City Council of Peachtree City
Meeting Minutes
April 6, 2017
7:00 p.m.

The Mayor and Council of Peachtree City met in regular session on Thursday, April 6, 2017. Mayor Vanessa Fleisch called the meeting to order at 7:00 p.m. Others attending: Terry Ernst, Mike King, Kim Learnard, and Phil Prebor.

Announcements, Awards, Special Recognition
Michael Mumper, Molly Hancock, and Bailey Austin of AVPride accepted the proclamation for Alcohol Awareness Month from Mayor Fleisch. Mayor Fleisch proclaimed April as Confederate History and Heritage Month, and Sons of Confederate Veterans member Glenn Allen accepted the proclamation. Nancy Howard, Earth Day Committee; Katie Pace, Southern Conservation Trust; and Crystal Singletary, Fayette County Environmental Management, accepted the proclamation for Earth Day 2017.

Minutes
March 16, 2017, Regular Meeting Minutes
King moved to approve the March 16, 2017, regular meeting minutes as written. Ernst seconded. Motion carried unanimously.

Consent Agenda
1. **Consider Alcohol License – NEW – Sweet N Lite Café, 10 Planterra Way**
2. **Consider Amendment to Land Development Ordinance – Alternative Compliance for Landscaping Requirements (Retail/Commercial/Industrial) – Addition of Tree Fund**
3. **Consider Records Management Ordinance Amendment and Policy Amendment (supplemental retention schedule)**
4. **Consider Sole Source Brand Name Replacement – Bobcat T650 (Bobcat of Atlanta)**

Learnard moved to approve Consent Agenda items 1 – 4. King seconded. Motion carried unanimously.

Old Agenda Items
12-16-01 Consider Adoption of Impact Fees
City Manager Jon Rorie discussed the proposed changes to the City's impact fees, noting that the state's Development Impact Fee Act (DIFA) was administered by the Department of Community Affairs. There were two items on the agenda for this meeting – the adoption of the fees and the adoption of annual Capital Improvement Element update. Impact fees were designed to assure new developments did not pay more than their fair share of additional facilities, and they were not to be used to solve existing deficiencies. Rorie said growth increased the demand for facilities and services, and growth should pay a fair share for expanding services.

Rorie continued that, based on the methodology report that had been projected out to 2035, there would be a projected population of 40,000 and 1,435 more dwelling units. An increase in residential fees was recommended, and there would be a decrease in commercial fees. He noted that commercial development was not charged for the recreation category of the impact fees. The growth occurring in the City was not from industrial or commercial growth, but was in the residential component.

Rorie addressed the areas where the impact fees could be used, noting that library materials had been eliminated since the Library had met its targets. The Parks and Recreation portion of the fees would be dedicated to cart path expansion instead of sports fields, basketball courts, and pools. The square footage needs of the fire and police services had been modified. The Fire Department plans included two stations, both at 8,952 square feet, and that plan had been revised to two stations, one at 6,000 square-feet and one at 4,000 square-feet. They would be smaller, providing primarily medical services, and would fit into the residential communities. The Police Department had revised its needs from a 2,205 square-foot headquarters to a 2,581 square-foot building.

Fees would be collected for fire and police protection and parks and recreation. The fees for single-family detached housing and apartments (residential units) would be $4,233.78 per dwelling. The breakdown for the fees would be $583.88 for fire protection, $118.05 for police services, $3,408.54 for recreation, and a 3% administrative fee of $123.31. Commercial and industrial fees were going down because of the changes to the Fire Department's requirements. Rorie noted that the City did not charge impact fees for commercial and industrial buildings.

While Peachtree City's impact fees were higher than most Class B cities, Alpharetta, Milton, and Sandy Springs had higher impact fees. The City's fee was about two-thirds of those fees. Rorie noted this was not an "apples to apples" comparison because it was based on each city's needs. For Peachtree City, the impact fee of $4,233.78 equated to 0.75% of a sales price of $562,900. Rorie said the growth that was occurring in the City was not in the industrial or commercial districts, but was coming from the residential component. He added that the City, as well as other cities, had the ability to waive impact fees to encourage economic development and job growth.

Staff recommended adopting the maximum fee going forward. Council could adopt at a lower rate, as long as the fees were applied to each land use category. If adopted at the less than maximum rate, more funds would come from General Fund to subsidize the additional infrastructure required by the growth. Current residents would be paying for a larger share of the growth.

Learnard moved to approve the adoption of impact fees as presented. Prebor seconded. Motion carried unanimously.

11-16-05 Consider Adoption of Annual Capital Improvement Element Update – Comprehensive Plan

Rorie noted this was the second component, and it laid out the official adoption of the impact fees. Planning & Development Director Mike Warrix reminded Council that the draft of the amended Capital Improvement Element (CIE) had been transmitted to the Atlanta Regional Commission (ARC) and Department of Community Affairs (DCA) in January. On March 1, the City was notified of the approval by the DCA. Staff recommended Council adopt the CIE.

Learnard moved to approve the adoption of the Annual Capital Improvement Element Update – Comprehensive Plan as presented. Ernst seconded. Motion carried unanimously.

03-17-03 Public Hearing – Consider Variance Request, 102 Brooksong

Warrix said this variance request had been continued from the March 16 meeting to allow the property owners/applicants to get letters of approval/opposition for their plans from the adjoining property owners. The lack of input from the adjacent property owners had been a concern for Council. The owners/applicants were in compliance, and the letters had been included in the Council meeting packet. Warrix continued that this was an addition to an existing home with an approximate six-foot encroachment into the rear setback. Neither applicant, Robert nor Imelda Hills, had anything to add.

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

Ernst said the Hills had done exactly what had been asked of them, and he moved to approve the variance request for 102 Brooksong Way. Prebor seconded. Motion carried unanimously.

New Agenda Items

04-17-01 Public Hearing – Consider Step 2 Annexation Request and Zoning to GR-14, 1967 Hwy 54 W Heritage Assisted Living

Senior Planner Robin Cailloux addressed Council, saying Senior Lifestyles Corporation had submitted the Step 2 annexation application and requested General Residential 14 (GR-14) zoning. The property was located on the north side of the City and was zoned Community Commercial in the unincorporated County. They had asked that the zoning be changed to GR-14 to continue to allow the property to operate as developed, with 49 personal care apartments with access to SR 54. The applicant had no intentions to re-develop or expand the existing use, or request access to Sumner Road. The property had been on a failing septic system, and it was now connected to the City's sewer system. The timeline began in 2014 when Council approved the Step 1 application, and the timeline was extended by Council in 2016. The Step 2 request had been submitted in February.

Per the state's annexation law, Fayette County had been notified of the request, and Cailloux continued that the Board of Commissioners had no objections to the annexation. The City's Planning Commission held a public hearing on March 27, and the request for annexation and zoning had been unanimously recommended for approval. She added that the project was consistent with the City's housing goals to provide options for residents of all ages and life stages.

Cailloux continued that the GR-14 designation was more appropriate than the current commercial designation since it supported the City's policy of stepping down on the land use intensity along the City's borders. The property was part of the City's 2014 annexation study, which found the property appropriate for annexation because it helped establish a clearer demarcation between the City and County with urban development located within the City limits. Staff recommended approval of the request.

Fleisch opened the public hearing. No one spoke in favor of or in opposition to the annexation and zoning request. The public hearing closed.

Ernst noted the assisted living center shared an entry way with the adjacent veterinary clinic, and he recommended that no other entry onto SR 54 or Sumner Road be allowed. No concerns were expressed regarding the proposed condition.

Ernst moved to approve the annexation request and rezoning of the property to GR-14 with the condition that no additional access to SR 54 may be obtained. King seconded. Motion carried unanimously.

04-17-02 Consider Appeal to Remove Condition of Conceptual Site Plan Approval by Planning Commission to Construct a Multi-use Path, 1000 MOBA Drive, MOBA Industrial Development

Cailloux reported that Marksmen Construction was the applicant and agent for MOBA and gave a brief overview of the history of the project. The site plan was approved in April 2015, with a condition that a path be constructed on the property. There had been a significant discussion at the meeting regarding constructing a path on the property that would connect to the existing tunnel under SR 74 and through the property to the cul-de-sac in the northern corner. In October 2015, the applicant asked to have the condition to build the path removed because it was not a requirement imposed on similar developments, and on-street golf cart use was occurring in other sites. The Planning Commission denied the request.

The final site plan showing the multi-use path on the west side of the internal drive was approved by staff in January 2016, Cailloux said. A portion of the path had been constructed near the tunnel. The applicant had approached staff again about removing the path from the property, saying the path would be destroyed by future utility construction. They also said that the Peachtree City Water and Sewerage Authority was not in favor of having the path connect to their easement. The cost of construction of the path would increase the cost of the individual lots in the development, which meant they could not compete with comparable projects. Staff had informed the applicant of the appeals process, and the appeal was filed on January 31 with the City.

Mark Wurster of Marksmen Construction spoke on behalf of MOBA, saying it was not just the path usage and utility construction, adding the utility companies would not run their lines until they knew the specific use needed for the buildings that might be placed on the parcels. There would be seven lots that the companies would need to access through the right-of-way, which was where the cart path was to be constructed. He suggested the carts be allowed to use the internal road that would go through the development and rejoin the path near the drive for access to the sewer pump. The speed limit for the 36-foot wide road would be 25 miles per hour. There were also two curb cuts from the property onto SR 74. He said the cart path would take up all the remaining right-of-way.

King noted the street was 36 feet wide, asking how that compared to Dividend Drive. City Engineer Dave Borkowski said Dividend Drive was 29 feet wide and Huddleston Road was 32 feet wide. King said Dividend had striped bike lanes, which were also used by golf carts. Borkowski confirmed that, saying golf carts used Dividend every day. Wurster said that was a suggestion they had made. King asked Wurster if the street would be striped like Dividend Drive. His concern was having golf carts with people heading to the Peachtree City Athletic Complex (PAC) in the industrial area when people got off work. Wurster said there were two exits to SR 74, so there would be employees from three to four of the buildings using each exit.

Ernst asked if there would be a lot of tractor-trailer trucks in the area. Wurster said it was an industrial park, so it probably would be serviced by 18-wheelers. He added that MOBA was actually serviced very little by tractor-trailer trucks. Ernst verified with Police Chief Janet Moon that carts were allowed on City streets with a speed limit of 30 miles per hour or less. Moon said the ability of carts to the use the road would be applicable. City Attorney Ted Meeker agreed with Moon. Rorie added that the ordinances required golf carts to use the path system if it was available. The carts could use the road if there not a path available.

Prebor noted there had been a car-golf cart accident on Huddleston Road last year. The question was how many people would go through the industrial area to get to the PAC. Prebor said he had been a member of the Planning Commission when the conceptual site plan was approved, and he supported the cart path condition. He asked what had changed.

Wurster said nothing had changed on the site plan. The cart path would take up all of the right-of-way, which had not changed from site plan approval. The only thing that had changed was the utility companies would no longer run their lines in an industrial park without knowing the specific usage. The cart path would have to be torn up to put in the utilities. Prebor said that might postpone putting the path in, noting the path connection of the "stinky" trail to the PAC was part of the SPLOST.

Rorie said the path was important because of the connectivity on the entire south side and the tunnel built under SR 74 to the PAC when the highway was widened. The question of having the carts use the road through the industrial area was the mixture of traffic. The path had been a condition of approval for the conceptual site plan for the Planning Commission, so it either needed to be installed or have provisions for installation in the future. It was a connectivity issue and was in the master plan.

Learnard agreed that putting the path in at this time did not make sense. She told Wurster they had known for two years that the path had to go in, suggesting MOBA put some money in a fund so the path could be built later. Wurster said the cost should be $56,000. Dave Borkowski said there were approximately 2,530 linear feet left, which would be $76,000 at $30 per foot. Wurster said they had already put in approximately 550 feet, and Borkowski's figure was for the entire length. Rorie said this had been addressed in the past by virtue of a cash bond. Staff would be able to take measurements and come up with an amount. Rorie asked Wurster if they would be comfortable with an amount between $58,000 and $65,000, or $30 per linear foot as determined by staff. Wurster said they would.

Prebor moved to approve the appeal from MOBA on the condition that they pay the remaining sum equal to the cost to install the remaining cart path multiplied by $30 per linear feet to the City so that the City could install the path in the future. Learnard seconded. The motion carried unanimously.

04-17-03 Consider Bids for Local Maintenance & Improvement Grant (LMIG) Paving Projects
Rorie gave a brief overview of the 2017 road resurfacing budget, noting that 64 miles of roads were rated less than 80, and the remaining 115 miles of roads continued to deteriorate. He pointed out that 2.6 miles of paving had been completed in 2016, and $1.6 million of the $1.8 million budgeted had been spent.

In FY 2017, $1.8 million was budgeted plus the FY 2016 carryover for a total of $1,968,866 in the General Fund for roads. Rorie noted that paving was more than laying asphalt, adding some roads had to be rebuilt. Striping and signage were also part of the budget for roads.

The lowest bid for this agenda item from Atlanta Paving & Construction was for $1,352,794, and it did not include striping and other items, which left $447,205 unencumbered. The cost for paving was approximately $370,000 to $470,000 per mile. Between three to four miles per year would be completed depending on the road base needs.

Rorie continued that the City would need to use the funds from the Special Purpose Local Option Sales Tax (SPLOST) approved March 21 plus the money budgeted in the General Fund to get to the six-year target of 64 miles. The SPLOST would be used to enhance, not supplant, what was being done with the General Fund money.

The 2017 LMIG bid included 18 roads with 3.56 miles getting full depth reclamation (FDR). The cost per mile would be $380,000 (miles added to economy of scale), with no funding for striping, crack sealing, street patching, or street sealing.

The SPLOST resurfacing program included 48 miles of resurfacing at approximately $470,000 per mile, with four miles programmed in contingency. Sixty-four miles would be paved over the six-year SPLOST term with 52 miles of 179 miles programmed in SPLOST (approximately 29% of roads) and 12 miles of the 179 miles programmed in the General Fund (approximately 7% of roads). Staff was now in management mode of the paving program, and they were looking at issuing two-year bids for the paving because of the economy of scale, which would allow for more paving mileage.

Rorie discussed the PACES Road Rating System, which was used every two years to rate the condition of the City's streets. The last rating was done in 2014, and it was time for another study. Staff talked to Pond and Company, the City's traffic consultant, asking what it would cost to have the consultant study the entire City, and the cost would be $468,000. It was a visual/window survey, and Rorie said paving based on doing the worst first was not the most cost effective method.

Staff was considering changing to an IMS Rating System, which used a laser road surface tester. The $171,000 data collection was based on specific protocols, and they would develop a five-year master resurfacing plan based upon an annual budget of approximately $3.2 million. It was an objective study versus a subjective study.

Rorie continued that they could save the carryover funds or spend them based on the contract with the voters following the SPLOST referendum. He recommended spending the carryover funds to do what the City had pledged to do with the SPLOST. He asked Council to approve the recommendation of Atlanta Concrete & Construction for the LMIG paving, while recognizing there were things he could do as City Manager to stretch the funding as far as possible. Staff would be working in the background with change orders to make things happen.

Fleisch asked how long it would take for the new rating system to be completed. Rorie said it would take six to eight months depending on rollout and notice to proceed. The company was not located Georgia, so the City would have to get on their schedule. The company would be in the state in July. A meeting was scheduled the next week for more information. Fleisch said she liked that the company would also do an inventory of signs and light poles, which the City did not have currently. Rorie said he was not prepared to make a recommendation on this company at this time, but wanted Council to be aware of what staff was considering.

Learnard moved to approve awarding the LMIG paving bid for Atlanta Concrete & Construction in the amount of $1,352,794.88. Ernst seconded. Motion carried unanimously.

Council/Staff Topics

Spillway Design Update

Dan Davis, Integrated Science & Engineering (ISE), gave an update on the Lake Peachtree spillway replacement. John Dean and J.R. Collins from Schnabel Engineering also attended the meeting. Key milestones to date included the authorization of the design of a new spillway in April 2016, the June 2016 preliminary planning meeting, the selection of the final concept in September 2016, and the preliminary design update in December 2016.

The features of the spillway design included a piano key weir, with a normal pool level of 784.5, and capability of passing the one-half probable maximum precipitation (PMP)[13,000 cubic feet per second (cfs)]. The new spillway was designed to pass a 15.9-inch rainfall event that occurred in 12 hours. Davis noted that Hurricane Floyd dumped 15.13 inches of water in 10 hours in Columbia, S.C., in October 2015, and a thunderstorm system in west Atlanta in 2009 dropped 15 – 20 inches in 24 hours. The new spillway design would not increase flooding upstream or downstream, and it would be compliant with Category I Standards of the Georgia Safe Dams Act.

Davis continued that work was now in Phase 5, referring to the schedule shown below:

- Phase 1 – Schematic Design (Apr – Aug 2016)
- Phase 2 – Public Meetings (Aug 2016 – Sep 2016)
- Phase 3 – Preliminary Design (Sep 2016 – Dec 2016)
- Phase 4 – Design Development (Dec 2016 – Apr 2017)
- Phase 5 – Final Design (April 2017 – May 2017)
- Phase 6 – Contract Documents (May 2017 – Jun 2017)
- Phase 7 – Bidding (Jun 2017 – Aug 2017)
- Phase 8 – Construction (Aug 2017 – Apr 2018)
- Phase 9 – Project Closeout (May 2018 – Jun 2018).

Engineering was nearing completion, Davis said. They would be prequalifying contractors over the next 45 days. They would also be working on environmental permitting over the next three – five months for the Nationwide 3A (actual replacement of the spillway, which was considered maintenance) and 3C (placement of the coffer dam) permits from the Army Corps of Engineers and the buffer encroachment permit from State Waters of Georgia. The tentative bid date was July 10. Davis noted that the contractors for this type of project were highly specialized, and there were only five – 10 contractors in the southeast region capable of doing the work. One of the contractors was based in Fayette County.

Davis looked at the construction sequencing:

- Stage 1 – Lower Lake Peachtree 8.0-feet (late August), which would take approximately three weeks;
- Stage 2 – Construct coffer dam, approximately four weeks and weather dependent, in the later part of September;
- Stage 3 – Lower Lake Kedron two feet to provide a buffer for any flooding events that could occur and raise Lake Peachtree two feet beginning in late October;
- Stage 4 – Construct new spillway foundation, approximately three months, November through January, weather dependent;
- Stage 5 – Potentially raise Lake Peachtree two feet, January 2018, a judgement call by contractor depending on work conditions;
- Stage 6 – Construct new spillway walls/weirs, approximately three months, February through May, weather dependent; and
- Stage 7 – Return Lakes Peachtree and Kedron to full pool, May 2018, barring any major weather events.

The detailed engineering estimate based on quantities was complete, and it included removal and disposal of the old spillway; 22,000 cubic yards of earthwork (used for the berm on top of the dam, 13,000 cubic yards must be disposed of offsite); and 3,840 cubic yards of concrete ($2.8 million). The construction cost estimate was $4,075,000. The County's cost share would be $2 million, leaving the City with a cost of $2,075,000. Davis noted the December estimate had been $3.6 million, but the engineering helped provide a better cost estimate. However, the labor market had tightened, costs were rising, and the availability of qualified contractors were among the details for the cost increase.

Fleisch asked if the City should get rid of the trees on the back of the dam now before the construction began. Davis said the plans were to include that in the scope of the contract. Fleisch noted the road would be very bare once that was done. Davis explained that trees on the dam were a problem.

The outlet control structure was 50 years old, and Davis recommended abandoning that structure, which had a 30-inch pipe at the bottom of dam at the deepest point, saying the pipe should be filled, grout sealed, and closed shut at the end of the project. There could be problems later if the concrete pipe were to begin leaking. The new spillway would have slide gates that could evacuate water when needed to maintain flow downstream and to allow for dock maintenance.

Rorie said the schedule was on target, asking if it was possible or practical to move the bid date from July 10 to June. Davis said it would not be, adding that the bid had to be advertised for 30 days. He hoped to be able to recommend the low bidder by the August 17 meeting. He pointed out that the work would be done during hurricane season. In event of a big storm, Davis said his first call would be to Lee Pope at the Fayette County Water System.

Rorie noted that a copy of the budget schedule had been placed on the dais, saying that Council Retreat sessions were scheduled on May 2 and June 6, which were regularly scheduled workshops.

There were some impacts on the June 1 meeting date, and Rorie asked Council to consider cancelling the June 1 meeting and holding a special called meeting on June 6 in conjunction with the Council Retreat if a regular meeting was needed due to any requests for items such as rezonings or variances that might have timelines for action. Staff would like to have that option available.

Equipment purchases related to the SPLOST program would be on the Consent Agenda for future meetings. Rorie said he asked Financial Services Director Paul Salvatore to prepare a reimbursement resolution to offset any items (such as the spillway and transportation improvements along the SR 54 corridor) where the City had to pay prior to the SPLOST funds coming in. There was a possibility of obtaining a Georgia Environmental Finance Authority (GEFA) loan, which would provide money to get work started on the spillway. The interest rate was 1.89%, which was fine when the cost of a delay for the project was considered. He continued that staff would also pursue a loan from the Georgia Transportation Infrastructure Bank (GTIB), which provided financial assistance for transportation projects. The GTIB loan would allow the City to get started on traffic improvements at Planterra Way/SR 54.

Executive Session

Learnard moved to convene in executive session to discuss the acquisition or disposal of real estate at 9:00 p.m. Ernst seconded. Motion carried unanimously.

Ernst moved to reconvene in regular session at 9:20 p.m. Learnard seconded. Motion carried unanimously.

There being no further business, Ernst moved to adjourn. King seconded. Motion carried unanimously. The meeting adjourned at 9:21 p.m.

Pamela Dufresne

Pamela Dufresne, Deputy City Clerk

Vanessa Fleisch, Mayor