

City Council of Peachtree City
Meeting Minutes
April 18, 2013
7:00 p.m.

The Mayor and City Council of the City of Peachtree City met in regular session on Thursday, April 18, 2013. Mayor Haddix called the meeting to order at 7:00 p.m. Other Council Members in attendance: George Dienhart, Eric Imker, and Kim Learnard. Vanessa Fleisch was unable to attend due to a death in her family.

Announcements, Awards, Special Recognition

There were none.

10-minute Talk – Ginnie Plunkett, Fayette Senior Services

Ginnie Plunkett, the coordinator for Fayette Senior Services' Meals on Wheels program, briefed Council on the Meals on Wheels program, noting there was a senior hunger problem in Fayette County. The program was needs-based rather than income-based, and seniors who were unable to prepare their meals or had limited access to meals were eligible. There were 160 recipients throughout the County, with 15 daily routes traveled by volunteers who delivered the meals. One meal was provided each day, along with a meal for any pets the seniors might have. Plunkett pointed out that nutrition was an important factor in seniors being able to stay in their homes.

Public Comment

Josh Bloom addressed Council, announcing his candidacy for Council Post 4.

Minutes

April 4, 2013, Regular Meeting Minutes

Learnard moved to approve the April 4, 2013, regular meeting minutes as written. Imker seconded. Motion carried unanimously.

Monthly Reports

There were no comments.

Consent Agenda

- 1. Consider GOHS/MATEN Highway Safety Grant**
- 2. Consider Friends of Library Donation to Library**

Learnard moved to approve Consent Agenda items 1 and 2 as presented. Imker seconded. Motion carried unanimously.

Learnard noted that the Police Department grant was for \$20,000, and it was the second consecutive year the City had received the grant. She added the Friends of the Library had donated a large flat screen television, a laptop computer, and equipment for secure wireless connectivity that would be used to display City information at the Library, and thanked the organization.

Old Agenda Items

- 03-13-02 Public Hearing – Consider Variance to Floodplain Management/Floodplain Protection Ordinance, Somerby Project, Rockaway Road**

Haddix reported that staff had requested a continuation of the public hearing until May 2, but there was an agenda item to cancel the meeting.

Imker asked if there was a timing requirement on the public hearing. City Attorney Ted Meeker said the public hearing needed to be re-advertised, so Council should continue it until the first meeting in May.

Imker moved to continue the agenda item until the first meeting in May. Learnard seconded. Motion carried unanimously.

New Agenda Items

04-13-03 Public Hearing – Consider Step One Annexation Application for Bradshaw Tracts, SR 54 East

Planning and Zoning Administrator David Rast gave Council a brief introduction to the property, noting the 28.3 acres on SR 54 East was composed of two tracts, a 14.1-acre tract and a 14.2-acre tract. The land use for the property in unincorporated Fayette County was designated low-density residential (one to two units per acre), and it was zoned Agricultural Residential (A-R).

The public hearing opened.

Jerry Peterson, Peterson Planning, represented the applicant, Bradshaw Family, LLLP. Peterson noted the property had been in the family for several generations. Peterson said that he felt it was a mistake to look at just the property to the south in that area, saying Council should look at the bigger picture. The Bradshaw tract was completely undeveloped, which provided an opportunity to do something that was more like Peachtree City in appearance than the developed properties that had requested annexation. There had been some additional planning since the Step One application was submitted, although the purpose of Step Two was to present a more definite plan. The plan included the long proposed Northeast Collector, which would run from SR 54 along the northeast side of the City to connect to Dogwood Trail via Sims Road. Some of the neighborhoods there had already built parts of it or allowed it to go through. The plan had been to use Sumner Road in this area to connect with SR 54. The residents on Sumner Road had never liked that plan. By annexing this property, there was the option for the road to come out to another median cut by the medical building. The collector would give access to parcels rather than having several curb cuts along the highway, giving the area one nice entrance, which was similar to the most of Peachtree City.

Peterson pointed out that the plan included two small retail tracts on each tract, with frontage on SR 54. They asked Council to consider Office Institutional (OI) on the area backing up to Sumner Road. The north side, approximately half of the acreage, would be Limited Use Residential (LUR), saying the owner was looking at a development similar to Saranac, Honeysuckle Ridge, or North Cove. People were looking for larger houses on small lots, and Peterson said the area would fit that trend well. They wanted the opportunity to work with staff to develop the plan, and to work with the other parcels interested in annexation. He suggested Council consider connecting the existing businesses, possibly through the parking lots so people did not have to get on the highway to go from one business to another. There was an opportunity to come up with a big picture for the area, rather than a lot of little pieces.

No one else spoke for or against the annexation. The public hearing closed.

Haddix said he had spoken with Scott Bradshaw about the proposed annexation. Haddix had no problem bringing the property in as Agricultural Reserve (AR), which was the equivalent of the County's A-R, but he did not want to bring it in without a site plan and a use. He could not support more commercial property.

Imker said the frontage property might be good for a hotel, with Pinewood Studios a few miles north. He wanted to understand the potential costs and staff effort to the City if the Step One annexation were approved. He asked if it would be a pencil whip or hundreds of hours.

Rast said it would depend. Until a formal application was received and there was a workshop with the Planning Commission, it was difficult to say. It would definitely take some time. The Step Two application would be turned in soon for the seven-acre tracts. Staff had not contacted the other property owners yet. Staff would like to develop a master plan for the entire area, but that would definitely take time.

Imker asked Rast if it would overburden his staff or was it a routine part of the job. Rast said that, with the Step Two application, there was an application fee and a cost per acre that was designed to offset the cost of staff time. This was not a large tract of land, and he did not see staff being as involved as The Gates 70-acre annexation, especially since the other tracts in the area that were already developed. Those tracts would be compared with the City's ordinances to develop an overlay, bringing the properties up to City standards.

Dienhart asked Rast when he would talk to the remaining owners, adding he did not want to see the area annexed in piecemeal. He liked the idea of a master plan and direction for the area.

City Manager Jim Pennington said that with the Step One and Step Two application process, staff was not allowed to contact property owners about annexation. So there was not a master plan on where the City was going. The City was in a reactive mode, and it needed to get out of that. He continued that this was a significant issue that had come up, and there would be more to come. There were some minimalistic calculations on the proposed annexation since there were no development plans. It would probably be positive for the City.

Learnard asked what was needed. Pennington said he and Haddix had discussed the issue several times. The question was whether there were growth boundaries for the City, and there were only questions. There was a good idea of the boundaries on the west and a definite boundary to the north. They needed to look on the east and south sides of the City and determine those boundaries. Staff felt it was time to put together a long-range projection, and bring it to Council. They would look at growth boundaries and all the elements that went along with them. He was talking about controlling the environment that affected the City.

Haddix said annexing the property now was putting the cart before the horse. He could not support the Step One request without a site plan, which was the reason he was encouraging an agricultural zoning. It would allow the City to do the planning. There needed to be a future land use map. If the City had that, Council would know what was wanted for the area.

Pennington said annexing the Bradshaw property without a plan would be fine because it was open land and was controllable. It was a holding pattern. This was also an opportunity to work on something that would fit.

Haddix noted that Bradshaw told him it would be at least three years before anything would be done with the property, which was not an argument for annexation.

Peterson said that was why the latest drawing had been done, to give the City a better idea of what they were thinking. It would not be all commercial. The Phase Two application was the time to work out the details and a more definitive plan. Haddix said that proved his point; they wanted the zoning with no site plan. Council had never considered annexation without a site

plan. Peterson reiterated that was what the second phase of the annexation process was for, and there was not a detailed plan of what the buildings would look like.

Dienhart said there seemed to be a road block between what the Mayor expected and what the applicant wanted to provide, asking Peterson what they intended to do for Step Two. Peterson said they wanted to work with staff, adding they could work on some details for the residential component, but they could not work on the commercial without knowing what would be going in. The City's ordinances and site plan review took over from there. It was the same with the office building.

Haddix said that was his problem. They wanted the City to give them a blank check/blackboard, and he did not support commercial zoning at all. Peterson pointed out the acreage along the four-lane highway was not good for residential, and there was already a lot of office space in the City. Haddix said, based on his conversation with Bradshaw, it would be a minimum of three years before Bradshaw had any idea. Dienhart asked Peterson if Bradshaw had given him a timeline. Peterson said there had been discussions on a timeline. Dienhart agreed no one would want to live on the highway, so they needed to find the right use for the land. Haddix agreed. He would rather have office than anything.

Haddix reopened the public hearing.

Debbie Yutko asked why Council would consider bringing in more commercial property when there was a lot of empty commercial space. She was not against annexation, but it should bring something to the City. Dienhart said the City wanted control over the land so apartments or higher density projects were not developed. With annexation, the City had input into what would go there. Haddix said that was why bringing the property in as AG would be good, because the sewer, cart paths, and other infrastructure would be ready to go when the applicant was ready to develop the property.

Learnard said, given the timeframe, they needed to get the Land Use Plan for the area underway since there was no sense of urgency. She would have preferred discussing agenda item 04-13-09 prior to this item. Haddix agreed.

Imker asked if the applicant would have to wait six months before applying again if Council denied the Step One request. Meeker said there was not a waiting period since it was not a zoning application. Imker said he did not see the urgency in annexing the tracts, and he wanted more information about the remaining property in the area. He agreed with Haddix that the property should come in as AG along with the bordering properties.

Haddix clarified that Council seemed to agree that they wanted the property in the City, but wanted to bring it in properly.

Imker added that he wanted to hear from the citizens that bordered the property as well, because if there were major complaints about the plan, he would support the citizens.

Pennington said staff was not opposed to the annexation, but felt it was more important to look at the bigger picture.

Steve Doyle questioned the need for the proposed connector road, saying it would be another West Bypass. It seemed only Bradshaw would benefit from the road. While his subdivision was not technically part of the Smokerise subdivision, the road would separate his neighborhood

from Smokerise, which was where his children played. He supported a residential use for the property, and he did not want a road going through his backyard.

Dienhart said another advantage to annexation was the property would be developed to the City's standards, rather than the County's, which were not as stringent.

The public hearing closed again.

Imker moved to deny the Step One annexation application. Dienhart seconded. Motion carried unanimously.

04-13-04 Public Hearing – Consider Variance to Rear Building Setback (401 Cimarron Park)

Rast said the variance was for a tract of land in Planterra Ridge, pointing out that the Bishops' property now backed up to Lake McIntosh. The applicants wanted to extend their deck five feet into the rear building setback. When lots closest to the future lake were built, they had to account for the flood elevation of the lake. They were required to raise the building so the lowest finished floor was three feet out of the floodplain. There was also drainage easement across the property. The floodplain area of the lot was not developable. No structures were allowed, and activities were limited in the floodplain. The lot also abutted City greenbelt and the cart path. There was a 30-foot rear building setback. The existing deck on the rear of the home extended to the rear setback, and nothing encroached into the floodplain. The applicant wanted to extend the deck along the rear of the house, approximately 37 feet, and extend the deck 16 feet from the house, which would encroach five feet into the rear building setback.

Rast said staff (Planning and Engineering) had looked at the plans. The applicant's plans were approved by the Planterra Ridge Homeowners Association (HOA), as well as the Fayette County Water Department and the Fayette County Board of Commissioners, both of which had given the applicant permission to encroach into the floodplain.

Rast continued that there were specific criteria considered for variances, including the impact on adjoining properties. Staff looked at the adjoining properties, and only one homeowner could see the rear of the house. That property owner had written a letter of support for the variance request. Staff recommended three conditions for approval:

1. *The variance shall be limited to an encroachment of no more than five (5) feet into the rear building setback. There shall be no additional encroachments permitted without first securing additional variances.*
2. *The Applicant shall provide an updated Foundation Survey identifying the exact location of the home as part of the Building Permit process.*
3. *Following completion of construction and prior to issuance of the Certificate of Occupancy, the Applicant shall provide a revised Foundation Survey identifying the location of the new deck. The purpose of this survey is to ensure the new construction does not encroach any further into the building setback than permitted by this variance.*

Rast introduced Alvin Isbell, the builder representing the applicants, who were also attending.

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

Imker asked if a variance would be necessary if the deck was cantilevered. Rast said that the height qualified the deck as a structure, whether or not it was cantilevered. Imker asked if similar

variances had been approved. Rast said the requests that had been approved were for properties that had abutted the greenbelt or open space, with no impact to the adjoining property owners. Imker asked if approval of the variance created a precedent. Meeker said it would, adding that Council had already set precedent with other variances that had been approved. Meeker asked City Engineer Dave Borkowski if there needed to be a variance for watershed protection. Borkowski said no. Meeker had questions about how far the Fayette County easement extended.

Steve Brown, chairman of the Fayette County Board of Commissioners and a member of the Water Committee, said when the plans for the lake were drawn, there had been an abundance of caution. He continued that the committee felt the easements were overkill and unanimously approved the encroachment request. Brown said the building setbacks were more the issue.

Learnard said an extra five feet into the building setback would make the deck stand out. Only one neighbor would be affected, and that neighbor sent a letter of support. The County and the Water Committee had also approved the encroachment, and Rast had done another great job in helping Council understand the criteria. Learnard said she could support the variance request, adding that any decisions on variances set up precedent.

Haddix said there appeared to be room to do the deck another way, without going into the setback. Isbell said, per Haddix's suggestion, there was an area where the deck would only be 10 feet wide. Haddix said he wanted to examine extending the deck in either direction. Isbell said a 10-foot wide elongated deck would not look right.

Dienhart said he had no objection and saw no reason to deny the variance, especially with no objections from the County.

Geoff Bishop said there were bedrooms on the left and right ends of the home. It did not make sense to put a deck by a bedroom. With the extension as planned, the doors to the deck would open from the dining room and living room.

Learnard moved to approve the variance to rear building setback at 401 Cimarron Park. Imker seconded. Motion carried unanimously.

04-13-05 Consider RFP for Public Safety Assessment

Haddix noted there was an additional document on the dais – the staff memo on the recommendation. Pennington said the request for proposal (RFP) for an assessment of the Fire and Police Departments had been sent to 20 companies, and seven had returned proposals. Staff recommended Council approve the proposal from Matrix Consulting Group for \$65,000. The cost proposals had ranged in price from \$49,900 to \$119,464. Pennington continued that methodology was the key ingredient, not cost. Staff had checked Matrix's references, and they were superb. He recommended proceeding with the assessment as soon as possible.

Learnard asked what an operational efficiency analysis included. Pennington said they would collect data, hold on-site visits, and in-depth interviews, as well as examine the departments' internal cultures. He said the City needed to know if it was on the right track. There were some issues that needed to be put to rest. Staff was most interested in the interviews, which would be conducted by someone with no affiliation with the City. The assessment would also provide an objective opinion.

Learnard asked when the study would begin and how long it would take. Pennington said it would take 16 weeks, and he hoped it would start in two to three weeks.

Dienhart asked if Matrix had dealt with the difficulties the City had. Pennington said they had, and with more difficult situations. Dienhart said he did not care if Council liked their report; he only cared if they could solve the City's problems.

Haddix said the assessment would be good for Fire and Police, as well as Council and the public. He had no opposition.

Imker said \$65,000 was too much money, and he did not like the title, Organization and Operation Efficiency Analysis. He felt the effort belonged in Human Resources. There had been a leadership failure, not an organizational inefficiency. Both departments had received accolades for their organizational efficiency. This was a human resources problem. The City did not need to spend that much money to hear good things about the fire and police departments. An analysis was needed of the internal workings and how people thought.

Pennington said the City's Human Resources Department did not have the ability or the time to perform an in-depth analysis of this type. Imker said he would rather scale the cost back to \$5,000 or \$10,000. The City already knew the problem was leadership. They needed to look at those issues, not operations.

Dienhart agreed that there had been a leadership failure, but the assessment would also help the City find out if the departments were the right size, which was a bonus on top of what they were looking for. He was not sure the expertise was available in-house for such a study. Pennington said the two departments had a combined \$12 million operation. The assessment would be a good procedure.

Learnard said she firmly believed in hiring experts, and the City Manager was smart enough to know when to call in the experts, adding a comprehensive look at the organizational structure, training, and leadership could also find efficiencies in excess of \$65,000. The money was a good investment and was the right thing to do.

Haddix said he had no bias on the subject. If the assessment said everything was being done right, that was fine. The public needed to hear that. He supported the cost of the study. Imker said he supported the intent of the assessment, but not the price tag.

Pennington said he was not trying to argue, but he had worked as a consultant, and he would not do such an assessment for \$10,000.

Learnard moved to approve the RFP for the public safety assessment. Dienhart seconded. Motion carried 3 – 1 (Imker).

04-13-06 Consider Phase 2 of Citywide Computer System Installation

Financial Services Director Paul Salvatore gave a brief history of the computer upgrade, saying things were running a little behind schedule, and Phases 2 and 3 had been combined. They were ready to move forward, and all the equipment was priced either at or below the state's contract pricing. For budgeting purposes, the cost had been spread over two fiscal years. Operationally, it could not all be done in one fiscal year. Ryan Wilson from VC3 was available to answer questions.

Dienhart asked if there was a target date for completion, asking if the schedule was reasonable and executable. Salvatore said it was, and staff would work closely with the project manager. Staff expected things to move rapidly, adding there had been some failures that needed to be taken care of. He continued that the phone system would be bid separately. The phone and

computer system were tied together, so VC3 would work closely with staff to develop an appropriate RFP.

Dienhart asked if the project manager would be on-site. Wilson said it would be a combination of remote and on-site management. Dienhart asked, if the project ran behind schedule, if VC3 would bring more people on site. Wilson said they would, saying they would be working directly with staff. Dienhart asked if the project manager had the ability to make decisions that could incur additional costs. Wilson said she did.

Imker asked what the City was buying. Wilson said an assessment had been completed. The work included installing wireless in multiple locations, upgrades to the network infrastructure for all locations, an upgrade to the switching infrastructure, connectivity, and adding an additional 65 thin clients to replace desktops and laptops identified in the original assessment. It was up to staff where the work would start, but his recommendation was to replace the remaining computers with thin clients first.

Salvatore noted that, during Phase 1, 15 servers were replaced by three servers, and some thin clients were rolled out for testing. Salvatore said the typical thin client cost \$500 – \$800 compared to \$2,200 for a personal computer. Wilson added that the life span of a thin client was an average of seven years compared to the typical computer with a life span of three years that could be pushed to five years.

Learnard moved to approve a work order with VC3 to proceed with Phase 2 in the amount of \$312,276.61. Dienhart seconded. Motion carried unanimously.

04-13-07 Consider Proposed Changes to USA Pools Contract

Recreation Supervisor Cajen Rhodes noted that staff had been challenged to save money on operating costs. As a result, Recreation staff met with USA Pools to try to reduce pool costs. USA had agreed to take over purchasing the chlorine and chemicals for Glenloch and Kedron pools. Also, the hours at Glenloch had been analyzed, and staff recommended reducing the hours of operation at the Glenloch pool. The USA Pools contract currently cost \$249,024, and the Recreation Department budgeted \$19,700 annually for chlorine and pool chemicals. The savings included the money budgeted annually for chlorine and chemicals that the City would not budget for, and there would be a decrease in the USA Pools payments of over \$3,000 based on the reduced hours of operation at the Glenloch pool. For FY 2013, the savings was a little over \$16,000, and the savings for FY 2014 would be just under \$23,000.

Learnard thanked Rhodes for saving the money. Dienhart agreed.

Learnard moved to approve amending the contract with USA Pools as discussed. Rhodes noted the current agreement with USA Pools expired on December 31, 2014. He asked Council to include three one-year options for renewal of the contract. The contract could still be cancelled with 30 days written notice by either party.

Learnard retracted her motion, then moved to adopt the amendments to the USA Pools contract as recommended by City staff. Imker seconded. Motion carried unanimously.

04-13-08 Consider Cancelling May 2 & May 16 Meetings and Holding Meeting on May 9

Imker said staff would be working on the FY 2014 budget during May in preparation for the June workshops, and he would like to relieve them of the second meeting in May. He recommended

holding one meeting on May 9. If something came up, then a special called meeting could be held.

Imker moved to cancel the May 2 and May 16 meetings and to hold one meeting on May 9. Learnard seconded. Motion carried unanimously.

04-13-09 Discuss/Guidance for Future Land Use Planning

Haddix noted the agenda item was added at his request, and he read the following statement:

Our lack of a Future Land Use Plan for property surrounding Peachtree City has been a concern to me for years. It is one component of our needed but nonexistent Comprehensive Strategic Plan for Peachtree City. I am very aware of the rezoning and the types of construction the County has allowed on our borders. Recent events have moved the requirement for a Future Land Use Plan to the top of our needs list for me.

I am not saying we need to be out there annexing everything in sight. I still adhere to the idea we annex to fulfill a real need in a controlled manner, not to just grow.

So why then, do we need a plan for annexing property? I will elaborate.

One of the Agenda Items for tonight is a Step One Annexation request by Scott Bradshaw. That has resulted in an email from Commission Chairman Steve Brown expressing concerns. That does not mean they would object, but it raises the question of what if they ever did object to any annexation.

As a Georgia Annexation Arbitrator I know what it takes to file a valid objection, what the Arbitrators would look at and how they would approach a judgment. One set of documents they would study are the Fayette County Future Land Use Map and the Peachtree City Future Land Use Map for annexed property, which Peachtree City does not have. That is a mistake that must be remedied.

Then there are the concerns of property owners in Peachtree City along and near 54, 74 and the area in between over property development. They are concerned over what the County has wanted to do in the past and will want to do in the future. They are concerned over what developers want to build.

There is also the very real issue of Fayetteville seeking to annex over 1,000 acres to bring the studio into Fayetteville. That is a major jump of their city limits west toward Peachtree City. It is a dramatic change to the nature of Fayette County and a huge impact on Peachtree City.

But, it does not end there. Another block of land, extending to include the Fayetteville West Bypass area, has approved plans by the County for about 2,000 new homes and a lot of retail development. The plan by Fayetteville, at that time, was to annex this into Fayetteville as well.

Then there is the property between the West Bypass and Peachtree City that is developing. Where will Fayetteville stop?

For those who doubt this is a real concern, before 2008 Fayetteville was actively growing its boundaries. Look at the map of Fayetteville and you will see the corridor growth along 54 toward Peachtree City. That was stopped by the economic issues of 2008.

When Fayetteville's sewer capacity was almost to maximum they expanded their capacity for even more growth. Having talked to the engineer who designed the extra capacity and to WASA, Fayetteville has about 4 million gallons a day of unused capacity. That is comparable to WASA's excess capacity, but existing in a city less than half the size of Peachtree City.

There are a lot of reasons to be concerned about Fayetteville's growth and plans. But to make it clear, I am talking about Fayetteville, not just today, but under future Councils. We have seen the push on the past Councils, see what this Council wants to annex to date and have no idea what future Councils will want. So we must be ready.

Then there is the growth in the unincorporated County. It is happening and cannot be ignored. A simple reality is Counties were not intended to build into and function like cities. When the growth hits a certain level in an area, it either becomes its own City or is annexed by an adjoining City. In the extreme the County and City merge into one government with the County having very limited power. The County does not control annexation, the Cities do.

The realities and choices we are facing were not anticipated in the past, but the questions are very real today. What is the 74 corridor going to look like in the future? Who is going to control the 54 corridor? Will it develop to County, Fayetteville or Peachtree City standards? Where are the City Limits of Fayetteville and Peachtree City going to be? Will there even be any unincorporated County in the future along 54?

I do not have the answers, but this is a conversation that has to take place. Part of that conversation is establishing a Future Land Use Plan for properties surrounding Peachtree City. I firmly believe it will provide not only the opinions and feelings of Peachtree City residents, but those in at least the immediately surrounding unincorporated areas. Indeed some have already expressed a desire to become part of Peachtree City, not liking what the County has done and not wanting to be part of Fayetteville.

There are more questions than answers at this time. We need to get some answers.

I brought this up to the City Manager in the past, to which he said he was already thinking about it. When I added it as an Agenda Item to move it forward, he said Staff was already discussing it. So, we independently are on the same page, which says we need this. With that said the City Manager has his own comments he wishes to add.

Pennington said Haddix had elaborated on staff's concerns. He was not suggesting the City annex all the land around the City, but the possibility of how to control the City's borders to the east and south. The areas just outside the City impacted the City's environment. The City should be able to control the areas just outside its borders so the City did not denigrate. Annexation had not been addressed by the City from a comprehensive planning standpoint. The City was usually forced to react to an application, then research. The research and planning needed to be done now so the City could respond in the future. Pennington asked for Council's support to have staff move forward and to look at future growth areas, whether there were future growth areas, and whether the City wanted future growth areas. Some work had been done in the past, but they needed to look at it with a fresh set of eyes. He asked for Council guidance.

Learnard said staff had her support.

Pennington said they did not want to change the character of the City, but staff wanted to look at what could be part of the City at some point. The City might be forced into it at some time in the future, but information was needed.

Imker wanted to know the ideal situation, asking whether there should be a 1,000-foot buffer of agricultural in the City, and controlled as such. Pennington said that was something that would be looked at, adding that in January there would be a new Council with different ideas, but a framework was needed so the City could respond to these concerns.

Imker said it sounded like the City wanted its own internal land use plan for the unincorporated County adjacent to the City. He was struggling to see how Council could discuss the issue without the landowners' cooperation. Pennington agreed, noting the annexation process was cumbersome. Staff could not talk to any of the landowners under the current ordinance. The County had excellent maps, so did the City. They needed to put it all together. Imker pointed out that the ground rules could change with the next Council, but at least there would be a starting point.

Haddix said the City was not saying it was going to annex any areas, but if a property owner wanted to be annexed, then the first document to be pulled would be the Future Land Use Plan. Pennington said it would be a controlled growth plan.

Dienhart said the object was not to sprawl out to Fayetteville, but to minimize the effects of sprawl in the long run. Haddix said they would need to look at what the other cities had done

The Council consensus was for staff to proceed with a future Land Use Plan. Imker asked for a timeline. Pennington said it would take three to five months to do it right.

04-13-10 Discuss Proposal from Chicks4PTC to Allow Backyard Hens

Learnard introduced the agenda item, and Julee Smiley of Chicks4PTC, who represented a group of residents who would like the City to allow backyard hens. Smiley's presentation included a proposal for a pilot program. Smiley noted that backyard hens produced fresher, better tasting, and healthier eggs, practiced natural insect control, provided beneficial fertilizer for your garden, provided education and companionship, and enabled residents to embrace local food systems. Roosters were not needed for hens to lay eggs; they were just not fertilized eggs. The eggs purchased in stores were unfertilized.

Smiley continued that chickens were very clean, but occasionally gave themselves "dirt baths," which helped them stay cool and clean. Like all pets, responsible owners were needed to keep their area tidy and clean. Chicken coops needed care, but were very low maintenance. Hens did not need to be groomed, walked, spayed/neutered, or trained. Hen excrement made excellent compost, especially when combine with bedding materials such as shavings, straw, or sawdust.

Hens were one of the quietest domestic animals. Smiley said they clucked softly and sounded much like a mourning dove. Some hens squawked when laying an egg. Smiley added that a hen's squawk had a decibel rating of about 70, while the average human conversation was 60 decibels. A barking dog registered about 75 decibels, and lawn mowers and leaf blowers registered above 100 decibels. Hens roosted and made no noise at night, retreating to their coops by the time the sun went down.

Hens did not attract predators, but foxes, skunks, raccoons, and hawks would eat chickens if they caught them. Smiley pointed out that those same predators would eat cats, rabbits, and

small dogs if given the opportunity. Predators were more likely to be attracted to pet food left outside, adding there were simple methods that could be used to predator-proof a coop.

Smilley addressed whether coops were an eye sore, noting that urban hen owners had coops in their backyard living space, so the coops tended to be well-built and maintained. There would be restrictions in place to limit the location, size, and screening of coops. Smilley said coops were usually no bigger than already permitted accessory structures such as a shed, child's play set, or a gazebo. Smilley added coops varied from the most basic structures to the Taj Mahal. Coops were offered for sale by some retailers, and Pinterest also had ideas for coops.

Smilley continued that Americans kept backyard chickens in cities for centuries, adding that our grandparents' generations routinely kept vegetable gardens and urban chickens. Two generations ago, Americans began to embrace the philosophy that said to replace the old-fashioned with the quick and easy. Because chickens were so low maintenance and cost so little to raise, people viewed them as a status symbol of the uncivilized or uncultured class. An increasing number of high income communities with high standards of living were changing their zoning to allow chickens. Georgia cities that allowed backyard hens included Alpharetta, Atlanta, Decatur, Macon, and Dunwoody. Bonita Springs, Florida; Charleston, South Carolina; Ft. Collins, Colorado; Brooklyn, New York; and Portland, Oregon, also allowed backyard chickens.

Smilley said the success of the Peachtree City's Farmers Market and the Community Garden showed the City's residents valued locally grown food. Science showed that buying locally grown food or growing vegetable and raising hens for eggs reduced the impact on the environment and gave people more control over the quality of food they ate.

The proposed backyard hen program included the following:

- A two-year pilot program limited to 25 single-family dwellings;
- Up to five hens allowed; no roosters;
- Hens must be contained within a covered coop and fenced run area;
- Coops must be kept in the backyard and not visible from streets or cart paths;
- Coops must be 25 feet from the rear and side property lines;
- Coops must be kept in a sanitary manner;
- All stored feed must be kept in rodent/predator-proof containers;
- Residents in gated or deed-restricted communities would be required to provide written approval of their homeowners' association;
- Rules would be enforced through animal control and zoning;
- Permits of a pilot program participant could be revoked for noncompliance; and
- The program could be re-evaluated at any time.

Haddix said he had grown up on a farm, and he did not like confining animals to small areas. He also pointed out that a farmer would never put a pen close to their house, adding chickens could tear up a yard. Smilley said the smaller coops were not designed for five hens. For most, two to three hens would probably be enough. Smilley said they would recommend moving the coop every few days. She added that backyard chickens were also more pet-like.

Dienhart said the feedback he had gotten from residents was they either supported the program or they did not, nothing in between. He asked if there was a list of possible participants. Smilley said she had a petition with over 300 signatures, pointing out that some who signed the petition supported the program, but were not interested in keeping chickens. Dienhart suggested limiting the program to three hens and 15 families, adding Council had to consider everyone's needs. He would like to minimize the pilot program.

Learnard asked what lot size was being considered. Smilley said 10,000 square feet was allowed in some cities, although one-fourth acre seemed small to her. She added if the pilot program was allowed with 15 families, they would be happy with that. They wanted to show the value of backyard hens. If Council decided against the pilot program, then she was done with it.

Smilley added that she had a group of people interested in marshaling the program, ensuring everyone was in compliance. There would be a committee that would select the program participants. One of the ideas was for a coop tour. Another idea was to involve the shop classes at McIntosh and Starr's Mill high schools in building coops, saying it would help control the quality of them.

Learnard said she was concerned about staff time for the program, adding there was not time for staff to run the program. Smilley said there was a group of residents willing to run and police the pilot program. She had researched some information on complaints about chickens, and found some data from Portland, Ore., adding they changed their ordinances to allow chickens without a pilot program. In a two-year period, there were 40,000 animal control complaints in, and only six of those were about chickens, and only two of the complaints were found to be creditable.

Haddix said it was incredibly easy to damage chicken wire, which could be an issue when moving a coop around a yard. He was also concerned about enforcement and the impact on stormwater from the chicken excrement. He opened the floor for comments from the public.

Twila Dove noted she lived in the unincorporated County, and she had a lot of chickens. She said, if the coops were cleaned everyday, there would not be a smell. There was usually an area where they liked to dig, but that could be fixed by paddocking them off and moving them to different areas. The key to odor was taking care of the chickens. There had to be enough space to take care of chickens adequately.

Jerry Peterson said allowing chickens would be a big mistake. They did smell, and they did attract rodents and predators. They were noisy, and the coops could be a visual problem. The study sounded good, but 20 people could be handpicked for a pilot. The problem was when it was opened to 100 or 1,000. He asked who would inspect the areas and tell people to get rid of their chickens if they did not comply with the rules. The study was too limited. People who wanted chickens should buy a farm, or enough acreage to have them. It was not fair to neighbors.

Linda Sue Allman said she had five hens she had raised as pets, and no one had known they had them until they moved and had to give them away. They had followed federal regulations for space, and they stayed in the coop unless she took them out to pet them. There was no smell; they used sawdust once a week.

Robert Hamlin said he had raised chickens on and off, but he did not raise them as pets, and it had always been in unincorporated areas. The smell could be kept down, and he recommended Council consider lots of two acres or more so there would be enough room to move the coops around.

Scott Larsen told Council his neighborhood had small lots, and chickens could be noisy. He was president of an HOA in a subdivision without deed restrictions, so there were concerns. There had to be standards, and there had to be enforcement of the standards. Haddix said it would depend on the covenants and bylaws of the HOA. Larsen said the covenants had expired.

Tricia Stearns said she had a small yard, but it would be wonderful to try to have backyard hens. It could be a divisive issue. The program could be self-monitored and the ordinance structured as those for the Community Garden and Farmers Market. The group could monitor itself, adding that those who did not follow the rules of the Community Garden were out. Haddix asked Stearns what she thought of having a community chicken area at the Community Garden. Stearns said Suwanee had a common chicken house. She had concerns about the chickens being at the Community Garden at night with no people around. She was definitely interested in trying it. People would have to sign up and agree to abide by the rules. There was always a reason to say no, but the community needed to look at ways to say yes.

Dienhart said he could see moving forward with 15 families in the pilot program, including a community coop at the Community Garden. He continued that lot size needed to be addressed, and he liked the idea of having the McIntosh and Starr's Mill classes building the houses. The program needed tight controls.

Learnard noted that the Dog Park Committee took care of the Dog Park, asking what would happen to the Dog Park if the committee people got tired. Fayette County Commission Chairman Steve Brown, a member of the Dog Park Committee, said there were no intentions on the committee's part to stop its work. If it happened, they would probably give the park over to the City.

Learnard said she wanted to know more about the pilot programs. Smiley said, based on her research, except for Bonita Springs, Fla., the cities had just changed their ordinances. Learnard said Council could not do anything without looking at those ordinances to see what was required. Learnard said she would work with Smiley so staff would not have to use their time. She clarified that Council was not going to vote on a pilot program at this meeting; the agenda item was for discussion only.

Josh Bloom said he had moved to Peachtree City from Portland, where he lived on a half-acre lot. His neighbors had five or six chickens. He had not known his neighbor had chickens for the first couple of years they lived there, adding Portland also had an ordinance against slaughtering.

Mary Giles said her brother had lived here, then had moved up north. He had two hens and a coop now. She asked him his opinion, and he told her he did not think chickens should be allowed in Peachtree City. Giles did not see a correlation between having a community garden and a farmers market to having chickens in the backyard.

Mark Ott said his neighbor's dog barked constantly, and he put up with it. He was not going to let chickens tear up his yard and devalue his home, and he did not think others would. He asked Council to have an open mind and give the pilot program a chance. If it failed, it failed.

Bonnie Helander said she loved the idea of keeping chickens, but she probably would not. It was, however, an opportunity for the City to be on the cutting edge with the pilot program.

Haddix said he did not know which way to go, but the thing that was clear was they were talking about a 20-foot by 10-foot backyard. He wanted staff to look into the issue, and he wanted feedback from the residents as a whole. He would rather have the research done up front before approving a pilot program. The City would not be doing its due diligence by not doing it properly. Council needed an independent study from staff.

Learnard said she had not heard a definite no from Council. The learning process needed to continue. She was willing to spend time on the issue and work with Smilley to help minimize staff time. Haddix said staff should do the research. Everyone could contribute; this was staff's job, not Council's.

Iris Salzman said she had friends who lived next door to backyard hens, and they were not happy about it. She did not want chickens living next door to her, and she lived on an acre. She understood the benefits, but she did not want to be subjected to chickens. She loved all that Peachtree City represented.

Haddix asked Imker if he had an opinion, noting he been quiet during the discussion.

Imker said he could not believe that almost an hour had just been wasted on chickens. He wanted staff to spend minimal time on this issue, and it should be the lowest of priorities. Spending an hour discussing them was ridiculous. He was not opposed to backyard hens, but it had to be gauged. If he heard one complaint during the pilot, then it was over.

Learnard reiterated that she would help with any research to minimize staff time, and Dienhart agreed, saying he was willing to help with some research. Haddix said the research needed had to be solid data, not opinions, to convince him. Haddix directed staff to proceed.

Imker cautioned staff to make the research their lowest priority since they were working on the FY 2014 budget and safety issues. He would be very upset if staff put anything aside to work on an ordinance for chickens. Haddix said there would be no time restraints, and staff had been given guidance from Council.

Ann Hayes told Imker she saw his anger. This was an important issue to her, her family, and to some of her neighbors. It was a high priority to her. It was not her choice for her neighbors to have cats or dogs, nor was it something she could control. If she had chickens and did not disturb the neighbors, then she did not understand why the City did not give them a chance. They could provide the information Council needed. If Council did not like what was happening in the pilot program, then they could shut it down.

Rhonda Pennypacker said the proposal was for a pilot program that could be nixed at any time. Bigger cities were allowing chickens without a pilot program. The City was at a crux. There were lots of young families that wanted this program. There were 15 more people she knew that could not attend this meeting. Her family wanted to do this, and they did not want to leave the City. This might affect young families that wanted to be in Peachtree City.

Haddix said Council had not given a yes or no on a pilot program. More information had to be collected, and the City Manager would report back to Council. It had to be done in the right way.

A short break was called at 9:52 p.m. The meeting reconvened at 9:58 p.m.

04-13-11 Discuss Countywide Special Purpose Local Option Sales Tax (SPLOST)

Dienhart referred to the proposed SPLOST the County wanted to put before the voters in November. He noted that Commissioner Brown and County Administrator Steve Rapson were attending this meeting because they wanted guidance from the City on whether to include the City in the SPLOST. He said the City could designate where its share of the funds would be used, suggesting it be used on roads and golf carts. This was just like any other SPLOST, and the City could designate how its share would be used. It was not double taxation since the City would not use the money for stormwater.

Imker said the SPLOST would be an additional one-cent tax for two years, which would generate \$6.7 million for the City each year for two years, which was double the City's current sales tax revenue. Sales tax revenue was a quarter of the City's budget. The City received \$10.5 million from the 2005 County Transportation SPLOST (collected between 2006 and 2010). The City could receive \$6.7 million each year from this SPLOST based on its population. The 2005 SPLOST had been based on the needs of the County.

Imker continued the Council would be able to direct the potential windfall to something that was useful to the City. The City was hurting for funds for road and golf cart maintenance, which averaged \$1.5 million each year. He did not want to go on a wild spending binge, but Council needed to propose to the citizens how the money would be spent. The City could use the SPLOST funds for road and cart path maintenance for the next eight years. Hopefully, the fair market value of real estate in the City would increase during that eight years, and a SPLOST could no longer be needed. Another option was to use a portion of the funds for the maintenance, and the rest to build the new paths residents wanted. He was trying to find a flaw with the SPLOST. Personally, the additional one cent would cost him \$200 a year, assuming his family purchased \$30,000 of taxable items in Fayette County. The City's share of the SPLOST was equivalent to a tax increase of 3.75 mils (\$365 additional in taxes per year). The County residents would not be the only ones paying the tax; everyone coming into the County would pay for it. It would be an almost two for one payback. It would help secure the City's future.

Dienhart agreed, saying it would be a two-year tax that would impact the City for the next eight to 10 years. The project list would be tightly controlled. There was no down side to it.

Imker said it would also give Council the option to lower the millage rate. He asked if Council would support the SPLOST or not. They could work on the list during the next few months. The tax would begin in 2014 and run through 2016. Learnard agreed.

Haddix said he would not get bogged down in an argument on something ultimately decided by the voters. This would be his second SPLOST proposals, with all the same arguments, noting the voters shot down a County SPLOST in 2009 because it was another tax increase. He opposed any new taxes until a comprehensive strategic plan was in place, and the City had a better fiscal situation.

Imker said there had been two other County SPLOSTs, in 2005 and 2009. The two-year payoff was three times the value of those, so that was why he supported it. The City's citizens trusted their governing body to not spend the funds irresponsibly.

Haddix said all the entities would have their list of projects to spend the SPLOST funds on. The voters voted the entire list up or down. All succeeded, or all failed.

Steve Brown said there was a desperate need for funding in the County for stormwater. Stormwater infrastructure had been deferred. There was corrugated metal pipe 40 – 50 years old that was collapsing. The County needed \$15 million for stormwater maintenance and repair. They held three public hearings, and there were many who wanted to look at a SPLOST. It was not as big of an issue for Peachtree City, since the rates just increased. The County considered it a core infrastructure SPLOST for two years, not a 10-year SPLOST. Tyrone and Fayetteville also had infrastructure issues, and funds were needed desperately for those projects. The County recently lost a road in a subdivision that was the only way in and out of the neighborhood. This scenario would happen over and over again. There would be many economic opportunities for the County with the opening of Pinewood Studios. The better the County's infrastructure, the better the County could take advantage of those opportunities.

Imker referred to the regional transportation SPLOST that was defeated by the voters in 2012, saying the proposed 10-year transportation SPLOST had not seemed fair. The City would use its share of this SPLOST for its own projects, not the County's or Tyrone's.

Haddix clarified that the County's 2009 SPLOST was not the regional transportation SPLOST. Everyone in the County was paying for the other. Every one cent would be chopped into six pieces. Brown said the division of the proposed SPLOST would be very favorable to the municipalities compared to the SPLOSTs in the past.

The majority consensus was for staff to move forward and to come up with a list. Haddix also gave instruction to the City Manager to develop a list, although he would not support the proposed SPLOST.

04-13-12 Discuss Traffic Conditions on GA 54 West

Dienhart noted there were five lights in an area that was one and one-half miles long, and it was a choke point. The lights were already fiber-linked, so if the timing would not get any better. It was a primary artery to I-85, and it was always congested. People seeking alternate routes were choking off local businesses. Additional traffic control would further congest the area, and the congestion had two side effects – people shopped elsewhere, and people moved elsewhere.

There was a current proposal from a developer for a sixth light. Dienhart proposed Council work with the Georgia Department of Transportation (GDOT) on the problems in the area, asking Council to commit to not allowing a light at SR 54 and Line Creek. He also proposed asking GDOT to close the median at SR 54 and Line Creek. Right turns only would be allowed on both sides of the highway. In addition, Dienhart said Council needed to commit to no cut-through from an access road into Planterra Ridge.

Dienhart said there were limited options as to what the City could do on a state highway. Those options were for Council to commit to no light at SR 54/Line Creek and the permanent fix of closing the median at SR 54/Line Creek. The closure would limit traffic flow to right turns only, and the in and out traffic pattern would still allow shoppers to reach their destination without adding additional minutes stopped at traffic lights.

As for the residents of Planterra Ridge and Cardiff Park, the latest plans for Line Creek commercial area included a cut through from the commercial area to Planterra Way. The residents in the area were already upset over the cliff behind the RaceTrac™. A curb cut through to this area would make the entrance into one of the largest neighborhoods in the City almost impossible. Dienhart said citizens in the area told him previous Councils had promised no such curb cuts.

Dienhart continued that this Council did not create the situation, but it could show leadership and pledge to "do no harm." Council could manage the situation better than the current proposal. Council had to take into account what was best for the City. Worsening the City's primary traffic chokepoint was not best for business or residents.

Haddix thanked Dienhart for his presentation, adding that in 2009, Dienhart had chastised him for not backing a traffic light at that intersection. He also had said no to the connection to Planterra. A traffic light would be a disaster, and GDOT had granted a permit for a light. Shortly after Haddix became mayor, GDOT asked if the City still wanted the signal permit, and Haddix told GDOT to cancel the permit. Haddix said the median should be closed, there should never be a traffic light, and there should be no connection to Planterra Way.

Imker asked what the legal rights of the property owner were and whether the property owner could ask GDOT for the light at Line Creek themselves.

Meeker said the light was ultimately GDOT's decision. He did not think a developer could ask for the light without support from the City. Imker asked if the City could be sued if the median were closed. Meeker said it was a GDOT decision whether the City advocated for the light or not. He added that Borkowski confirmed an application for a signal had to be submitted by the City. Imker asked what the City's exposure to a lawsuit would be if it asked GDOT to close the median, ending the possibility of a traffic signal at the intersection. Meeker said that was still GDOT's decision, whether the City advocated for the closure or not. Ultimately, it fell back on GDOT. He did not know if the City would be implicated or not.

Dienhart said it was more important to keep the traffic moving. Haddix said the City had no obligation to improve a person's property. The developer bought the property with no light at the intersection, and he wanted the light to enhance the property. Imker said he was just looking out for the City's exposure to lawsuits. Every Council had to have the trust of the citizens.

Haddix said that, in 2009, the developer had gone through the City, and GDOT had permitted the light. It was within the City's power to control the light at the intersection.

Learnard said there was a long list of catastrophes along that road. The current traffic situation needed scrutiny. She was willing to see if GDOT could do anything to help with the traffic situation, and the City had control over the light. She felt the situation could be managed better than the current proposal. Council could show leadership by working toward the best scenario. LAI had shown what could happen if the property were developed as zoned. The City could take a stand, but if the City was going to end up with nothing if the property was developed piecemeal as it was at Lexington Circle. She cautioned Council to be careful about taking a stand before seeing a proposal.

Dienhart said there was a proposal before the Planning Commission, and they wanted a signal at Line Creek. He did not want it to be a bad development, but he did not want to protect the developer. Learnard said it was protecting the citizens, not the developer. Council also had to protect the City from the big fat nothing no one wanted. Council and the citizens had to decide.

Haddix said he was shocked about the granite on that property and the gas station. People had been livid about the proposed development in 2008 and 2009. He did not want to discuss what a good or bad development was, but what to do about the traffic. Closing the median and not allowing the light would dictate how the property was developed, or giving them the light for a better development.

Dienhart said smooth-flowing traffic would allow people to get into the shopping area. He continued that Council needed to give staff direction on contacting GDOT and commit to stopping cut-through traffic to Planterra Way. Learnard said this was not the time to deliver ultimatums. It was time to see what could be done together.

Haddix asked whether Council could agree on whether they wanted the curb cut and the traffic signal. Learnard said Council had control and did not have to lay down an ultimatum and find out no developer could live with the ultimatum, which was how the gas station was built. Dienhart said taking a stand would give the developer clear direction.

Imker said he was concerned about the legal ramifications. The next Council could re-open the median cut. He wanted to see what the developer proposed. He did not ever see supporting a light and a cut-through to Planterra Way. He wanted to see what the developer, Planning Commission, and the residents came up with. To make a decision without all the information was premature.

Dienhart asked to bring the discussion back at the next meeting when the full Council was there.

Council/Staff Topics

Hot Topics Update

Pennington said the Recreation Administration Building would be completed on April 29. The reopening was planned for Friday, June 21. The Visitors Center ribbon-cutting was scheduled on May 14 at 5:30 p.m.

An air quality study had been conducted at City Hall, and Pennington said the building was fine and in good shape.

Imker said he appreciated the sound system, and he wanted to watch the streaming video to see if there was any improvement.

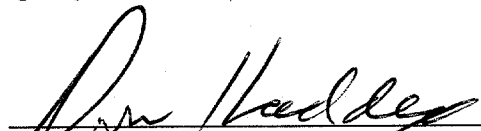
Imker moved to allow the meeting to go past 11:00 p.m. Dienhart seconded. Motion carried unanimously.

Learnard moved to convene in executive session for pending and threatened litigation and personnel at 10:49 p.m. Imker seconded. Motion carried unanimously.

Imker moved to reconvene in regular session at 11:02 p.m. Dienhart seconded. Motion carried unanimously.

There being no further business to discuss, Learnard moved to adjourn the meeting. Dienhart seconded. Motion carried unanimously. The meeting adjourned at 11:03 p.m.


Pamela Dufresne, Deputy City Clerk


Don Haddix, Mayor