City Council of Peachtree City
Minutes
April 19, 2001
7:00 p.m.

The City Council of Peachtree City met in a regular session on Thursday, April 19, 2001, at 7:00 p.m. in the City Hall Council Chambers. Mayor Robert L. Lenox led those attending in the pledge of allegiance. Other Councilmembers present were: Carol Fritz, Dan Tennant, Annie McMenamin, and Steve Rapson.

Announcements, Awards, Special Recognition

Mayor Lenox recognized Supervisor of the Quarter Scott McCord, presented an Award of Recognition to outgoing Development Authority member, Peter Cunningham, and recognized Lee Burton and the Patton Seed Company for the contributions of the golf courses to Peachtree City. Mayor Lenox proclaimed Frederick Brown, Jr. Amphitheater Week, Children's Week, National Day of Prayer and Georgia Cities Week.

Approval of Minutes

McMenamin made a motion to approve the minutes of the 2001 Annual City Council Retreat as amended. Rapson seconded the motion. Motion carried unanimously.

McMenamin made a motion to approve the minutes of the March 29, 2001 Council Meeting as written. Tennant seconded the motion. Motion carried unanimously.

McMenamin made a motion to table the minutes of the April 9, 2001 Council Workshop to allow for increased verbiage regarding the Livable Centers Initiative. Fritz seconded the motion. Motion carried unanimously.

Consent Agenda

Alcohol License Representative Change – Ruby Tuesday
Alcohol License Representative Change - Village Store/Texaco #18
Consider Kedron Elementary School Funding Request
Approve Contractor for All Children's Playground
Consider July 4th Fire Works Contract

McMenamin noted that representatives from the All Children's Playground were in the audience, and thanked them for their efforts. Tennant asked City Attorney Rick Lindsey if he or McMenamin had any conflicts due to his children and Annie's granddaughter attending Kedron Elementary School, and Lindsey said that making the matter public knowledge should suffice and felt there was no conflict of interest in both members casting votes on the issue. McMenamin made a motion to approve the consent agenda items. Tennant seconded the motion. Motion carried unanimously.

New Agenda Items

04-01-01 - Appointment to Fayette County Board of Health

Basinger said that he, McMenamin and Fritz had served on the selection committee for the Board of Health position, and 10 applications had been received. The committee recommended that Thomas Bowman be appointed to serve a term from April 20, 2001 through December 31, 2001, and that Jill Long be appointed as the alternate. McMenamin said that they had received 10 incredible applications, and it was a difficult decision to select from all the talent and experience available. Fritz echoed this comment, saying they had a wonderful selection of volunteers for this appointment. Fritz made a motion to appoint Bowman as the Board of Health representative and Jill Long as the alternate. McMenamin seconded the motion. Motion carried unanimously.

04-01-02 - Consider Private Streets

Developmental Services Director Jim Williams addressed Council, saying that Peachtree City currently had 34 subdivisions with privately owned streets. Of those, twelve were commercial and the rest were residential. Williams said that, due to the higher likelihood of conversion for single-family residential, Pubic Works performed a cost study for bringing the 14 neighborhoods up to city standards (one-time cost of $113,855), annual operating and maintenance costs ($57,480 per year) and paving them once in the ten-year period ($458,390 over the 10-year period or approximately $46,000 per year).

Williams said the city had allowed private streets because developers received a higher return on their investment and private streets allowed them more flexibility and more control over their subdivisions. The city did not encourage this type of development, but the Ordinance allowed it because the city received the benefit of the design of the neighborhood and the cost savings of not having to own and maintain the streets.

Williams said staff felt the private neighborhoods were well planned and coordinated, and the developers informed the buyers that the streets would stay private. Therefore, staff felt the city should not assume the responsibility for them. He added that, if the city did assume responsibility, the streets needed to be city owned, which would require a complicated process of variances to setbacks and, in some cases, to city standards. Williams said if Council decided to assume ownership, no more private streets should be allowed.

Mayor Lenox asked if all the subdivisions had some type of homeowners association, and Williams said they did and that they were commonly owned or had easements for maintaining the streets by the associations. Lenox said the neighborhoods were set up from the beginning to have private streets, and changing that would be very problematic. However, Lenox empathized that the associations were not street maintenance experts and suggested that, because he felt taking over the streets would be inappropriate, Public Works develop a program to assist the associations with planning and possibly contracting to perform some of their repair work. Rapson asked if he meant this to bring the streets up to city standards, and then the city would accept the streets. Lenox clarified that he was talking only about the ongoing maintenance, which would remain a homeowners association expense. Tennant agreed that the city had the finances and the professional wherewithal to be of assistance in this regard.

Fritz asked if, under the association setup, the members paid a monthly fee that went toward street maintenance. Williams said that most, if not all, paid in such a monthly fashion. McMenamin expressed concern about private citizens using public employees on a contractual basis, feeling that it could create a boss-type situation. McMenamin felt the situation was unfortunate, but the owners had bought into a unique type of neighborhood and the amenities it offered, so she was somewhat hesitant to say that the city would at any time be responsible for maintaining their streets. However, she asked how cumbersome it might be for the city to accept one neighborhood if the residents agreed to bring their streets up to city standards first. Tennant said that most of the neighborhoods asking for this had already agreed to that. Rapson felt it would be cost prohibitive, looking at the average 10-year cost of $120,000 per neighborhood for the city to bring them up to standard, maintain and repave, and this cost would be absorbed by taxpayers who did not live in the neighborhoods. Rapson said Council might look at it if they agreed to bring them up to city standards, but noted that the city could not spend public funds on private streets. Rapson also said the city would not accept substandard roads from developers, and should not in this case. While he empathized with the plight of the residents of these neighborhoods, he felt that home purchases did require the buyer to beware.

Fritz suggested that, when it was time for a neighborhood to repave its streets, they work with the city to obtain a better deal. Rapson asked the City Manager to evaluate the possibility of that, noting other joint partnerships that existed with the county. McMenamin said she would not be so hard pressed to reject accepting the streets if the neighborhood agreed to bring them up to city standards first. Tennant agreed, saying that it would be the least the city could do for the residents and that most had committed to that. McMenamin said there might be some that would not be able to do that, but that she thought Council would be interested in the ones that could be accomplished with only a few variances.

Rapson agreed and said he felt the Land Development Ordinance should be changed to prohibit private streets in the future. He added that the change should not prohibit Council from permitting private streets on an individual basis that were requested in the future. Tennant asked if it would be possible to send a letter to the Tax Commissioner advising him that residents on private streets did not receive the same services as those on public streets and requesting that the taxes reflect this. Fritz said that a certain amount was currently spent on public roads, and the overall cost would go up, so she asked if it was really a tax inequity. Tennant said he understood that, but it was perceived as a tax inequity, and he would like to see if the tax office could take that fact into account when assessing the properties. Lenox said, in a perfect world, one would expect the market value to take the private streets into account. Rapson added that the homes on private streets were typically more valuable.

Lenox said failure to maintain the roads would certainly bring down the property values, and the associations would have to shoulder that responsibility. He said he heard a consensus that, if the city could advise these neighborhoods and help them, Council was more than willing to do so.

Tennant said the surrounding neighborhoods certainly wouldn't want to see the private street neighborhoods deteriorate either. McMenamin asked about some of the flag lots with common drives on Bridlepath, noting she had received calls in the past about the city repairing them. Williams said those residents owned the drives. Rapson said it seemed the city really didn't have much authority in ensuring the maintenance of those areas, and Williams said that was true to some extent, but if it got to the point of affecting mail delivery or services, the city would ask them to make repairs. Fritz asked if street maintenance was covered under the building codes, and Williams said it was somewhat, and that if a large pothole posed a danger to fire service, the city could make the owners repair it.

Fritz said the whole issue was a bad situation, and Williams said it was safe to say that the developers made a better profit due to private streets, and the homebuyers should have gotten a discount because of that. Fritz said that was not really something Council had control over. Williams said the city's main benefit was no long-term maintenance costs.

McMenamin asked if a motion was needed. Lenox said he didn't think one was necessary, but directed staff to proactively go to the associations and see if the city could assist them with planning for road maintenance, and bring back to Council the question of whether the development ordinances should prohibit private streets with a staff opinion paper on the subject. Tennant asked staff to contact the Tax Commissioner's office about taking private streets into consideration when appraising property.

04-01-03 - Consider Use of E-Bikes on Cart Paths

City Manager Jim Basinger said the city had received a request from a Ms. Barbara Evans, who owned an e-bike distributorship in Peachtree City, to allow the e-bikes on Peachtree City's paths. Basinger noted that the Police Department had recommended against this decision, and Mrs. Evans had provided a response to each of the department's concerns. Basinger noted that, if Council elected to allow the vehicles on the paths, Peachtree City's ordinance would have to be altered, and a draft ordinance was before them as well.

Ms. Evans addressed Council, saying she first saw the e-bikes in an ad and, as a Peachtree City resident, she thought they would be perfect for the city. She contacted the Police Department to make sure they were allowed on the paths, and was assured the department was familiar with the product and they were perfect for the paths. She purchased her dealership in November 2000. Ms. Evans said the product was geared toward citizens of retirement age whose health might require assistance to cycle on the paths. The cost, from $1,000 to $2,000 each, made them impractical for the average teen. Ms. Evans also noted that the top speed of the e-bikes was 18 miles per hour, which was slower than most of the golf carts. Other models of the e-bikes had a top speed of only 10 miles per hour. She asked Council to consider allowing her to stay in business.

McMenamin confirmed that Evans was targeting seniors and persons with physical limits who might want to ride for exercise with the electrical system there to assist. Evans agreed, saying seniors had shown the most interest and that she had sold many to campers and people who traveled in recreational vehicles. Rapson said he had seen the bikes and they were impressive, and he was not sure a teen would pay the price to own one. Rapson said he saw both Evans' and the Police Department's points about the product on the paths, but the draft ordinance incorporated most of the Police concerns, and he felt allowing the bikes on the paths would be an amenity to the city.

McMenamin asked if the bikes had bells or horns, noting that she had received complaints about all bicycles not providing the mandatory audible signal when approaching pedestrians from behind. Evans said the larger bikes came equipped with horns, and the smaller bikes came equipped with bells. McMenamin said she also felt the bikes should be treated as carts and be registered. Fritz felt that was a good idea, considering the Police Department concerns, and she suggested having the registration forms and rules at the dealership and require the local buyers to sign something acknowledging the rules. Fritz also suggested limiting the bikes to paved surfaces and not allowing them on the soft trails such as the crushed brick paths at the Line Creek Nature Area. Rapson also suggested prohibiting them on boardwalks.

City Attorney Rick Lindsey suggested changing the ordinance to prohibit golf carts in those locations as well. He did note that state law prohibited the state from registering e-bikes and said he would need to make sure the city would not be prohibited from same. Tennant asked why the bikes should be registered, and McMenamin said such a process would help to ensure safe use and to identify any stolen e-bikes. Evans said the bikes did have a Vehicle Identification Number (VIN) that might legally meet the requirement. Rapson suggested adding the VIN to the rules acknowledgement form they signed and forwarded to the city. Tennant felt that copies of the rules should be provided to Ms. Evans at the city's expense. Lindsey requested some time to research the registration issue.

Tennant said it was difficult for him to go against the recommendation of the Police Department, but he was in favor of the e-bikes and felt they were much safer than regular bicycles. McMenamin questioned whether the legal age would be 15 or 16, and Evans said the state law set the age at 15. Rapson made a motion to accept the proposed amendments to Sections 78-91, 78-94, 78-95 and 78-96 of the Code of Ordinances to allow e-bikes on the paths and to make the appropriate changes regarding paved paths and registration. Tennant seconded the motion. Lindsey requested that the motion be amended regarding registration and use of non-paved paths to allow staff to draft the changes and research the registration issue. Rapson and Tennant modified their motions to reflect this request. Motion carried unanimously. Lenox commended the Police Department on the extensive research they did in evaluating the bikes.

04-01-04 - Public Hearing - Consider Ordinance Amendment to Increase Hotel/Motel Tax from 3% to 5%

Lenox noted that Council had discussed this increase before, and said the local hotel and motel managers had not opposed the increase, recognizing the purpose for the increase. The increased revenues would, for the most part, go toward the Development Authority and Airport Authority, for debt service, to supplement the operation of their facilities and for improvements to their facilities, including an expansion to the Tennis Center. Some funds would be retained by the city for facilities and services that promoted economic development. Basinger outlined the recommended allocation formula and said staff recommended the increase and approval of the formula, to be implemented July 1, 2001.

Mayor Lenox opened the hearing to public comment. Resident Steve Brown said that, in the past, the city had a funding policy in place for the Authorities designed to wean the authorities off of the supplemental funds. He felt the increase was a complete reversal on that policy and asked if it was really worthwhile. Brown also felt there might be more worthy projects toward which the Hotel/Motel tax dollars could be spent.

Tennant said the city was very limited on what it could spend Hotel/Motel Tax dollars on, and Lindsey confirmed that was the case, adding that the additional 2% was required to go to the Development Authority to promote tourism and economic development. Lindsey also said that, by law, the dollars already spent could not decrease. He noted that some other services, such as the paths, did contribute to tourism, but the city did not have free reign even over the initial 3% already collected.

Lenox said the city had looked at the authorities, which were charged with operating, maintaining and utilizing for the city's benefit the three most expensive recreational facilities in the city: Falcon Field, the Amphitheater and the Tennis Center. Lenox said the entire Council would like to see those facilities break even or better, and he felt they could achieve that goal, but the supplement given to them was the total expense to the city for those facilities. The supplement would give them some financial certainty so they could operate and plan for the future. When they became self-sustaining the city could look at ways to use that money within the constraints of the state law and maximize the benefits to the city.

Cathy Nelms, Chairman of the Airport Authority, confirmed that the Authority's stated goal was to become self-sustaining, and the supplement from the city would help them to get on their feet financially over the next few years and achieve that goal.

Virgil Christian, manager of the Peachtree City Tennis Center, said their goal was also to become self-sustaining. He said the center had historically operated on about half of what the centers in Dothan and Macon received from their cities. The supplement allowed the center to offer world-class tournaments and facilities. He said that they ran their operation and did not take the supplement for granted, but would someday like to see the supplement come down to zero.

Rapson said he agreed that the Hotel/Motel Tax should be increased, noting that Peachtree City's Hotel/Motel Tax was lower than about every other place in Metro Atlanta. Rapson said that, if the bond failed, he would take issue with expanding the Tennis Center, and if the expansion was planned regardless of the bond, the voters should know that up front or the city might need to look at revenue bond financing or some other option. Lenox agreed that any confusion about the expansion should be eliminated, explaining that things had proceeded as they had because the city had already made a decision to expand the center and use the increased Hotel/Motel Tax funds to do so. However, the best way to finance the expansion would be through bond financing, and the question was how to present that to the voters.

City Council of Peachtree City
Minutes
April 19, 2001
7:00 p.m.

The City Council of Peachtree City met in a regular session on Thursday, April 19, 2001, at 7:00 p.m. in the City Hall Council Chambers. Mayor Robert L. Lenox led those attending in the pledge of allegiance. Other Councilmembers present were: Carol Fritz, Dan Tennant, Annie McMenamin, and Steve Rapson.

Announcements, Awards, Special Recognition

Mayor Lenox recognized Supervisor of the Quarter Scott McCord, presented an Award of Recognition to outgoing Development Authority member, Peter Cunningham, and recognized Lee Burton and the Patton Seed Company for the contributions of the golf courses to Peachtree City. Mayor Lenox proclaimed Frederick Brown, Jr. Amphitheater Week, Children's Week, National Day of Prayer and Georgia Cities Week.

Approval of Minutes

McMenamin made a motion to approve the minutes of the 2001 Annual City Council Retreat as amended. Rapson seconded the motion. Motion carried unanimously.

McMenamin made a motion to approve the minutes of the March 29, 2001 Council Meeting as written. Tennant seconded the motion. Motion carried unanimously.

McMenamin made a motion to table the minutes of the April 9, 2001 Council Workshop to allow for increased verbiage regarding the Livable Centers Initiative. Fritz seconded the motion. Motion carried unanimously.

Consent Agenda

Alcohol License Representative Change – Ruby Tuesday
Alcohol License Representative Change - Village Store/Texaco #18
Consider Kedron Elementary School Funding Request
Approve Contractor for All Children's Playground
Consider July 4th Fire Works Contract

McMenamin noted that representatives from the All Children's Playground were in the audience, and thanked them for their efforts. Tennant asked City Attorney Rick Lindsey if he or McMenamin had any conflicts due to his children and Annie's granddaughter attending Kedron Elementary School, and Lindsey said that making the matter public knowledge should suffice and felt there was no conflict of interest in both members casting votes on the issue. McMenamin made a motion to approve the consent agenda items. Tennant seconded the motion. Motion carried unanimously.

New Agenda Items

04-01-01 - Appointment to Fayette County Board of Health

Basinger said that he, McMenamin and Fritz had served on the selection committee for the Board of Health position, and 10 applications had been received. The committee recommended that Thomas Bowman be appointed to serve a term from April 20, 2001 through December 31, 2001, and that Jill Long be appointed as the alternate. McMenamin said that they had received 10 incredible applications, and it was a difficult decision to select from all the talent and experience available. Fritz echoed this comment, saying they had a wonderful selection of volunteers for this appointment. Fritz made a motion to appoint Bowman as the Board of Health representative and Jill Long as the alternate. McMenamin seconded the motion. Motion carried unanimously.

04-01-02 - Consider Private Streets

Developmental Services Director Jim Williams addressed Council, saying that Peachtree City currently had 34 subdivisions with privately owned streets. Of those, twelve were commercial and the rest were residential. Williams said that, due to the higher likelihood of conversion for single-family residential, Pubic Works performed a cost study for bringing the 14 neighborhoods up to city standards (one-time cost of $113,855), annual operating and maintenance costs ($57,480 per year) and paving them once in the ten-year period ($458,390 over the 10-year period or approximately $46,000 per year).

Williams said the city had allowed private streets because developers received a higher return on their investment and private streets allowed them more flexibility and more control over their subdivisions. The city did not encourage this type of development, but the Ordinance allowed it because the city received the benefit of the design of the neighborhood and the cost savings of not having to own and maintain the streets.

Williams said staff felt the private neighborhoods were well planned and coordinated, and the developers informed the buyers that the streets would stay private. Therefore, staff felt the city should not assume the responsibility for them. He added that, if the city did assume responsibility, the streets needed to be city owned, which would require a complicated process of variances to setbacks and, in some cases, to city standards. Williams said if Council decided to assume ownership, no more private streets should be allowed.

Mayor Lenox asked if all the subdivisions had some type of homeowners association, and Williams said they did and that they were commonly owned or had easements for maintaining the streets by the associations. Lenox said the neighborhoods were set up from the beginning to have private streets, and changing that would be very problematic. However, Lenox empathized that the associations were not street maintenance experts and suggested that, because he felt taking over the streets would be inappropriate, Public Works develop a program to assist the associations with planning and possibly contracting to perform some of their repair work. Rapson asked if he meant this to bring the streets up to city standards, and then the city would accept the streets. Lenox clarified that he was talking only about the ongoing maintenance, which would remain a homeowners association expense. Tennant agreed that the city had the finances and the professional wherewithal to be of assistance in this regard.

Fritz asked if, under the association setup, the members paid a monthly fee that went toward street maintenance. Williams said that most, if not all, paid in such a monthly fashion. McMenamin expressed concern about private citizens using public employees on a contractual basis, feeling that it could create a boss-type situation. McMenamin felt the situation was unfortunate, but the owners had bought into a unique type of neighborhood and the amenities it offered, so she was somewhat hesitant to say that the city would at any time be responsible for maintaining their streets. However, she asked how cumbersome it might be for the city to accept one neighborhood if the residents agreed to bring their streets up to city standards first. Tennant said that most of the neighborhoods asking for this had already agreed to that. Rapson felt it would be cost prohibitive, looking at the average 10-year cost of $120,000 per neighborhood for the city to bring them up to standard, maintain and repave, and this cost would be absorbed by taxpayers who did not live in the neighborhoods. Rapson said Council might look at it if they agreed to bring them up to city standards, but noted that the city could not spend public funds on private streets. Rapson also said the city would not accept substandard roads from developers, and should not in this case. While he empathized with the plight of the residents of these neighborhoods, he felt that home purchases did require the buyer to beware.

Fritz suggested that, when it was time for a neighborhood to repave its streets, they work with the city to obtain a better deal. Rapson asked the City Manager to evaluate the possibility of that, noting other joint partnerships that existed with the county. McMenamin said she would not be so hard pressed to reject accepting the streets if the neighborhood agreed to bring them up to city standards first. Tennant agreed, saying that it would be the least the city could do for the residents and that most had committed to that. McMenamin said there might be some that would not be able to do that, but that she thought Council would be interested in the ones that could be accomplished with only a few variances.

Rapson agreed and said he felt the Land Development Ordinance should be changed to prohibit private streets in the future. He added that the change should not prohibit Council from permitting private streets on an individual basis that were requested in the future. Tennant asked if it would be possible to send a letter to the Tax Commissioner advising him that residents on private streets did not receive the same services as those on public streets and requesting that the taxes reflect this. Fritz said that a certain amount was currently spent on public roads, and the overall cost would go up, so she asked if it was really a tax inequity. Tennant said he understood that, but it was perceived as a tax inequity, and he would like to see if the tax office could take that fact into account when assessing the properties. Lenox said, in a perfect world, one would expect the market value to take the private streets into account. Rapson added that the homes on private streets were typically more valuable.

Lenox said failure to maintain the roads would certainly bring down the property values, and the associations would have to shoulder that responsibility. He said he heard a consensus that, if the city could advise these neighborhoods and help them, Council was more than willing to do so.

Tennant said the surrounding neighborhoods certainly wouldn't want to see the private street neighborhoods deteriorate either. McMenamin asked about some of the flag lots with common drives on Bridlepath, noting she had received calls in the past about the city repairing them. Williams said those residents owned the drives. Rapson said it seemed the city really didn't have much authority in ensuring the maintenance of those areas, and Williams said that was true to some extent, but if it got to the point of affecting mail delivery or services, the city would ask them to make repairs. Fritz asked if street maintenance was covered under the building codes, and Williams said it was somewhat, and that if a large pothole posed a danger to fire service, the city could make the owners repair it.

Fritz said the whole issue was a bad situation, and Williams said it was safe to say that the developers made a better profit due to private streets, and the homebuyers should have gotten a discount because of that. Fritz said that was not really something Council had control over. Williams said the city's main benefit was no long-term maintenance costs.

McMenamin asked if a motion was needed. Lenox said he didn't think one was necessary, but directed staff to proactively go to the associations and see if the city could assist them with planning for road maintenance, and bring back to Council the question of whether the development ordinances should prohibit private streets with a staff opinion paper on the subject. Tennant asked staff to contact the Tax Commissioner's office about taking private streets into consideration when appraising property.

04-01-03 - Consider Use of E-Bikes on Cart Paths

City Manager Jim Basinger said the city had received a request from a Ms. Barbara Evans, who owned an e-bike distributorship in Peachtree City, to allow the e-bikes on Peachtree City's paths. Basinger noted that the Police Department had recommended against this decision, and Mrs. Evans had provided a response to each of the department's concerns. Basinger noted that, if Council elected to allow the vehicles on the paths, Peachtree City's ordinance would have to be altered, and a draft ordinance was before them as well.

Ms. Evans addressed Council, saying she first saw the e-bikes in an ad and, as a Peachtree City resident, she thought they would be perfect for the city. She contacted the Police Department to make sure they were allowed on the paths, and was assured the department was familiar with the product and they were perfect for the paths. She purchased her dealership in November 2000. Ms. Evans said the product was geared toward citizens of retirement age whose health might require assistance to cycle on the paths. The cost, from $1,000 to $2,000 each, made them impractical for the average teen. Ms. Evans also noted that the top speed of the e-bikes was 18 miles per hour, which was slower than most of the golf carts. Other models of the e-bikes had a top speed of only 10 miles per hour. She asked Council to consider allowing her to stay in business.

McMenamin confirmed that Evans was targeting seniors and persons with physical limits who might want to ride for exercise with the electrical system there to assist. Evans agreed, saying seniors had shown the most interest and that she had sold many to campers and people who traveled in recreational vehicles. Rapson said he had seen the bikes and they were impressive, and he was not sure a teen would pay the price to own one. Rapson said he saw both Evans' and the Police Department's points about the product on the paths, but the draft ordinance incorporated most of the Police concerns, and he felt allowing the bikes on the paths would be an amenity to the city.

McMenamin asked if the bikes had bells or horns, noting that she had received complaints about all bicycles not providing the mandatory audible signal when approaching pedestrians from behind. Evans said the larger bikes came equipped with horns, and the smaller bikes came equipped with bells. McMenamin said she also felt the bikes should be treated as carts and be registered. Fritz felt that was a good idea, considering the Police Department concerns, and she suggested having the registration forms and rules at the dealership and require the local buyers to sign something acknowledging the rules. Fritz also suggested limiting the bikes to paved surfaces and not allowing them on the soft trails such as the crushed brick paths at the Line Creek Nature Area. Rapson also suggested prohibiting them on boardwalks.

City Attorney Rick Lindsey suggested changing the ordinance to prohibit golf carts in those locations as well. He did note that state law prohibited the state from registering e-bikes and said he would need to make sure the city would not be prohibited from same. Tennant asked why the bikes should be registered, and McMenamin said such a process would help to ensure safe use and to identify any stolen e-bikes. Evans said the bikes did have a Vehicle Identification Number (VIN) that might legally meet the requirement. Rapson suggested adding the VIN to the rules acknowledgement form they signed and forwarded to the city. Tennant felt that copies of the rules should be provided to Ms. Evans at the city's expense. Lindsey requested some time to research the registration issue.

Tennant said it was difficult for him to go against the recommendation of the Police Department, but he was in favor of the e-bikes and felt they were much safer than regular bicycles. McMenamin questioned whether the legal age would be 15 or 16, and Evans said the state law set the age at 15. Rapson made a motion to accept the proposed amendments to Sections 78-91, 78-94, 78-95 and 78-96 of the Code of Ordinances to allow e-bikes on the paths and to make the appropriate changes regarding paved paths and registration. Tennant seconded the motion. Lindsey requested that the motion be amended regarding registration and use of non-paved paths to allow staff to draft the changes and research the registration issue. Rapson and Tennant modified their motions to reflect this request. Motion carried unanimously. Lenox commended the Police Department on the extensive research they did in evaluating the bikes.

04-01-04 - Public Hearing - Consider Ordinance Amendment to Increase Hotel/Motel Tax from 3% to 5%

Lenox noted that Council had discussed this increase before, and said the local hotel and motel managers had not opposed the increase, recognizing the purpose for the increase. The increased revenues would, for the most part, go toward the Development Authority and Airport Authority, for debt service, to supplement the operation of their facilities and for improvements to their facilities, including an expansion to the Tennis Center. Some funds would be retained by the city for facilities and services that promoted economic development. Basinger outlined the recommended allocation formula and said staff recommended the increase and approval of the formula, to be implemented July 1, 2001.

Mayor Lenox opened the hearing to public comment. Resident Steve Brown said that, in the past, the city had a funding policy in place for the Authorities designed to wean the authorities off of the supplemental funds. He felt the increase was a complete reversal on that policy and asked if it was really worthwhile. Brown also felt there might be more worthy projects toward which the Hotel/Motel tax dollars could be spent.

Tennant said the city was very limited on what it could spend Hotel/Motel Tax dollars on, and Lindsey confirmed that was the case, adding that the additional 2% was required to go to the Development Authority to promote tourism and economic development. Lindsey also said that, by law, the dollars already spent could not decrease. He noted that some other services, such as the paths, did contribute to tourism, but the city did not have free reign even over the initial 3% already collected.

Lenox said the city had looked at the authorities, which were charged with operating, maintaining and utilizing for the city's benefit the three most expensive recreational facilities in the city: Falcon Field, the Amphitheater and the Tennis Center. Lenox said the entire Council would like to see those facilities break even or better, and he felt they could achieve that goal, but the supplement given to them was the total expense to the city for those facilities. The supplement would give them some financial certainty so they could operate and plan for the future. When they became self-sustaining the city could look at ways to use that money within the constraints of the state law and maximize the benefits to the city.

Cathy Nelms, Chairman of the Airport Authority, confirmed that the Authority's stated goal was to become self-sustaining, and the supplement from the city would help them to get on their feet financially over the next few years and achieve that goal.

Virgil Christian, manager of the Peachtree City Tennis Center, said their goal was also to become self-sustaining. He said the center had historically operated on about half of what the centers in Dothan and Macon received from their cities. The supplement allowed the center to offer world-class tournaments and facilities. He said that they ran their operation and did not take the supplement for granted, but would someday like to see the supplement come down to zero.

Rapson said he agreed that the Hotel/Motel Tax should be increased, noting that Peachtree City's Hotel/Motel Tax was lower than about every other place in Metro Atlanta. Rapson said that, if the bond failed, he would take issue with expanding the Tennis Center, and if the expansion was planned regardless of the bond, the voters should know that up front or the city might need to look at revenue bond financing or some other option. Lenox agreed that any confusion about the expansion should be eliminated, explaining that things had proceeded as they had because the city had already made a decision to expand the center and use the increased Hotel/Motel Tax funds to do so. However, the best way to finance the expansion would be through bond financing, and the question was how to present that to the voters.

McMenamin said she had originally initiated the scaling down of the supplements to the Authorities, but she said there came a time when one had to realize that a small additional amount would go a long way to ensure quality facilities in the city. She said she attended an Airport Authority meeting that day and was pleased with Ms. Nelms' leadership and she thought the authority was moving in the right direction and communicating well with the airport users. Rapson asked why the city would wait until July 1 to implement the increase. Basinger said that would provide enough time for the local hotels to implement the increase and integrate it into their computers, adding that if Council felt June 1 would be better, it could certainly be accomplished. Rapson felt July 1 was acceptable. Fritz reiterated that, even with the increase to 5%, Peachtree City's Hotel/Motel Tax would be lower than that of other Metro Atlanta communities.

Rapson made a motion to increase the Hotel/Motel Tax to 5% and utilize the Attachment 1 allocation formula schedule, to go into effect July 1, 2001. Fritz seconded the motion. Motion carried unanimously.

04-01-05 - Public Hearing - Revenue Fee Increases

Lenox said staff would make their presentation on the topic, and then Council would take comment from the public. Basinger said staff had completed an analysis of revenue sources and had recommendations ready, but also recommended no action that evening to allow citizens and businesses to learn more about the proposed increases in the newspaper and attend the public hearing on May 3. Basinger said staff could also place an ad in the local paper about the May 3 public hearing on the proposed increases if Council so desired.

Salvatore outlined the process staff used to study the existing fees, saying that each department gathered data from other city and county governments that charge similar fees as Peachtree City. The data collected was then compared to Peachtree City's fee structures and examined for similarities and differences. Based on this examination, recommendations for changes to the current fee structures were proposed, and proposals for new fees and charges were also included. Finally, the Atlanta Regional Commission was asked to provide additional information on potential fees.

Based on the results of the study, staff recommended the following increases:

> <u>Occupational Taxes</u> – raise the per employee rate from \$12 to \$15; raise the minimum from \$75 to \$100 and increase the maximum tax from \$1250 to \$1575, then increase the maximum by an additional \$500 per year for a four-year period.
>
> <u>Alcohol License fees</u> – Implement increases to various fees associated with alcohol consumption over a five-year period.
>
> <u>Building Department permit fees</u> – Increase various fees, add a new fee for sign permits, and remove the fee for elevator inspection.

Recreation fees & charges – Increase various fees, add an additional fee for use of tennis courts by large competitive organizations.

Court fines & charges - Add a $2 per citation technology fee for maintaining the computer system.

Rapson asked if letters were sent out annually regarding Alcohol License Renewals, and asked if the incremental increases could be added to the notice. Basinger confirmed that notices were mailed, and said the information could be included. Rapson asked if the current fees for out-of-county recreation users were 50% higher than those for Fayette County residents, and Basinger confirmed this. McMenamin noted that some of the fees were the same for residents and non-residents, and expressed concern because she had received calls from residents concerned about facilities crowded with non-residents. Gaddo said that, for some activities such as open swim and open gym, no i.d. was required, but that pool passes would be increased. Tennant agreed that the out-of-county fees needed to be increased in all possible categories.

Lindsey said that Judge Powell had increased the fines for speeding in School Zones to 100% over the fine for the same speeding violation in non-school zones. Lindsey noted that Peachtree City did not have lighted signs that flashed when the school zones were active, and some people who had received tickets had indicated the were not aware of the zone. Tennant said that signage indicating "fines up to $1,000" might help to prevent the problem.

Council requested that staff place an ad for the May 3 public hearing, and place notices in the UPDATE Newsletter and on Cable Channel 2 to ensure citizens were aware of the proposed increases.

04-01-06 - Consider Bond Issue/GMA Brick and Mortar Program/Public Improvement

Basinger said Council had before them a proposed long-term financing plan that included Georgia Municipal Association (GMA) Brick & Mortar financing for facilities and equipment, and a bond issue that included an existing debt refinancing, as well as the construction of new facilities and some expansion to existing facilities. The elements of the plan were discussed at the City Council Retreat.

Basinger said long-term financing had become necessary because the city could no longer afford to continue paying cash for the construction of major new facilities and the acquisition of major equipment, as it has done in the past. Long-term financing would spread the cost of equipment and facilities over a number of years, and would allow future residents to help pay for the associated costs.

Basinger said the proposed list of facilities and equipment with the associated projected costs that would be included in the Brick & Mortar financing included approximately $2.8 million in facilities and almost $3 million in equipment. The construction funds would be borrowed from GMA for 15 years, and Council could approve that financing. Funds for equipment would be borrowed for a lesser time depending on the life of the equipment. The program would be included in the FY 2002

PIP and require Council approval with the FY2002 Budget later in the year. Basinger said staff was not asking Council to approve the program that evening, merely to authorize staff to press on with developing a Brick and Mortar and Equipment Acquisition program.

Regarding the proposed bond, Basinger said staff would like to review the proposed refinancing and projects that would be on the ballot, although the items were not yet set in concrete and would be finalized over the next few months. The current proposed bond amount totaled approximately $16.5 million. Basinger reiterated that staff was not asking for final approval of the bond, only for Council input on the refinancing and the list of projects, and for authorization to continue preparations for the bond issue. Basinger said staff was not yet prepared to say how the bond issue would be packaged or appear on the ballot, but those answers would be available after Council had selected Bond Counsel and the Bond Underwriters. He added that staff had only had a few weeks to develop the projections, and the construction and operating costs had not been finalized and would not be finalized until a committee of users and staff members had a chance to analyze the projects, assist in the design, and make a recommendation to Council.

Financial Services Director Paul Salvatore gave a presentation of the proposed GMA Bricks and Mortar program, as well as a list of projects and refinancing that were proposed for the bond. Following the presentation, Rapson said he had concerns about how the projects were presented, and said he would like to see the Tennis Center and Kedron Fieldhouse expansions pulled out to stand alone for the voters. Salvatore reiterated that the current listing was not how the items would be presented on the bond, but Rapson was concerned that the public might not perceive that, based on the detail of the presentation. Lenox said it was important to realize that $5.5 million of the proposed bond funds were already owed, and the bond gave the city an opportunity to refinance that debt at a better rate. An additional $5 million were for projects Council had already decided to fund, such as the Tennis Center expansion, Amphitheater improvements, Drake Field, etc. The city needed to convey that it was committed to these projects and was asking the voters' approval for the most logical financing. The final element, the Community Center, was completely optional. Lenox felt it would be a good project, but it was completely up to the citizens to decide.

Rapson said he agreed with a lot of the things Lenox said, but was not sure about some of the projects. His concern was that, if the citizens voted down the bond for the Tennis Center expansion, they could perceive it as turning down the expansion. He was concerned about then moving forward with the project under other financing. Lenox said the irony was that Peachtree City's Public Improvement Program had been extremely aggressive over the past 20 years and, with the exception of the 1993 bond referendum, the projects were all completed without asking the voters. Rapson said that had changed, and the finances now dictated that the voters be asked. Lenox disagreed because other financing was available, it just might not be the best way to build the projects. Lenox noted that all the facilities were part of the Master Recreation Plan, which had tremendous public input, and now the city was asking the voters to approve the best financing. Rapson was still not comfortable packaging the facilities in a bond issue, and felt if they were packaged that way and turned down, Council had to respect the voters wishes, and if the projects were going to be built no matter what, the Council should not put them on the bond but might want to investigate other options such as revenue bonds.

Lenox said that, basically, there were two issues: would the city build the projects that had been planned and seek the best financing to do so, or would the city throw the planning out the window and ask the voters whether they want them or not? Rapson said it was really a matter of approach, and suggested putting out a survey to residents asking them to rate the projects, as was done several years ago. McMenamin said that survey had generated a lot of confusion because many respondents had thought they could only vote for one item. Rapson said perhaps several of the projects already funded should be financed through the Brick & Mortar program. Salvatore mentioned the restriction on Brick and Mortar funding to essential buildings, and Rapson suggested taking take the elements that would qualify and put them there. Salvatore also brought up the contract for the purchase of Drake Field, noting that the primary items that would not happen without the bond were the Drake Field Improvements, the Community Center and the Kedron expansion. The others would happen either way. Fritz asked if financing was available for the other projects without the bond. Salvatore confirmed that, but noted the public perception of moving forward with the projects if the bond failed.

Rapson said he felt staff was asking if the projects on the list were the projects Council wanted staff to pursue for long-term financing to make projections on the construction and operating costs, and he would say yes and only suggest adding the Library expansion to either the Brick and Mortar or the bond projects list. Salvatore felt the Library expansion would be appropriate for the Bricks and Mortar once the grant was secured, because grant funds would fund the majority of the cost. Rapson also said the construction costs were not the problem, rather the ongoing operating costs would be, and Salvatore agreed. Rapson also felt it would be misleading for the local press to try to lock the city into numbers at this point, noting that all the numbers presented that evening were educated guesses. Salvatore said the Community Center and the Kedron Fieldhouse expansion numbers were probably the most likely numbers to change as the planning went forward.

Salvatore said if Council agreed to proceed with this type of financing plan, bond counsel and a bond underwriter needed to be selected right away. Additionally, staff was asking Council to appoint Foley Design as the brand name purchase for the design work on the Kedron Expansion because that firm had designed the original facility and had worked on preliminary expansion plans at that time. Staff was also requesting authorization to proceed with Requests for Qualifications from architects for the Community Center and Drake Field conceptual design work. Finally, regardless of the decision on the bond items, staff was also asking Council authorization to make arrangements with GMA for Bricks & Mortar financing for the capital facilities and the GMA Master Lease Agreement for capital equipment.

Tennant asked what the cost to the city would be to bring the bond to the ballot. Salvatore estimated $25,000 to get conceptual designs, costs and some up-front legal fees. Rapson said the biggest issue to slow staff down would be selecting the bond underwriter, and he felt everything staff was asking for that evening was essential to get information to Council to make a decision. Basinger recommended taking the fees for these up-front costs from Council Contingency, noting that he did not anticipate the cost exceeding what he was authorized to spend, specifically in the $25,000 to $30,000 range, but assuring Council he would keep them informed of the design costs for each facility.

Rapson asked about using A.G. Edwards and Kilpatrick and Stockton for bond counsel and bond underwriters, noting their work on the Georgia Utilities acquisition. Lindsey said Council could take action on that because it fell under professional services. Rapson said he would be in favor of that. Basinger reiterated how important speed would be in getting the facilities designed and packaged to get the accurate information out to the public and allow them time to make an informed decision, and that staff would welcome the appointment in speeding up the process. Lenox agreed with the idea, saying both firms knew the city and had done a superb job in the past.

Rapson made a motion to accept A.G. Edwards and Kilpatrick and Stockton as the Bond Underwriter and Bond Counsel; to approve Foley Design for the design work on the Kedron Fieldhouse expansion; to move forward on the RFQ process for the Community Center and Drake Field improvements; and to proceed with making arrangements with GMA for the capital facilities and the master lease agreement. Purchasing Agent Marcie Blind requested that the motion be altered to move forward with Requests for Proposals (RFPs) for the design of the Community Center and Drake Field improvements, and Rapson amended his motion to reflect that request. Tennant seconded the motion. Motion carried unanimously.

Mayor Lenox made a motion to take a brief break. McMenamin seconded the motion. Motion carried unanimously.

04-01-07 - Seniors' Facility Authority

Lindsey said the developers of the new independent living center at the corner of Peachtree Parkway and Crosstown Road had approached Mayor Lenox about the possibility of financing their project through a unique option that would require the formation of a Senior Housing Authority. This body would have the power to issue a bond and allow the facility to be built at a lower cost. The state had created such an authority for each county if the local government wished to activate it through a resolution. Lindsey said the only parcel that could be developed as a senior housing complex existed on this site. If the city created this authority, they would come together this one time to pass the bond issue for this project and then cease to exist. Lindsey said there was be no prohibition in state law against letting the Development Authority serve as the Senior Housing Authority. He also had checked to see if this would also involve any type of income-based housing, and it would not. The only restriction would be minimum age, which was 62, and services provided specifically for seniors, which this development would have.

Mr. Norm Hanson, the Senior Vice President of Prime Communities, addressed Council on behalf of the developers, owners and managers of the proposed project. He said that the project would have 144 units for senior independent living. Their project was a new and upscale residential community for seniors, and although the project would be age restricted at 62, their target market would be persons aged 75 to 85. The project would be a cross between a luxury apartment community and an upscale hotel, with services similar to those found in an upscale residential hotel, including hotel-style dining, concierge, valet, room service, beauty and barber shop, business center with high-speed internet access, screening rooms, etc. The monthly rentals would be $1800 to $2800 per month. The seven apartment plans would have an average of 820 sq. ft., with efficiency 1-bedroom units up to luxury 2-bedroom units. Prime Communities was an owner-operator of independent living communities, and this facility would be managed by RAM Independent Services, a wholly owned subsidiary of Post Properties. These types of facilities had two different financing options; a full-profit mode for which taxable financing was acquired or a non-profit mode where Prime did not act as owner but affiliated with a 501C3 owner. The reason they decided to pursue the tax exempt financing was to lower the overall capital cost of the project, which would translate to lower monthly rents. He said they were building a similar project in Atlanta that would be operated for profit, and the rents would average $2600 per month, while the Peachtree City facility would average $2100 per month due to the tax exempt financing. They felt this reduced rate would widen their market and allow the project to work here.

McMenamin said she would have liked to have seen a package explaining in detail about the company and the financing structure. She said that, while she was very much in favor of providing amenities to seniors, she was very concerned about the statements about income levels of the residents and the security of the revenue bonds. She understood it to say they could not turn down a resident based on their income. Hanson clarified that income was not a problem as long as the resident could afford the rent, and there would be no subsidies for the residents.

McMenamin said she was not really familiar with this type of living arrangement, saying it was obviously not assisted living, and she questioned their ability to restrict the residents due to age, noting some other "senior" neighborhoods in town that had younger residents with children moved in. She was also concerned about the long-term level of need for this type of project, considering the number of senior facilities already in existence in the area. Ultimately, she felt she did not have enough information on the request.

Hanson said he certainly had more information that he could provide to Council. He said they could legally restrict the age of residents to 62 and over, and said it was not an open neighborhood, but a closed apartment building with an average resident age of 80 years. They would provide security and upscale services for seniors who could still live independently, noting that residents who needed long-term care would have to move out. Hanson said there was a need for this type of housing option due to the growing number of people who were not yet ready for assisted living and did not wish to live with those who needed that level of service. He said there was currently very little with which to compare the project, although the two faculties in all of Atlanta that did compare were both full and had waiting lists. Tennant asked if the rates at those facilities were subsidized or market driven. Hanson said the costs were market driven and they received no subsidies for the rental rates. Fritz asked if those facilities offered health care services or were they accurate comparisons, and Hanson said no facility in Atlanta had exactly the same services as they were proposing here.

McMenamin asked what responsibility the Authority would have, and Hanson said they would only issue the bond, and the repayment obligation would be on his company. Rapson asked if, by saying they were non-profit, that meant they received no federal subsidies, state incentives or tax credits. Hanson said no to all three, and said they were in no way affiliated with Section 8 housing. Rapson asked if they received any reimbursements from Medicaid, and Hanson said no because they offered no medical services. Rapson said if the 144 units were at 75% occupancy, they would be taking in approximately $2.7 million, and asked if there was a minimum occupancy to break even. Hanson said the break-even point was 75-78% occupancy under the tax-exempt financing option. Rapson asked if Peachtree City had 100 residents over 62 able to pay $2,000 per month. Hanson said their market studies indicated that there were enough within a ten-mile radius.

Tennant said this was a different concept than he had see before, and he asked if it would be of benefit to the citizens of Peachtree City. As an example, Lenox said his 82-year old father lived here and currently still lived in a house, but it was becoming harder for him to take care of it. Lenox saw the sole benefit to the community and reason for using this financing as being the reduction in rents of about $500 per month. He said from his point of view, his father could be living there in the next couple of years and Lenox would probably be assisting with his monthly payments. Lenox said this financing would make the facility more available to the city's residents. Rapson said that, in comparing a senior apartment community to a standard apartment community, this seemed like a good project, but he felt he did not have enough information. Tennant felt that the rates should be market driven and another level of government should not be created to facilitate it. He asked Hanson basically what benefit Prime Communities received by using the bond financing. Hanson said that Prime communities would develop the project and then be out of the picture, RAM would get the ongoing management fee, and the non-profit owner would be able to use the "profits" earned by this particular project to reinvest in their other non-profit projects. However, their market analysis indicated that, at the higher rental rates, not enough people in the area would be able to afford it and they would not be able to do the project here.

McMenamin asked if either of the two other comparable projects in Atlanta were financed through the tax-exempt bonds, and Hanson said neither had been. She asked where else this type of financing had been used, and Hanson said he was not aware of any other projects that had used this financing, although Cobb County had a Senior Facilities Authority that had expressed interest in financing such a project there, but this had not yet transpired.

Fritz asked Williams how many units the land was zoned for, and Hanson said 144. Williams said that it was probably higher. Tennant asked if the finished project would be the same regardless of financing, and Hanson confirmed that, and Tennant asked if anything in addition to the rents would change due to the financing. Hanson said it would only affect the rent.

Fritz asked if the residents would have their own cars. Hanson said most would bring their own cars, but he felt only about 25% would use them, noting that a car was a psychological link to independence. Fritz reiterated that Council's questions were primarily due to the lack of information forwarded ahead of time, and said she still had a lot of questions about the non-profit status and finding any potential catches. Lenox said he took the blame for that because Hanson had approached him about the subject and Lenox had only asked him to be present for the discussion.

Tennant asked what would keep the rents lower if the demand was greater than expected. Hanson said the rents might increase after the project was built, but he did not think the apartments would be completely rented at the higher rental rate so it would not be built without the tax-exempt financing due to the risk involved. Tennant said that was his point, and the market would drive the success of the project. Rapson said he tended to disagree because the AMLI Apartments, which had very high rental rates, were full. McMenamin felt that, if the project were built, residents would come. Her concern was not fully understanding the bond issue and not having background material. Rapson said he agreed and preferred to table the project until May 3, and if Council were giving the Development Authority permission to issue revenue bonds, he would like to see some more information on their revenue projections. McMenamin added that, if Peachtree City was a prototype for this type of project, she wanted to make sure it was done properly, and she needed more information to have a comfort level with making a decision. Hanson agreed to forward more information. McMenamin made a motion to table the issue until May 17. Fritz seconded the motion. Motion carried unanimously. McMenamin thanked Hanson for his willingness to answer Council's questions.

04-01-08 - Adopt the STWP/ CIE Update

Jim Williams said the Short Term Work Program (STWP) and the Capital Improvements Element (CIE) were part of Peachtree City's Comprehensive Planning process through the Atlanta Regional Commission (ARC) and the Department of Community Affairs (DCA), and they must be updated every year due to Peachtree City's levying of impact fees. The STWP was submitted by staff informally in December, then approved by Council in January and formally submitted. Staff had been notified that it was now ready for adoption. Through some miscommunication, Peachtree City's status as a Qualified Local Government had lapsed. With the approval of the program that evening, that status would be reinstated. Staff recommended adoption of the STWP and CIE.

Basinger noted that the City did submit the documents on time, and thought there might have been some miscommunication between ARC and DCA. He said he just wanted to be up-front with Council that staff had not erred. McMenamin made a motion to approve the Comprehensive Plan Update for return to the ARC and DCA. Rapson seconded the motion. Motion carried unanimously.

04-01-09 - Consider City Clerk Position

Lenox said that, based on the April 9 Workshop meeting and the subsequent input from Council, he offered the recommendation of naming the Administrative Services Director (ASD) as the City Clerk and the Public Information Officer (PIO) as the Deputy City Clerk, and hiring an administrative assistant to handle a lot of the routine clerical aspects of the job. Both the Administrative Services Director and the Public Information Officer would be expected to become certified City Clerks, giving the city two on staff at any time.

Rapson asked what staff recommended for funding for the new position and the training. Basinger asked Council to approve the position, and allow him to see what funds would be needed to hire a person and advise Council of the actual cost through year-end. Basinger also recommended that the cost, if it could not be found within the existing budget, be funded through the Council Contingency Fund.

McMenamin questioned the need of hiring an administrative assistant, feeling the job description seemed to be more of a secretarial level. Basinger said that long-term, they were looking at the position becoming a Deputy City Clerk. Administrative Services Director Jane Miller noted that the requirement to take minutes, and have some experience in that task, was somewhat beyond the normal requirements for a secretary. McMenamin said that with Miller and Tyler's training, the person could become proficient in taking minutes very quickly.

Fritz said she still had some strong feelings on this matter, and that she had understood the Public Information Officer would be made the Clerk and the city would hire someone who would be trained as the Deputy, and she had been fine with that, but she would vote against this arrangement. Fritz questioned the reasoning of why previously the City Clerk position had not been considered worthy of any type of assistant and now it was. McMenamin said she felt that, to mainstream the position and have the position run effectively for the city in the long-term, the ASD should be the City Clerk. Also, in the past the clerk was responsible for public information, and the Public Information position was added at a later time. McMenamin wanted an open-door accessibility to the City Clerk and the Deputy City Clerk, and felt Council should have input into the hiring of future clerks, as well as promotions, bonuses, raises, etc., for the City Clerk and Deputy City Clerk.

Rapson made a motion to appoint the ASD as the City Clerk and the PIO as the Deputy City Clerk in addition to the duties assigned to those positions, require both to become certified City Clerks, and authorize the City Manager to hire a secretary to assist in the duties associated with those positions. McMenamin seconded the motion.

Tennant said that he had given the issue a lot of thought for the best possible management structure, and felt it was important for everyone to work closely together, and he felt this was probably the best setup Council could find structurally. Tennant reiterated that a clear channel of communication between Council and the City Clerk and Deputy City Clerk was expected. McMenamin asked how long the certification process would take, and Miller said that 100 hours of training was involved and it would take about two years. McMenamin requested that the certification process be completed as quickly as possible. Rapson asked if the funding issue needed to be addressed in his motion. Basinger said the starting salary would be required, but asked that he be authorized to find the best person for the best price and then advise Council in a memo of the amount needed from the Council Contingency Fund. Rapson felt that would be acceptable.

Motion carried 4 – 1, with Fritz opposing.

04-01-09 - Consider Wynnmeade Traffic Signal Relocation

Mayor Lenox announced this item had been withdrawn from the agenda.

<u>Council/Staff Topics</u>

Basinger reminded Council of the workshop with the Airport Authority on Wednesday, April 25, 6:00 p.m., at the Airport, Student Government Day at City Hall on Tuesday, April 24, and the City Employee Picnic on Friday, April 27 from 11:30 p.m. to 1:30 p.m., at Picnic Park. Basinger invited Council to attend if they were able.

Basinger said several Councilmembers, as well as staff, had received complaints about the traffic backup on Highway 54 on the afternoon of Friday, April 13. Basinger said that a serious accident on I-85 resulted in the state directing traffic onto Highway 54, which compounded traffic problems, and he wanted everyone to be aware that the situation was not the new traffic norm for Highway 54.

McMenamin requested that Council discuss restricting the number of package stores on the May 17 agenda. She noted that Peachtree City currently had 4 liquor stores and they were owner-operated, and she wanted to look at the possibility of limiting more due to stores' ability to sell beer and wine now. Lindsey said he would research existing state restrictions on such establishments, along with Council's ability to restrict this issue.

McMenamin requested that, based on the discussion at Retreat, Council discuss Section 34-1-18 on the approval of expenditures of city monies at the May 17 meeting.

Fritz requested updated copies of the proposed layout of City Hall following the renovation.

Basinger said there were two legal matters and one real estate matter that needed to be discussed in Executive Session.

Executive Session

Council convened in Executive Session to discuss two legal matters and one real estate matter. No action was taken.

McMenamin made a motion to adjourn from Executive Session and adjourn the meeting. Fritz seconded. Motion carried unanimously.

Robert L. Lenox
Attest: Robert L. Lenox, Mayor

Betsy Tyler
Betsy Tyler, Deputy City Clerk