

City of Peachtree City
Minutes of Regular Meeting
April 15, 2004
7:00 p.m.

The City Council of Peachtree City met Thursday, April 15, 2004, 7:00 p.m., in the City Hall Council Chambers. Council Members attending were: Mayor Steve Brown, Stuart Kourajian, Steve Rapson, Judi Rutherford, and Murray Weed.

Announcements, Awards, Special Recognition

Mayor Brown read a proclamation for National Library Week. Brown welcomed back Police Corporal Mike Howell to work upon his return from Iraq.

Brown announced that the Council's annual Retreat would be held Friday-Saturday, April 16-17, at the Wyndham in the Fayette A and B room. The Spring Clean-up would be held Saturday-Sunday, May 1-2. May 1 was Community Action Day.

Minutes

Rutherford moved to approve the March 26, 2004, Special Called Meeting minutes as presented. Kourajian seconded. The motion carried 4-0-1 (Rapson).

Rutherford moved to approve the April 1, 2004, Regular Meeting Minutes as amended. Rapson seconded. The motion carried unanimously.

Old Agenda Items

03-04-02 Discuss Traffic Calming Devices in Smokerise Subdivision

Cele Eifert, a resident of Smokerise, addressed Council and asked them to postpone any action on the installation of speed humps on Smokerise Trace due to inadequate public comment. Eifert said the only comments came from 2/3 of Smokerise Plantation homeowners association, which only represented 112 residents. The other two subdivisions made up for more than one-half of the residents, but did not have homeowners associations. She said she used Smokerise Trace at least four times daily.

Eifert continued that she conducted her own study asking what the problem was and had gotten a wide range of views and possible solutions. They ranged from "put speed bumps every five feet" to "no problem." Eifert said she believed another traffic study was needed. She noted that the last traffic study was done in May 2000. Eifert said a public hearing with more advertising was needed. She requested that Council entertain a motion to suspend the construction of the speed humps. She said Council needed more information and she felt there was a better use for the City funds.

Kourajian said that he understood the homeowners association had surveyed the subdivisions. Eifert said the homeowners association had surveyed only the residents of their subdivision, Smokerise Plantation. She said her subdivision did not have a homeowners association and no one had asked her. Kourajian asked if she had received any notification that the homeowners association was pursuing traffic-calming devices.

Eifert said she did not, but that the homeowners association had no obligation to notify her other than out of courtesy because she lived in Smokerise Crossing, not Smokerise Plantation.

City Engineer Troy Besseche told Council the project had been bid out; however, only one bid was turned in and that bid had been considerably over budget. The project had to be re-bid and was approximately two weeks behind schedule. The project had been scheduled to begin in June.

Kourajian asked if the traffic study had incurred any cost for the City. Besseche said no. Rapson asked about the protocol procedures and if they had been followed. He noted that one of the warrants was that 66% of the residents had to be in agreement and asked if the other 130 homes in Smokerise should be contacted. Besseche said that was staff's original contention with David Cree, the homeowner association president, that staff did not feel Smokerise Trace met the warrants. The homeowners association used the ballot system for the vote and two-thirds of ballots returned were in favor of the devices, which in reality did not meet the protocol. Besseche said they polled just Smokerise Plantation, not the entire service area. The homeowners association included the people who lived on Smokerise Trace. The homes on Smokerise Point used Smokerise Trace and those residents were not polled. Besseche said he considered the residents on Smokerise Point as part of the service area.

Rapson said that the intent of the protocol was to include everyone in the service area. Rapson said staff needed to define the service area. Weed agreed that it seemed that Council had abandoned the warrants.

Brown said there was a homeowners association meeting, a quorum was present, and 70% of the association members who attended voted in favor of the traffic-calming devices. He continued that any traffic study beyond 2000 would be worse since there were more homes and more traffic in the area. The matter was discussed at a public meeting and notice was in all the newspapers. People were given adequate notice. As for unnecessary expense, Brown said the devices were considered public safety issues.

Eifert noted that the articles said the matter would be "discussed." She said that Council typically did not vote on items they were to discuss. The word "consider" on an agenda usually meant there would be a vote. She researched the minutes and said the Smokerise traffic calming devices were not listed as a specific item on any other agenda, but the matter had been discussed in conjunction with Golf View and other areas. Eifert continued that she was not sure what the traffic calming devices were supposed to solve. Most of the speeders were people who lived in the area and teenagers. She said Council based their decision on four-year old information, and a lot had changed, for both good and bad.

Christy Dunkelberger, a resident of Smokerise Plantation and the attorney for the homeowners association, said the traffic calming devices were not a new issue and that

the matter had been on the homeowners' agenda for many years. She said the people should not be surprised. As for notification, Dunkelberger said they had talked among the homeowner's association members, which were the only people they could legally discuss the matter with and ask to vote. The other subdivisions in Smokerise were not part of the Smokerise Plantation homeowners association or part of the subdivision.

Brown said the matter had also been discussed at the last Council Retreat.

Kourajian said he wanted to do the right thing. If they had to wait a few weeks to install the devices, then that was fine. He moved to table the matter until Council had better information. There was no second.

Besseche said he had intended to look at the warrants and policy again to present to Council at a May or June meeting. Besseche said he could do another traffic study, and that some of the work had been done by the Police Department. He wanted to get current numbers on volumes and speeds. Staff would also look at accident data. Besseche said the only problematic element from the May 2000 traffic study would be the cut-through information. He said the study had been cumbersome and had taken a great amount of staff time.

Brown said the warrants should be re-examined and that Golf View also had problems with meeting the warrants. He noted that the warrant was 50% cut-through traffic. He said when that stage was reached, the problem had become a crisis. Brown said the service area also needed to be defined.

Rapson said it was easier to define the service area in Smokerise. If the only way to get to a house was to use Smokerise Trace, then it was in the service area. If the service area as defined encompassed all the people, then those additional 130 homes needed to be contacted. The warrant might change, or might not. Rapson was not sure all the right people had been talked to. He said the traffic study did not need to be redone.

Dunkelberger said she was not sure all of the homes off Sumner Road and Smokerise Point were part of the service areas since the access to and from those homes should be from Highway 54. Rapson said those were easier questions to answer and a consensus could be reached. A resident who lived on a dead end road off Smokerise Trace should be part of the service area. Dunkelberger said two homes past the stop sign by the tennis courts were part of the homeowners association. The people who lived up the hill were not part of the survey or part of the homeowners association.

Brown said they also had to consider impacted subdivision vs. those not impacted. The cut-through area was definitely impacted. The cul-de-sacs were shoots off the main road and were not impacted because only the people who lived there drove down the streets. Kourajian added those people were not impacted unless that was their only way in and out.

Kourajian moved to postpone the construction of the traffic-calming devices in Smokerise Plantation pending further study by staff. Rapson seconded.

Rapson asked what was meant by postpone. He said staff should have a month and a half to get the information. Rapson asked staff to get with Smokerise Plantation, Smokerise Crossings, and Smokerise Estates and reach an agreement on the service area. Rapson said the speed humps were tied to public safety and a lower response time for services. When 60% of the people agreed to the traffic-calming devices, they were also agreeing to settle for lower response times. He said that was a key factor making the determination.

Kourajian said the problem did not need to be solved at the meeting. He continued that he would pull the motion if staff gave Council more information. He wanted to do the right thing for the right reason with up-to-date information.

City Manager Bernard McMullen said staff could go back and look at the criteria and see what needed to be revised and what was realistic to be revised. Staff would have to bring the contract for the construction of the devices to Council for approval so Council did not have to approve the contract until they got the information. McMullen said staff would not be able to get a consensus between the subdivisions. Kourajian said he preferred staff come up with some criteria based on what Council could, or should, do.

McMullen said staff would collect the information and bring it back with a recommendation. He noted that staff still had to go through the advertising process again for the bids. Weed said that was fine as long as collecting the information did not interfere with the advertising process. Rapson said if the decision was there were 50 new homes that should be contacted, then the homes should be contacted. If there were 25 responses, then there were 25 people who cared enough to say they cared enough for the speed humps. Rapson said staff had to decide what to do with the people who did not respond. Kourajian withdrew his motion. Rapson withdrew his second.

Police Chief James Murray noted that another consideration was that Smokerise Trace would become a cut-through for Target traffic from Highway 54 to Peachtree Parkway. He said the traffic would increase dramatically, and he wanted to discourage the cut-through traffic.

Brown said Council would look at the protocols and that no action was necessary until the bids were back. Rapson said they would not slow down the project by asking for the information.

03-04-08 Consider Special Events Policy

Brown noted there was an additional document on the dais – an e-mail from the City Manager to Mayor and Council that requested the agenda item be continued.

Rutherford moved to table the Special Events Policy until staff was ready to present it again. Rapson seconded. The motion carried unanimously.

New Agenda Items

04-04-03 Alcohol License – NEW – W.K. Café Braelinn

Applicant Keith Johnston addressed Council. Weed noted that all the paperwork was in order and moved to approve the alcohol beverage license for W.K. Café Braelinn, with Keith Johnston as Licensee and License Representative. Kourajian seconded. The motion carried unanimously.

04-04-04 Consider Intergovernmental Agreement with Development Authority for Funding

McMullen told Council that the Development Authority had requested that the City loan the Authority enough money to pay the premium for its officers and directors liability insurance due on April 30. He reminded Council that the Development Authority no longer received the hotel/motel tax and had no other revenue source to pay for this type of item. Rather than issue a loan because of the unknown status of the debt, staff recommended that the insurance premium be paid directly by the City based on discussions with the City Attorney. McMullen continued that the Development Authority needed funding for administrative and legal support and recommended that Council meet with the Development Authority to work on a new intergovernmental agreement. Brown added that the issue might be discussed during the Council Retreat.

Weed moved to have staff pay the insurance premium due for the Development Authority's directors' liability insurance per the attached request and record same as an additional receivable. Rutherford seconded. Weed noted that the exact amount of the premium was \$4,596. The motion carried 4-01 (Rapson).

04-04-05 Award Contract for Quint Fire Truck

Fire Chief Stony Lohr addressed Council. He said the Fire Service Committee's recommendation was to award the bid to Southern Emergency Products (Central States Fire Apparatus) to replace a 16 year-old apparatus (17 by the time the new engine would arrive) with a new apparatus for \$464,420. The Fire Service Committee included Mayor Brown, Council Member Rutherford, McMullen, Finance Director Paul Salvatore, and Lohr. Lohr added that the recent fire service consultant's report also recommended replacing the apparatus. The bids were received on January 15 and had been extended twice. The recommended bid would expire on May 15.

Weed commended staff and noted that the low bid included 14 additional features that the higher bid did not have.

Rutherford asked if the bid met all the specifications and Lohr said it did. She asked if there were additional things that would be added when the engine arrived or were those items included in the bid. Lohr said more money would be spent, but those funds were part of the budgeted amount.

Rutherford moved to approve the purchase of the Quint for \$464,420 from Southern Emergency Products, and on arrival of the chassis, to make the requested payment to save

\$6,500 and to save \$1,700 when the ladders arrived. Weed seconded. The motion carried unanimously.

04-04-06 Award Contract for Ambulance

Lohr told Council that staff recommended that the bid for a replacement ambulance be awarded to Peach State Ambulance in Tyrone for \$89,500. The Fire Service Committee reviewed the issue and recommended by consensus that Council approve the action. The bids were submitted on January 15 and had been extended twice. Lohr noted that the recommended bids for the replacement ambulance expired on April 25.

Lohr continued that the Fire Department's ambulance committee also recommended the bid. The ambulance would be the same as the three other primary ambulances in the fleet and would save money over its life cycle.

Rutherford noted that the lowest bid met all the specifications. Rutherford moved to purchase the replacement ambulance from Peach State Ambulance for \$89,500. Rapson seconded. The motion carried unanimously.

Council/Staff Topics

Lohr briefed Council on two upcoming mutual aid events. The first event was the Free Trade of the Americas Area (FTAA) site visit in Atlanta on Thursday, May 20, and possibly Friday, May 21. The Georgia Mutual Aid Group (GMAG) was asked to help. One piece of apparatus was needed and would probably be Tower 8. Lohr said he believed the Department could handle the cost of one day with existing resources. Lohr said he would need help with funding if a second day was needed. The estimated cost was \$1,400 a day.

The second event was the G-8 summit scheduled Sunday through Saturday, June 6-12, in the Savannah area. The Georgia Emergency Management Agency (GEMA) had asked GMAG to support the event. One engine and a crew would be needed. Another 40 pieces of apparatus and 441 firefighters were needed to support the event. The total requirement was 75 pieces apparatus and 600 firefighters. The estimated cost was \$6,300, and Lohr said he would need Council support for this event.

Lohr continued that both events were international in scope and were highly visible. If successful, the FTAA site visit could result in the relocation of FTAA headquarters to the Atlanta area with an economic impact of \$5 billion. The G-8 was the world economic conference that would be attended by President Bush and 40 other world leaders. The Fire Department was a member of GMAG, a statewide organization, and Lohr said he served as secretary on the GMAG board. He added that over the last several years the City had received five grants for various pieces of equipment totaling over \$500,000 from GMAG.

Rapson noted that the City Manager could move \$10,000 in funds around at his discretion and Rapson was in favor of funding both events. Rapson said he supported funding the entire \$7,500. Lohr clarified that most of the cost was in manpower and overtime. Lohr said most members of the fire service felt the G-8 coverage should have been funded in the planning stages and more funding could be available later. The Council Members questioned whether the funding should be placed on an agenda. McMullen said he had the ability to do it, but they wanted to inform Council.

McMullen announced that the Pro Shop at the Tennis Center was open. He continued that the Tourism Association had also received word that the 501(c)6 status had been granted, which made the Tourism Association eligible to spend the hotel/motel tax and allowed them to work with the Airport Authority so it could receive the hotel/motel tax.

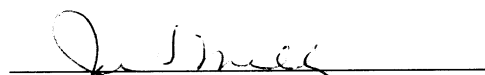
Rapson noted that Governor Perdue would be in the City on Thursday, April 22, to sign the golf cart legislation. Rapson asked staff to notify McIntosh High School so they would be aware the 15 year-olds would be driving golf carts to school again. Brown said he had spoken to several Board of Education members about the Resource Officers holding a class on the rules of the cart path that was required in order for students to get a parking permit. Chief Murray said his department was already working on the class.

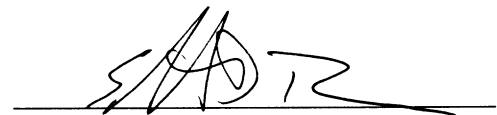
City Attorney Ted Meeker said there was pending and threatened litigation to discuss in executive session. Weed moved to reconvene in executive session to discuss pending and threatened litigation. Rutherford seconded. The motion carried unanimously.

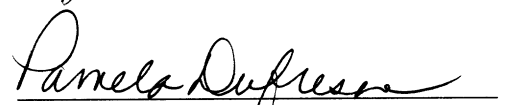
Rutherford moved to reconvene in regular session. Weed seconded. The motion carried unanimously.

McMullen told Council that the state alcohol board had conducted a sting in the City looking for underage drinkers. Fifty businesses were involved and three had violations – Peachtree City Texaco, Pit Stop, and Kedron Wines & Liquor.

There being no further business to discuss, Weed moved to adjourn the meeting. Rutherford seconded. The motion carried unanimously. The meeting adjourned at 8:08 p.m.


Jane Miller, City Clerk


Stephen D. Brown, Mayor


Pamela Dufresne, Recording Secretary