was approved, NorSouth would start construction this time next year, and construction would take 12 months.

Sturbaum moved to approve the resolution of support for Hearthside at Peachtree City Senior Apartment Community funding application. Imker seconded. The motion carried unanimously.

06-11-07 Consider Letter of Support for Woodsmill Apartment Community Funding Application

Rast said the request for Woodsmill was similar to the request from NorSouth. The owner of Woodsmill was applying for a renovation loan for approximately $2.8 million to renovate the interior and exterior of the development, and the process was the same.

Sturbaum moved to approve the letter of support for the housing tax credit funding application for the proposed rehabilitation of Woodsmill Apartments. Imker seconded. The motion carried unanimously.

06-11-08 Consider Request for Additional Funding for Tree Removal

Caspar addressed Council, noting that $25,000 had been budgeted for tree removal for the fiscal year. Due to the storms and excessive damage, staff had already spent that funding and transferred $8,000 from other line items, such as streets operating supplies, but that money was gone after cleaning up the damage from the May 26 storm. The funds were not for right awaytype clean-ups, which was done by existing staff. The funding was for the larger, fractured trees that were outside of Public Works' ability to handle safely. Caspar asked Council to approve an additional $20,000 for the remainder of the fiscal year, adding he did not think the cost would go that high. The line item for the proposed FY 2012 budget would include an increase in the funding. He continued that nearly $37,000 had been spent in 2010, and they were quickly approaching that point. There was already $6,000 worth of tree removals waiting on Council's approval.

Imker agreed the additional funding was needed, but he was concerned about the $8,000 that had been transferred from streets supplies and the impact on those services. Caspar said they might not get as much patching done as hoped, but the crews had been spending time on storm clean-up, so that money had not been spent on supplies. It might not have a detrimental effect this year, but he did not want to take anything else from that line item. Imker said staff was prioritizing tree removal over patching streets and potholes. Caspar said the priority was safety. The trees were located in greenbelts and had the potential to fall across roads, cart paths, or on buildings.

Imker said he would support an increase in the additional funding with the stipulation that any unspent funds be put back into streets. The City could not continue to deteriorate. Sturbaum suggested the funding request be increased to $28,000, so the streets supplies line could be replenished right away.

Fleisch noted that logs and stumps were often left in the right-of-way and along the cart path, asking if they could be hauled away. Caspar said the policy was to not go past the right-of-way. Fleisch asked about the remnants of trees left along the cart path. Caspar said if the trees fell in the greenbelt, only the part on the cart path was removed.

Sturbaum moved to approve the funding request for tree removal not to exceed $28,000. Fleisch seconded. The motion carried unanimously.

06-11-11 Consider Appointment of Members to Public Facilities Authority

Meeker noted that the legislation for the Public Facilities Authority had been approved by the General Assembly and had been signed by the Governor. The first step for the City was to appoint the board members, and the legislation allowed Council to sit on the board as it would only fund City projects. Meeker said the legislation provided that two members should be appointed for a term of three years, two members should be appointed for a term of two years, and one member should be appointed for a term of one year.

Imker asked what happened if a Council Member resigned from Council, but had six months left on their term on the Authority. Meeker said the person could stay on the Authority for the remaining six months, or they could resign from the Authority also. If the seat on the Authority was vacated, the Council could appoint a board member to fulfill the term.

Imker moved to appoint the following members to the Facilities Authority – Mayor Don Haddix and Council Member Eric Imker to the two three-year terms, Council Members Vanessa Fleisch and Kim Learnard to the two-year terms, and Council Member Doug Sturbaum for the one-year terms. Learnard seconded. The motion carried unanimously.

Imker asked when the first meeting was scheduled. Meeker said the sooner the better as there had been some discussion concerning the need for a bond. The consensus was to meet Wednesday, June 29, at 6:00 p.m.

<u>Council/Staff Topics</u>

Hot Topics Update

Pennington said the Department of Transportation had forwarded the unconstrained project list to the Regional Transportation Roundtable. Now that unconstrained project list was complete, staff would forward the recommended prioritization of the City projects on the list so the County would know which ones to push for the City.

Library

Pennington said staff was still talking about additional testing, but round two was completed, and staff was waiting for the reports from the structural engineer and architect. It appeared the external bricks were not properly attached to the walls. Staff had to notify the Fayette County Elections Office regarding the ability to use the Floy Farr Room for a polling place. Administrative Services Director Nikki Vrana added that County Elections Supervisor Tom Sawyer was contacting the Department of Justice regarding the issue. She said Council Chambers had been used as a polling place when the Library was renovated, but early voting held the week prior to the election was not done at that time. Council Chambers could not be used for the entire week of early voting due to Court.

Pennington said the City's infrastructure was aging, and staff kept running into issues. This would be an issue over the next few years. This was one reason the Public Facilities Authority was a good idea.

City Hall Painting/Sealing

Pennington pointed out that the blue tape around the windows and other areas had drawn attention. The seal was being put on the outside, but it was not yet the final coat.

Pennington reported Public Works had changed its schedule for the summer. The work hours would be 6:00 a.m. to 2:30 p.m. for all crews working in the field. He added that the Recreation and Public Works crews should work well together based on staff's discussions.

The E-911 intergovernmental cooperative agreement with the County would be on the July 21 agenda. Pennington said it would be considered by all the municipalities in July.

Imker asked if the packet was ready for the budget workshop scheduled Monday, June 21. Salvatore said they were ready. There would be a copy in the City Hall lobby, and it would be available on the website the next day.

Sturbaum moved to enter into executive session at 9:10 p.m. to discuss pending or threatened litigation and real estate. Learnard seconded. The motion carried unanimously.

Sturbaum moved to reconvene in regular session at 9:36 p.m. Learnard seconded. The motion carried unanimously.

There being no further business, Sturbaum moved to adjourn the meeting. Learnard seconded. The motion carried unanimously. The meeting adjourned at 9:37 p.m.

Pamela Dufresne

Pamela Dufresne, Deputy City Clerk

Don Haddix

Don Haddix, Mayor