

City Council of Peachtree City
Meeting Minutes
May 18, 2017
7:00 p.m.

The Mayor and Council of Peachtree City met in regular session on Thursday, May 18, 2017. Mayor Vanessa Fleisch called the meeting to order at 7:00 p.m. Others attending: Terry Ernst, Mike King, Kim Learnard, and Phil Prebor.

Announcements, Awards, Special Recognition

Mayor Fleisch proclaimed May as National Bike Month. Keith Larson, SouthSide Cycling Club, and Shayne Robinson, Peachtree City BMX Parents Association, accepted the proclamation. Several of the youth members of the PTC Rowing Club accepted the proclamation setting the week of May 25 as National Learn to Row Week in the City. The week would end with rowing activities scheduled at Lake McIntosh on June 3. City Manager Jon Rorie recognized employee Savas Mavridis, who would be leaving the City at the end of May, on his selection as an intern under a NASA contract working on guidance, navigation, and controls for rockets with Orbital ATK.

Public Comment

Robinson, president of the Peachtree City BMX Parents Association, thanked Public Works Superintendent Scott Hicks and the crew that helped with putting down the asphalt for the new pump track, Rick Recchio and the landscaping crew for their work on the grounds, and the Police Department for speaking with the young riders and participating at the first Mayors Ride held on May 13. She also thanked Recreation & Special Events Administrator Quinn Bledsoe and her crew for all they did for the event.

Larson, bicycle community advocate for the SouthSide Cycling Club, said Fayette County was making progress on bicycle safety. Over a year ago, he had told Council that many residents were unaware of Georgia's three-foot rule, which required drivers to give cyclists three feet for safety when passing. Over 1,000 bumper stickers had been handed out to people in the last year, and he had seen them on many cars. Hopefully, the bumper stickers informed other motorists of the three-foot rule. As more bicycle lanes were added to the City's roadways, Larson hoped to also see signs regarding the safety rule.

Minutes

May 4, 2017, Regular Meeting Minutes

King moved to approve the May 4, 2017, regular meeting minutes. Ernst seconded. The motion carried unanimously.

Consent Agenda

- 1. Consider Software Purchases**
- 2. Consider Bid for Peachtree Parkway Headwall Replacement – North Georgia Concrete**
- 3. Consider Letter of Support for Transportation Improvement Plan (TIP) Paving Projects**

Learnard moved to approve Consent Agenda items 1, 2, and 3. Prebor seconded. Motion carried unanimously.

Old Agenda Items

04-17-04 Consider Variance Request for Front Building Setback (Carport), 100 Doe Run

Planning & Development Director Mike Warrix noted this item had been continued from the April 20 meeting, and the public hearing had been held. Council had requested the applicants come back with some architectural drawings so they would have an idea of how the carport would look.

Kevin Kerr showed Council architectural drawings of the proposed detached car port they wanted to construct. The carport would be used for keep their cars out of the weather and as a place for the neighbors to gather during inclement weather. The drawings showed the roof was in line with their home, and the materials would complement each other. The carport would have a metal roof. The pedestals for the beams would be rocked in, so they would be more aesthetically pleasing. There would be three beams on each side to support the roof. There were shrubs on the left side, and trees and shrubs along the front that would help to hide the carport.

Warrix reminded Council that the property was zoned R-15 one family residential, which required a 40-foot front setback. The applicants were asking to encroach 13.5 feet into the front setback area, leaving a 27-foot setback.

Ernst said the metal roof appeared to be different from the roof on the house. Kerr said the roof on the home was shingled, and the decorative piece that hung down from the roof on the front of the house was metal on the front. The metal on the carport would match the metal on the front of the house.

Learnard said she could not support the variance request. What was planned was not like anything else in the neighborhood.

Prebor said that, based on the architectural drawing, it looked like the carport would blend in well with the house. It appeared to be part of the house. The neighbors he had spoken with had supported the Kerrs' variance request. There were not many choices for homeowners to move to a home that fit their needs. It looked like the carport would add value to the home.

King said it would add value to the house, and it would be an enjoyment for the neighborhood (on April 20, Kerr had said the structure would also be used during neighborhood get-togethers). The couple had done what Council had asked, and he could not say no to the request.

Fleisch said she was glad to see the drawing, and it had helped her visualize how things would look. Her concern had been the double-frontage lot, and the way the carport would look from the side of the street. She had to vote against the variance.

Meeker said staff had recommended a condition:

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

King moved to approve the request for a variance to the front setback to build a carport, subject to the condition imposed by staff. Ernst seconded. Motion carried 3-2(Fleisch, Learnard).

**04-17-05 Public Hearing – Consider Variance Request for Transitional Yard Reduction,
2584 Hwy 54 W (old Pitts Station)**

Learnard asked to be recused, saying she and her husband had been customers of Chance Pitts for 17 years and had developed a personal relationship.

Warrix said this request was for multiple variances – Section 1006.5(c)(2) to reduce the front driveway setback from 20 feet to 7.5 feet, Section 1006.5(e) to reduce the rear setbacks from 75

feet to 30 feet, and Section 916 to reduce the transition yard area from 75 feet to 15 feet – in order to allow redevelopment of the 0.89-acre General Commercial (GC) lot located at 2584 Highway 54. Chance and Linda Pitts were the property owners, and Rick Lindsey was the applicant. The lot was just under one acre in size, and the plan was to build an approximately 7,000 square-foot auto parts store on the tract, which was a permitted use in GC zoning.

Warrix said the tract backed up to residential property and to City property. Due to the proximity to residential property, a 75-foot transition yard buffer was required. He continued that staff was generally supportive of the variance requests primarily due to the small size of the lot. It would be difficult to site any retail or general commercial use on the tract and to meet the current regulations. The small lot was platted and developed in the 1960s. Staff recommended the following condition for approval:

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

Lindsey said he was representing the prospective purchaser of the property. The tract had been a challenge to redevelop, although he had spoken to several people who had been interested in the site over the last few years.

Lindsey discussed each of the variance requests. The encroachment into front setback along SR 54 would be less than the current encroachment, he said. The current curb went further into the 20-foot setback than it would once it was redeveloped. The entrance would be moved to the east and would be more of a right-in, right-out only than it was currently.

On the back part of the property, the request was for a reduction in the rear building setback. Meeting the existing requirement would push the building closer to SR 54, and the parking would be lost in the front. There was an access drive through the Willowbend Center to Willowbend Road that would also be threatened.

The third request was for a reduction in the 75-foot transition yard between the commercial property and the residential property. They would not be moving the building that far, but they were planning to remove the asphalt from the back of the building, so vehicles would not have access to that area. Removing asphalt would be a softer approach in the transition yard than having the asphalt remain in the back.

Lindsey continued that he met with the Twiggs Corner Homeowners Association (HOA) earlier that week, and there had been no concerns about the reduction in the setbacks. The only request was to do something about the sound made when the dumpster was emptied, and the purchaser was looking at sound-dampening blocks.

Lindsey met Prebor on the site, and they had noted there was a partial privacy fence already there on the Twiggs Corners property. Prebor had asked if the current privacy fence could be extended the length of the property, which would help with the sound and the view. Lindsey said they had asked the HOA about doing that, and the HOA had been in favor of it. He had asked about possibly offsetting the newer part of the fence so people would still be able use the footpath through the area to the convenience store across the highway. The HOA wanted to stop people from going back and forth because it was unsafe, and they had asked for a solid wood fence,

Lindsey reported. Landscaping would also help with the sound. Lindsey said there would still be noise when the dumpster was emptied, but the City had ordinances that helped with that.

The purchaser would be taking a problematic property and developing it into something more modern, Lindsey said. The old fuel tanks would be removed to alleviate any potential issues, and the stormwater detention would be underground. They also wanted to do something to soften the look along SR 54. Lindsey said it would be a win-win.

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

King pointed out this was an example of the few properties left in the City that would be postage stamp-sized if all the current code requirements were met. This plan would get the area cleaned up so it would look better and fix an eyesore.

Ernst clarified that the inter-parcel access road through to the Willowbend Center would still be open. Lindsey said it would. Ernst said some of the other businesses in the center had been concerned about the access being closed off. He and King were both glad the tanks would be removed.

Prebor said he was glad they would be getting the tanks out of the ground. The property had been for sale for a few years, and this was an improvement.

Fleisch said she had a number of concerns about the tract and the three variances. She noted there was a tract for sale at the corner of SR 54/Robinson Road that was about the same size, and she did not believe it was worth approving the variances.

King moved to approve the variance request for the transitional yard reduction at subject to the condition at 2584 Hwy 54 W, the old Pitts gas station, subject to the conditions set by staff. Prebor seconded. Motion carried 3-1 (Fleisch)-1 (Learnard).

New Agenda Items

05-17-01 Public Hearing – Consider Comprehensive Plan Update Transmittal Authorization

Warrix noted this was the second of two required public hearings regarding the Comprehensive Plan update. The first hearing had been held in August before any work had begun on the document. The second hearing was required before the draft was sent to the Atlanta Regional Commission (ARC), so the reviewing process could begin. He asked Council to authorize the Mayor to execute the submittal letter to the ARC. The ARC would send the plan to the Department of Community Affairs (DCA) for state approval. The draft should be ready for formal adoption by Council by July.

Fleisch opened the public hearing. No one spoke for or against the issue. Fleisch closed the public hearing.

Learnard moved to approve transmittal of the draft Comprehensive Plan to the ARC for regional and state review. Ernst seconded. Motion carried unanimously.

05-17-02 Public Hearing – Consider Variance Request, Section 1004.4 (h) Zoning Ordinance, Rear Setback Encroachment, 1020 Pinehurst Drive

Warrix said the property was zoned GR-12, General Residential, and the applicant was Sandra K. Whittenberg. The applicant was seeking a variance to the rear setback requirement in order to

build a 10-foot X 15-foot screened-in porch over an existing 10-foot X 10-foot patio. There would be a five-foot encroachment into the existing 20-foot rear setback. The home backed up to the 11th hole at Braelinn Golf Course. Staff recommended approval with the following condition:

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

Whittenberg said there were two reasons to ask for the variance for the screened-in porch. One was for privacy when she was sitting on her patio. She felt like she was intruding on golfers as the foursomes went by. Whittenberg said she was also allergic to insect bites and was currently taking antibiotics due to some bites she received recently.

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

Prebor said there were letters from the neighbors in 1016 and 1018 in the meeting packet, but there was not one from 1022 Pinehurst. Whittenberg said that property was currently vacant. Ernst added there was an approval letter from the HOA.

King said he had no concerns, adding Council had granted a variance for a screened-in porch in the same subdivision approximately 18 months ago, and it had enhanced the property's appearance.

Ernst said he had no concerns. He noted there was a small creek near Whittenberg's home, and he had noticed a lot of bugs in the creek when he was playing golf.

Learnard moved to approve the variance for 1020 Pinehurst Drive. Ernst seconded. City Attorney Ted Meeker pointed out that Learnard had not included the condition from staff in the motion. Ernst withdrew his second. Learnard moved to withdraw her motion.

Learnard moved to approve the variance for 1020 Pinehurst Drive subject to the condition in the Council packet. Ernst seconded. Motion carried unanimously.

05-17-03 Public Hearing – Consider Text Amendment, Section 1008, Zoning Ordinance, General Industrial District, Establishment of Procedures for Special Use Permit

Senior Planner Robin Cailloux addressed Council, saying that staff recommended the creation of a special use permit within the General Industrial (GI) zoning district. She noted that the zoning ordinance said anything not expressly permitted within zoning districts was prohibited. She continued that staff had received inquiries from property owners regarding uses in the GI district that were not permitted, but were considered as compatible uses. The proposed special use permit was based on the existing special use permit for the General Commercial GC zoning district.

The criteria for a special use permit in GI zoning included occupying an existing building, being a permitted use in the City's Light Industrial (LI) zoning district, being appropriately accommodated on the specific property, general conformance with the City's Comprehensive Plan, compatibility with the existing development and land uses, and being in the public interest and general welfare

of the citizens of the City. Staff proposed a text amendment that would allow for special use permits in GI zoning. The special use permit was subject to approval by City Council.

Cailloux reported the Planning Commission held a public hearing on the text amendment on May 8 and supported the proposed changes.

Rorie said there were zoning procedures that were not in place and would need to be looked at for development and redevelopment. The key aspect of the text amendment was to occupy an existing building. A special use permit would not be allowed on vacant land that should be used for GI, but would encourage redevelopment and infill on vacant properties.

The public hearing opened. No one spoke for or against the text amendments. The public hearing closed.

Learnard moved to approve the text amendment to Section 1008, Zoning Ordinance, General Industrial District, Establishment of Procedures for Special Use Permit as presented. Ernst seconded. Motion carried unanimously.

05-17-04 Public Hearing – Consider Text Amendment, Section 908 Zoning Ordinance, Accessory Uses, Temporary Storage Structures in Residential Districts

Cailloux noted that the Planning Commission also supported this text amendment. The proposed amendments defined temporary storage structures and when they were appropriate. Code Enforcement was receiving an increased number of complaints regarding the use of temporary storage structures ("pods" and shipping-style containers). Staff believed the uses were appropriate on residential properties, but not for long-term storage. The proposed changes set a time limit of 30 days or during active construction. The structure would have to be removed within 30 days of the permit expiration or after the Certificate of Occupancy (CO) was issued.

The public hearing opened. No one spoke for or against the text amendments. The public hearing closed.

Pamela Kemp asked to speak after the hearing, and Fleisch reopened the public hearing. Kemp asked what would happen to the structures with projects, such as painting, that did not need a building permit or projects that took longer than 30 days to complete. She was not opposed to extending a permit for 30 days. Cailloux said there might be an opportunity to work with property owners on that. There were situations that had to be approved by the Planning Director, but there was not an opportunity to extend a permit for 30 days the way the draft ordinance was written.

Prebor said extensions should be allowed, citing the time it would take to get insurance money after flooding that could take longer. King agreed, saying either Warrix or Cailloux could approve extensions based on the circumstances.

Meeker said there were permits that would generally be pulled for situations such as flooding, and the temporary storage only had to be removed within 30 days of the final inspection. There were permits and inspection processes for larger projects. The temporary use should remain capped at 30 days.

Fleisch closed the public hearing.

Learnard moved to approve the text amendment to the Zoning Ordinance, Section 908, Accessory Uses. Prebor seconded. Motion carried unanimously.

05-17-05 Consider Bids for SPLOST Path Crew Equipment

- **Ford F-750 Dump Truck – Peach State Truck Center**
- **Ford F-350 – Allan Vigil Ford**
- **Root Cutter Machine – Vermeer Southeast**
- **Asphalt Spreader – Reynolds Warren Equipment**

Public Works Superintendent Scott Hicks asked Council to approve the equipment purchases, which would be used on projects funded by the Special Purpose Local Option Sales Tax (SPLOST). The total bid price was \$311,779.27, and \$385,000 had been budgeted. The bids had come in \$73,000 under what had been budgeted. Council had approved the purchase of a bobcat in April.

Rorie clarified that staff was asking Council to approve the bids, but purchases would not be immediate. Hicks said it took four to five months to get a dump truck. Rorie said it did not make sense to wait to order the equipment until the SPLOST funds starting coming in. Once the equipment arrived, the crews would be able to hit the ground running based on the lead time for delivery of the equipment. Rorie added it was a strategic move to help with cash flow.

Ernst asked why it took five to six months to get a dump truck. Hicks said dump trucks were built after they were ordered. There were two different parts to the vehicle. King asked if there was not an F-750 available at any of the vendors. Hicks said there was not.

Ernst moved to approve New Agenda item 05-17-05 for the items listed. King seconded. Motion carried unanimously.

05-17-06 Consider Contract with IMS Paving for Paving Management/Evaluation/Assessment Services

Civil Engineer Jonathan Miller addressed Council, saying staff recommended Council approve Infrastructure Management Services (IMS) to serve as a professional contractor and to approve the contract for a pavement management assessment for a not-to-exceed cost of \$86,416 for FY 2017.

Miller continued that the City's roadway infrastructure was valued at over \$83 million and had three million square yards of pavement. Historically, staff had used the Pavement Condition Evaluation System (PACES) to evaluate roadway conditions every two years. In 2014, the PACES survey revealed that approximately 64 of the 179 centerline miles fell below a rating of 80, which indicated a need to perform maintenance or to resurface.

Miller described how pavement deterioration accelerated over time, using a 20-year paving life as his example. Pavement in excellent to good condition would only lose 15% quality in the first eight years, but would lose another 40% over the following three years. It was an exponential rather than linear. If the City could invest \$1 at the 15% mark, then the pavement could be brought back to an "excellent" condition. If the City waited another three years to do anything the cost would go up to \$8, or it would cost eight times more.

The City hoped to bring pavement back to the 15% mark with the help of SPLOST funds and the IMS Paving system. The PACES currently being used was a visual rating of pavement management and was completely subjective, Miller said.

Staff had researched two additional methods of evaluating and prioritizing road projects. The first was to have the City's consulting engineers perform a visual assessment survey by qualified

engineers, with the results incorporated into the City's GIS database. The process was time-consuming and the cost quote exceeded \$400,000 for assessing all roads within the City.

The second method was to assess pavement condition using advanced technology to conduct objective pavement distress surveys as provided by IMS. Miller continued that IMS had adopted industry standard data collection protocols and enhanced them through the acquisition of objective roughness measurements and structural condition data using non-destructive laser technology to assess roadway conditions. The quote for the IMS assessment was \$86,416, and it included a five-year prioritized rehabilitation plan that optimized the use of available funds using cost benefit techniques.

IMS would give the City the best bang for the buck, Miller said. The machinery the company used would take samples every 100 feet, and 30 – 40 miles could be surveyed per day. The process was safe and repeatable, and the ratings were based on better information. It should take approximately a week to collect the samples.

Deferring repaving and maintenance ended up costing the City more money, Miller explained. If a street requiring a thick overlay was deferred, the incremental cost was about 100%. If a street slipped from a thin to moderate overlay, the increase was approximately 25%. Arterial roads had the highest priority, followed by collectors then local roads. The order of rehabilitation selection would be based on the cost of deferral.

The information provided by IMS would also help create logical projects. Segments (either block-to-block and/or intersection-to-intersection) would be aggregated to form projects, and the segments must be homogeneous as it blended the data. Rehabilitation was based on the project and could be street or neighborhood based. It would help keep projects from being scattered throughout the City.

Rorie said there were two moving pieces in the SPLOST program for the 179 miles of centerline, including how many miles were rated below 80 and at what point a road required either a full depth reclamation, HA5, or mill and overlay. Sixty-four miles of road in the City were rated below 80. For the City to achieve an update on those 64 miles, a project budget of approximately \$5.3 million for paving was needed annually. Those funds included \$3.5 million for each year of the SPLOST projects, plus \$1.8 million from the General Fund. Staff wanted to focus on the best use of the money available. The IMS Paving survey would provide a more objective approach to getting the work done.

Rorie continued that the City had struggled to get maintenance to where it was now, whether it was paving, painting, or roofs. When maintenance was deferred, the City was looking at increased costs. The idea behind the IMS Paving assessment was to provide objective criteria to make cost-effective, efficient decisions for the next six years. The City would be able to reach performance benchmarks. As the City came out of the six-year SPLOST period, staff would be able to develop a funding and pavement strategy to last into the out years.

Prebor said it was great news to be able to put a dollar amount on the cost to maintain the roads. Miller added that it did not mean some roads would not get deferred, but it would help to save money and to make better decisions regarding deferrals.

King moved to approve New Agenda item 05-17-06, the contract with IMS Paving for paving management/evaluation/assessment services for an amount not to exceed \$86,416. Prebor seconded. Motion carried unanimously.

Council/Staff Topics

Preview – Purchasing Ordinance Amendments

Rorie said the policy for bids and price quotations had been in effect for multiple years. It had been updated, but was now outdated on the purchasing limits. Some cities did not have a competitive bid process for items under \$100,000. A competitive bid processes needed to be in place; however, the question was when to ask for sealed bids versus calling vendors for quotes. The City Hall window replacement project was an example. There was no need for copious writing for the scope and specifications for a window replacement. The scope was limited, so staff could ask for quotes. However, currently anything over \$40,000 required a bid or a Request for Proposal (RFP). The amendment would allow for competitive quotes that were written based on a defined scope for anything in the target range between \$40,000 – \$100,000. Local vendors were encouraged to apply, and the requests were placed on the website. Rorie said his approval authority for anything \$40,000 or less would not change. Council would still have approval on the quotes between \$40,000 – \$100,000. Financial Services Director Paul Salvatore noted any expenditures over \$100,000 were required by the state to go out for bid or RFP.

Preview – Fire Department Fee Schedule

Fire Chief Joe O'Connor discussed the proposed changes in the fees for the Fire Department, noting that if approved they would be effective October 1. Emergency Medical Services (EMS) fees that would increase included Ambulance – Basic Life Support Transport would cost an additional \$200 (\$550 to \$750); Ambulance – Basic Life Support Transport 1 would increase by \$200 (\$625 to \$825); Ambulance – Basic Life Support Transport 2 would increase by \$225 (\$675 to \$900); and Helicopter Assistance would decrease by \$200 (\$200 to no charge).

Fees for ambulance patients were set by state or federal statute 52% of the time in Peachtree City, O'Connor said, adding that they were Medicare or Medicaid patients. What the City charged had little bearing on what the government chose to pay. Private insurance did pay a percentage based on the fees charged. Fayette County's fees were similar to the City's, and Coweta County charged less for EMS fees, but more for mileage. O'Connor explained that, for Helicopter Assistance, the private entity that would charge the person transported charged more than enough, and the charge was usually upwards of \$50,000. By comparison, O'Connor said the City's \$200 fee to package the patient and call the helicopter could be covered by the goodness of the community. Learnard asked if any of the \$50,000 came back to the City. O'Connor said it did not. He added staff felt the mileage fee was accurate at \$10 per mile, and there was no need to change it.

The third follow-up for an annual inspection under Fire Marshal Fees would increase by \$25 (\$75 to \$100). There had been a \$100 flat fee for a Certificate of Compliance regardless of the size or complexity of the business' building, but the fee had been restructured. A basic certificate of compliance had decreased by \$50 (\$100 to \$50). Additional tests and certifications had been added under Certificate of Compliance, including Sprinkler Certification without Flow Test, \$25; Sprinkler Flow Test, \$50; Alarm Certification without Alarm Test, \$25; Alarm Test, \$50; Hood System Balloon/Flameout Test, \$50; Other System test (Paint Booth/Clean Agent System), \$50; Underground Piping Pressure Test, \$25; and Above Ground Sprinkler Plumbing Pressure Test, \$25. O'Connor added that the increases in fees were comparable to neighboring jurisdictions, and the Fire Marshal fees were typically in-line with those charged by the state fire marshal's office.

Rorie said the Fire Department Fee Schedule would be on a Consent Agenda item on June 15, and it would likely be the last change to the fee schedule this calendar year. Salvatore clarified that the policy was to go no more than three years without reviewing fees. Rorie said Recreation fees would probably be evaluated in 2018.

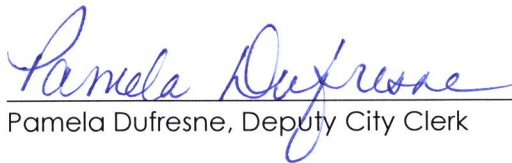
Rorie reminded Council that the June 1 meeting had been cancelled. A special called meeting/Retreat workshop would be held June 6. There were some items that needed to be addressed on June 6. The topic for the Retreat workshop would be PTC Economics or what the budget represented. The proposed budget would be presented at a workshop on June 26.

King noted the annual Memorial Day observance would be Monday, May 29, 9:00 a.m., by the Veterans Memorial at City Hall Plaza.

Executive Session

Meeker said there were no items for Executive Session.

There being no further business, King moved to adjourn. Ernst seconded. Motion carried unanimously. The meeting adjourned at 9:01 p.m.


Pamela Dufresne, Deputy City Clerk


Vanessa Fleisch, Mayor