City Council of Peachtree City
Minutes of Meeting
May 21, 2009
7:00 p.m.

Mayor Logsdon called the meeting to order at 7:01 p.m. Council Members present: Steve Boone, Don Haddix, Cyndi Plunkett (left for a portion of the meeting, 7:45-8:15 p.m.), and Doug Sturbaum.

Announcements, Awards and Special Recognition

Mayor Logsdon recognized the McIntosh High School Boys Varsity Soccer Team for an outstanding season. June was proclaimed as Childhood Cancer Awareness Month in conjunction with the Peachtree City Optimists Club. May 17-23 was proclaimed as EMS Week in Peachtree City. Sandy Faulkner was recognized for 30 years of service as a paramedic, and Wes Delay was recognized for 34 years of service as a paramedic. The Citizens Police Academy graduates, Community Emergency Response Team (CERT) graduates, and Teen CERT graduates were recognized. The City's CERT team was recognized for earning first place in statewide competition. The Police Department Honor Guard was recognized for earning second place in a statewide competition. Police Corporal Keith Isaac was recognized as the Employee of the Month.

Public Comment

Lynda Wojcik addressed Council concerning the leasing of City-owned land to organizations or businesses, specifically the property located between Weber Station and Christ Our Shepherd Lutheran Church. She said it was not appropriate for the City to lease land to any organization that would change the topography or cut down trees. It should be reserved for Open Space or future use of the City.

Agenda Changes

Sturbaum moved to move New Agenda Items 05-09-07 and 05-09-08 to the bottom of the New Agenda Items packet. Haddix seconded. The motion carried 4-0.

Minutes

Sturbaum moved to approve the May 5, 2009, workshop minutes and the May 7, 2009, regular meeting minutes as written. Haddix seconded. The motion carried 4-0.

Consent Agenda

1. **Consider Alcohol License – NEW – Cheers**
2. **Consider Appointment to Library Commission – Keely Suiter**
3. **Consider Surplus Sale of Various Vehicles**

Logsdon noted there was an additional document on the dais – a memo from staff to Council regarding the surplus sale of various vehicles. Boone moved to approve the Consent Agenda Items 1-3. Haddix seconded. The motion carried 4-0.

Old Agenda Items

There were no Old Agenda Items.

New Agenda Items

05-09-05 Consider Acceptance of Donation of Score/Storage Building for Riley Field – Youth Football Association

Leisure Services Director Randy Gaddo addressed Council. (A copy of his PowerPoint presentation is included in official meeting file.) Gaddo said the Youth Football Association wanted to build and donate the scoring/storage building, which would overlook the lower field at Riley. It would be a 24-foot by 14-foot two-story structure. The top would be the scoring stand, and the bottom would be secure storage. The project had been reviewed by the Planning Department, and the permits would be pulled at the appropriate time.

Gaddo added that the building's appearance would mirror the other building at the football field. Once the donation was accepted, they would get started on the project. Logsdon asked about the cost of the structure, and Gaddo noted that the association had received a lot of in-kind donations and labor from members. Boone said the additional building would be an advantage for Riley Field.

Sturbaum moved to accept the donation of a score/storage building for Riley Field by the Youth Football Association. Haddix seconded. The motion carried 4-0.

05-09-06 Consider Donation of 2 Surplus Vehicles to Airport Authority

City Manager Bernard McMullen said the surplus vehicles had been used by the Police Department and could no longer be used due to the mileage. The vehicles would be used by crews that were on layovers, giving them the ability to leave Falcon Field to eat or run errands. It would be an additional amenity to offer when competing with other airports.

Logsdon asked about the liability issues in event of an accident. McMullen said the Airport Authority would have its own insurance for the vehicles.

Haddix said that the vehicles would be more value to the City in this capacity than as a trade-in or selling as surplus. He moved to approve the donation of two surplus vehicles to the Airport Authority. Boone seconded. The motion carried 4-0.

05-09-09 Consider Employee Cell Phone Policy

Information Technology Administrator Matt Robinson addressed Council concerning City Administrative Regulation (CAR) 9-8 Cell Phone Usage Policy for employees and elected officials. The highlights of the policy included giving employees designated as "on call" the option of either having a City cell phone or using their own cell phone and plan and asking the City for reimbursement at a set rate. Phones provided by the City should be used only for official City business, and any emergency personal incoming calls would be reimbursed to the City by the affected employee. The City would purchase and pay for a cell phone and service for each Council Member upon request, and the cell phone would only be used for City business. Employees who violated the policy would be subject to disciplinary action.

Sturbaum asked which provider would be used. Robinson said staff was still looking at providers, but Verizon would be the most likely provider.

Logsdon asked how users would be monitored to ensure the City-issued phone was used only for official business. Robinson said there would be documentation that had to be signed. He agreed that it would be difficult, but the rationale for the policy had to do with the Internal Revenue Service (IRS) regulations and how employees could use cell phones. There were two types of plans – a fully accountable plan, where all calls were identified, or a flat reimbursement rate, which is what the City preferred. There would an administrative burden in trying to reconcile a fully accountable plan. Logsdon said he understood the rationale. A cell phone was just another means of communication, and as common as the phone on the desk.

Financial Services Director Paul Salvatore added that the IRS considered use of a cell phone as a taxable benefit. McMullen said the policy was the City's effort to be in compliance with the IRS. Haddix asked if staff felt it could be monitored in a reasonable fashion. McMullen said that the reimbursement rate would cost no more than it would for the City to provide the cell phone, and it made the process very simple. The only people that would be monitored would be those choosing to use a City-owned phone. He continued that Robinson monitored the top 10 users in terms of minutes. If usage seemed out of line, Robinson would meet with the employee's director to address the issue.

Robinson said the patterns of usage had been determined during the analysis of the current bills. He said a single incident might fall through the cracks, but the policy would stop any abuse. Sturbaum asked where cell phone use and driving a City vehicle would be covered. Robinson said it was not addressed in this policy, but the City had safety guidelines for other devices that should cover cell phones. Sturbaum asked that safety be stressed when the cell phones were issued to City employees.

Sturbaum moved to approve the employee cell phone policy. Boone seconded. The motion carried 4-0.

05-09-10 Consider Formal Acceptance of Multi-Use Path Easement in Twiggs Corner

City Engineer Dave Borkowski recommended Council purchase an easement, then accept the easement for a multi-use path once it was signed by the Twiggs Corner Community Association. He continued that the residents of Peachtree Villas had used the path along SR 74 that was demolished during the highway widening. During the construction, Twiggs Corner had allowed residents of Peachtree Villas to use its parking lot for access to the path system. Since that time, staff and Twiggs Corner had worked to formalize the agreement. Both parties had agreed to $1,600 in exchange for the permanent path easement. Once the easement had been signed, Public Works could pave the path. Borkowski thanked Twiggs Corner for their assistance in this matter.

Sturbaum moved to approve the formal acceptance of the multi-use path easement in Twiggs Corner. Boone seconded. The motion carried 4-0.

05-09-11 Consider Local Government Agreement for Multi-Use Path Tunnels under SR 74 Widening (Phase 2)

Borkowski said the second phase (Cooper Circle to SR 85) would go out to bid in July, according to the Georgia Department of Transportation (DOT). The City had agreed to pay 20%

of the construction cost for the two tunnels in the phase. All the drawings and lighting plans had been completed. The agreement formalized everything. There were funds in the 2008 Public Improvement Program (PIP) to cover the costs. Boone asked how much was left in the 2008 PIP. Salvatore said that $118,000 had been aside for the tunnels, and there was approximately $20,000 left in the 2008 PIP contingency fund. McMullen pointed out that, if the tunnels were going to be built, they had to be installed during the widening of the highway.

Haddix moved to approve the local government agreement for multi-use path tunnels under SR 74 widening (Phase 2). Boone seconded. The motion carried unanimously.

05-09-12 Consider Amendment to Animal Control Agreement with Fayette County
City Attorney Ted Meeker noted that the City had an agreement with Fayette County to provide animal control services. There had been issues regarding whether Fayette County State Court or the City's Municipal Court had jurisdiction to hear cases. To prevent such issues in the future, the amended agreement had been prepared. Meeker said the proposed amendments designated the State Court as the Municipal Court of Peachtree City and the State Court Solicitor as the Municipal Court Solicitor only for animal control cases.

Haddix moved to approve the amendment to the animal control agreement with Fayette County. Boone seconded. The motion carried 4-0.

05-09-13 Consider Acceptance of Fire Safety Education Bus
Logsdon noted there was an additional item on the dais – a memo from staff to Council concerning the fire safety education bus. Fire Marshal John Dailey said the Peachtree City Volunteer Firefighters Association had approved $500 for the purchase of a surplus bus from the Fayette County Board of Education. He noted that the City of Fairburn had used such a bus for a few years, and the program had been very successful. The program would target elementary school students, and the bus would also be used at special functions and open houses. The City's Fire Department had used the bus, and the children and parents had enjoyed it. It had been on the table previously, but was taken off due to budget issues. The Volunteer Association had agreed to purchase the bus for $500. The enhancements need for the bus would be paid through corporate donations, and some had already given verbal commitments. The City would maintain the bus.

Boone said the bus would be advantageous in teaching children and moved to accept the surplus school bus to be turned into a mobile fire safety classroom. Haddix seconded. The motion carried 4-0.

05-09-14 Consider Easement for Signal Installation at SR 74/Wisdom Road
Logsdon noted there was an additional item on the dais – a memo from staff to Council regarding the easement for the signal installation at SR 74/Wisdom Road. Borkowski said staff had been working with CSX Railroad for several months, and CSX had verbally agreed to the easement in April. The City had received the documents during that week, and the documents had been reviewed by the City Attorney and staff and were acceptable. Staff recommended Council accept a temporary construction easement to finish the signal and authorize payment of

$4,585 to CSX for the permanent easement contingent on the DOT accepting the permanent easement.

Sturbaum asked how long it would take to get the signal installed. Borkowski said the contractor had not yet returned his call, but it should not take more than a few months. The equipment was ready. Logsdon asked why there was a temporary easement. Borkowski said that was so the City could install the signal and guardrail. The permanent easement was for DOT to maintain the signal. Haddix asked that Council be notified by e-mail when the installation began.

Boone moved to approve the easement for the signal installation at SR 74/Wisdom Road and for the temporary easement to later become a permanent easement. Haddix seconded. The motion carried 4-0.

Plunkett returned at 8:14 p.m.

05-09-07 Discuss Results of RFI for Kedron Management/Consider Issuing RFP
Gaddo said that the Request for Information (RFI) had been issued on March 31. The goal had been to determine if there was interest in management of the facility and to decrease expenses and increase revenue. The RFI was issued to interested contractors and was listed on the City's website. On April 16, four attendees participated in an optional site visit. On April 30, three submissions were received, including one from the Kedron staff, and one e-mail. Both of the third party submissions focused on the Fieldhouse operations, with neither expressing a desire to manage the aquatic component. The staff submission had focused on a consolidated approach.

Gaddo summarized the submissions. The Dunwoody-based Georgia Sports League, LLC, promoted and operated adult and youth sports leagues and special events. Currently, it had arrangements with three cities and a business park for adult programs. They proposed self-sufficiency by streamlining management and increasing programming. Georgia Sports League indicated they would be responsible for all personnel and utility costs associated with the fieldhouse, but suggested separate pool management.

Dar Thompson, local businessman and health club owner, suggested options to remodel the facility to accommodate an ice rink. He also suggested keeping the pool operation status quo, but he was not clear on how the management would be structured.

Kedron staff suggested a "pay to play" approach to bring revenues up and expenses down for a nearly 50% reduction in the burden to taxpayers. They suggested a consolidated fieldhouse/aquatic approach. The staff would use a two-year, three-phased approach to reach their goal. Phase I would increase the revenue via pool use fees, which was on the agenda. Phase II would cut expenses, which was included in the 2010 budget submission, and open uses of the facility and rink. Phase III included actively promoting the facility for rentals, especially during low use times.

Gaddo said staff also received an e-mail from the Dive Center expressing an interest in managing the aquatic center only. Due to a family emergency, the Dive Center had been unable to submit an RFI.

Gaddo said the Request for Proposal (RFP) process would take three to four months. He continued that Council would be briefed on the full staff proposal during the budget workshop, and many of the adjustments were to be included in the proposals for the FY 2010 budget.

Logsdon asked if the RFP could be put out and that Kedron staff also present their proposal. Haddix agreed, adding that he wanted to see more numbers so there would be sufficient information to make a decision. Sturbaum said the City might also be able to glean ideas from the RFPs. Plunkett said the RFPs should be specific, including the management structure, revenues, and percentage shares. Sturbaum said there should be a cost structure and business model across the board.

Boone asked how much the Board of Education paid for the swim teams' use of the pools. Gaddo said that the Board of Education did not pay the swim fees for the teams; the users and parents paid them. Staff had recommended an increase in the fees. Haddix said that the RFP should include recognition of out-of-County versus in-County users. McMullen said that the fees would be covered in the next agenda item and during the budget workshop. Sturbaum asked for a sensitivity analysis of the RFP based on the fee structure and whether there would be a gain or loss in the customer base.

Plunkett said Council needed to keep in mind that changing the fees across the board to the real cost to use City recreation facilities would change the entire tenor of the City. Gaddo said that, due to the fiscal issues, the City had to look at a "pay to play" environment. Haddix said the City could not continue to provide services with disregard of the costs. Plunkett said they needed to be sensitive to quality of life issues, and the recreation facilities were important to continue to have as amenities.

Mary Snell, a Fielding Ridge resident, addressed the quality life in her neighborhood since the roller hockey rink was built. She said there was a real problem with noise, and the noise impact had not been researched enough prior to the construction. The tests that had been done showed the noise was eight times that of a regular neighborhood. The quality of life on her street had been lost between the school and the Kedron facility. Logsdon asked Snell if her recommendation was to shut down Kedron. Snell said it would be preferable, but the noise should be contained inside. It should be a neighborhood center, and the rink enclosed.

Richard Spain suggested, given the prior comments, that the RFP include a stipulation that there be no expansion at the facility, and that it be operated as it was.

David Pina, a resident of the same area as Snell, said that the Recreation Department did a great job providing activities, and the Kedron facility and rink were wonderful. Recreation was not about making money, but providing an experience for the City's residents. Over the years, poor choices had been made that turned the City into a good place, not the amazing place it had been. He felt Council was going to make an emotional decision and a poor choice because of the difficult economic times. He noted that everything was cyclical.

05-09-08 Consider Revision of Fee Schedule for Kedron Fieldhouse and Glenloch Pools

(A copy of the PowerPoint presentation is included in the official meeting file.) Gaddo noted that staff's operational review led to adjustments in the fees. The recommendations included increasing the daily pool fees by $1 in each category, which would increase revenue an estimated $15,000. The recommended changes for the daily pool passes included ages 0-2, would remain free; ages 3-11, $3 to $4; ages 12-64, $4 to $5; and 65 and older, $2 to $3.

Recommended changes for seasonal pool passes included changing the passes from semi-annual to quarterly, which was a more flexible option. The out-of-County rate would be double the in-County rate. The estimated revenue increase would be $28,000. The existing in-County rates were paid semi-annually, and the proposed rate would be paid quarterly. Individuals currently paid $65 twice a year; the proposed rate would be $60 quarterly. A two-person family paid $120 currently; the proposed rate would be $110 quarterly. A three-person family paid $165 semi-annually compared to the proposed rate of $150 quarterly. A family of four paid $200 twice a year compared to the proposed rate of $180 four times a year. A five-person family paid $225 every six months compared to $225 every three months.

The proposed increases in swim team fees were based on actual expenses for the time and space each team used the pools. The estimated increase in revenue would be $55,000. The four categories of swim teams included the Southern Crescent Aquatic Team (SCAT), Pirates (summer), Masters (an adult program), and the County high schools. SCAT had 125 members paying $5 per swimmer per month; the proposed increase would be $32 per swimmer per month. The Pirates, approximately 150 swimmers, did not have a fee; the proposed increase was $5 per swimmer in-County and $10 per swimmer out-of-County. There were approximately 15 Masters swimmers who paid $5 per swimmer per month; the proposed increase would be $18. Approximately 150 youths participated on the high school swim teams, paying $3 per swimmer per month; the proposed increase was $32 per swimmer per month. Gaddo noted that the Masters used only two lanes, while the other teams used them all.

Gaddo said that, if approved, the increases would be implemented in September because the existing fees had already been advertised, and registration was already in progress. He requested Council approve the proposed increases.

Plunkett asked if the fees for the swim teams were in addition to the registration fees for the team. Gaddo said they were, adding that the recommended increases were based on the number of lanes used by the team, as well as the time of use. Plunkett asked if there would be additional charges for SCAT members that lived out of the County. Gaddo said they would pay the same rate.

Residents who spoke included Mike Scott, Jim Schmidt, Craig Ludwick (a swim coach at McIntosh High School), Bob Walsh, Beth Pullias, Lynda Wojcik, and Bob Brown. Comments included:

- Swimming should not be compared to other sports. There was a cost to use the facility, but the argument was spurious.

- If the City wanted to create a great place, then it should not be "pay as you play."
- The formula used for the high school teams was disproportionate. The teams used the facility early in the morning when others were not using it.
- All athletic programs in the City should contribute to the cost of running Kedron and all amenities.
- The increase in fees was 640% for the swim teams. The City should look at running the facility more efficiently.
- Increasing daily passes by $1 would raise money, but some swimmers would not come anymore.
- One high school team used four lanes for four hours each week. There were usually 10 members per lane. Raising the fees would cause a decline in use.
- The RFPs should include noise abatement. The proposed fee structure was unnecessarily cumbersome. The fees should be based on the lane by the hour to be fairer.
- City residents should pay the least money, but County residents should be charged more.
- Fees for high school team members living in the City should be lower than for other team members.
- Swimming fees were much lower than those for other high school sports.
- If a student did not pay the fee for a school team, the student was not barred from participating in the sport.

McMullen explained that the City received $150,000 from Fayette County each year for recreation, and the purpose of the money was to keep the fees for County residents the same as those charged to City residents. Plunkett added that an analysis had been done that showed the City made out better by accepting the $150,000 from the County than it would if additional fees were collected from County residents. McMullen said the fees would have to be increased significantly to get back the $150,000.

Logsdon said that continuing to operate the facility the same way – doing nothing – was not an option. McMullen said part of the proposal for the FY 2010 budget was to eliminate four positions at Kedron to make the operation more efficient, and another part involved reducing other expenses. Logsdon said this was not an attempt to make the operation pay for itself, but the facility cost the taxpayers over $1 million annually. This was another hard decision Council would have to make.

Plunkett suggested voting on the proposed increases separately.

Haddix moved to approve the daily pool fee increase as presented. Boone seconded. The motion carried unanimously.

Haddix moved to accept the proposed changes to the seasonal pool pass rates as indicated. There was a brief discussion on the proposed increase, with Sturbaum noting that he had concerns about the sensitivity analysis as a whole. Logsdon seconded. The motion carried 4-1 (Sturbaum).

Gaddo pointed out that the proposed increase in rates was based on the expenses for the pool. Staff could look at the out-of-County membership of teams. Boone felt the proposed fee might be excessive for the high school teams, but more money should be coming from the Board of Education. It was the only covered pool in the County. Kedron Manager Scott McCord said that, under the current fee schedule, the City received $1,500 per year for all five teams. Haddix asked if team members with season passes had to pay the team fee. Gaddo said that had not come up before. The public was not allowed in while the teams were using the pools.

Plunkett moved to continue discussion of the proposed swim team increases to talk with SCAT to get a better idea of how many lived in-County and out-of-County, to get more information on rates in different areas, and to talk to the Board of Education about participating in the costs. McIntosh and Starr's Mill High Schools should get priority and a better rate, if possible, since their parents paid City taxes. Boone seconded. The motion carried unanimously.

Council/Staff Topics

Borkowski reported that the Atlanta Regional Commission (ARC) had contacted the City and asked if the methodology was appropriate for the distribution of Phase II stimulus funds. The state received $27.1 million to be used for transportation only, which would be allocated by ARC to the Atlanta region. The distribution was weighted on several factors, including the unemployment rate, greatest level of economic distress, labor force, population, and median household income. Fayette County would receive $1.1 million, and the County would work with the cities on the distribution. ARC needed an answer by May 22. Boone asked Borkowski if he felt it was appropriate. Borkowski said it met the intent of the Recovery Act. McMullen added that he saw no fruitfulness in disputing the methodology. The effort needed to be in getting projects "shovel-ready" to meet the tight timelines. Plunkett asked if the City had any projects that met the criteria. McMullen said only projects in the Transportation Improvement Plan (TIP) were eligible. The City had two projects on the list, and it would be an extreme hurdle to get them ready by December 31. The same methodology required for the CSX bridge and multi-use paths had to be followed. The paving of Dividend Drive was not in the TIP, but he wanted to try to get that project eligible for the funding. The Council consensus was to respond that the methodology was acceptable.

Plunkett moved to convene in executive session for threatened or pending litigation and personnel at 9:30 p.m. Sturbaum seconded. The motion carried unanimously.

Plunkett moved to reconvene in regular session at 10:00 p.m. Boone seconded. The motion carried unanimously.

Sturbaum moved to adjourn the meeting. Haddix seconded. The motion carried unanimously. The meeting adjourned at 10:05 p.m.

Pam Dufresne

Pam Dufresne, Deputy City Clerk

Harold K Logsdon

Harold K. Logsdon, Mayor