City Council of Peachtree City
Minutes of Meeting
April 6, 2006
7:00 p.m.

The City Council of Peachtree City met Thursday, April 6, 2006, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Other Council Members present were: Steve Boone, Stuart Kourajian, and Judi Rutherford. Cyndi Plunkett was out of town and unable to attend.

Announcements, Awards, Special Recognitions
Mayor Logsdon read proclamations for Confederate History and Heritage Month and for Georgia Cities Week. Lieutenant Peki Prince of the Fire Department was recognized for 15 years of service.

Minutes
Rutherford moved to approve the March 16, 2006, regular meeting minutes as written. Boone seconded. The motion carried unanimously.

Monthly Reports
Logsdon noted the Top 5 accident locations for the month – GA 54/Commerce Drive, GA 54/Peachtree Parkway, GA 54/Planterra Way, GA 54/GA 74, and GA 74/Crosstown Drive.

Consent Agenda

1. **Consider Appointments to Development Authority – Michael Moore**
2. **Alcohol License – Change in Owner, Licensee, License Representative – Buckner Petroleum/Greenway Store #646**
3. **Consider Acceptance of Limited Warranty Deed – Regents Park Extension on Georgian Park at Kedron Village Shopping Center**
4. **Consider Bid for Medic Remount**
5. **Alcohol License – Change in Owner, Licensee, License Representative – Martini's/The Red Room**
6. **Consider Software Purchase from State Contract**

Rutherford moved to approve Consent Agenda Items #1, #2, #3, #5, and #6 and to pull #4 off the agenda for discussion. Kourajian seconded. The motion carried 4-0.

4. Consider Bid for Medic Remount
Rutherford said that one of the bidders, Taylor Made Ambulances (TMA), had some questions. She noted that there was an additional document on the dais (an e-mail to Mayor and Council from the City Manager dated April 6, 2006) with TMA's questions and City Manager Bernard McMullen's response.

Prince said that the City had received an e-mail from TMA with six questions. Prince went over the questions, as well as the responses to each question. Rutherford said that each question had been addressed. The company's bid had not met the specifications, and the letter verified that that TMA's bid had not met the specs.

Rutherford moved to award the bid as shown to Peach State. Kourajian seconded. The motion carried 4-0.

Logsdon noted that Michael Moore had been appointed to the Development Authority.

New Agenda Items

04-06-01 Presentation of Comprehensive Annual Financial Report for Fiscal Year Ending September 30, 2005

Finance Director Paul Salvatore that the audit had recently been completed on time and had been submitted to the state and the Governmental Finance Officers Association. He continued that the audit had gone very well, and the City had received a clean opinion. He introduced Adam Fraley of Mauldin & Jenkins, who presented the audit to Council.

Fraley said there were actually two documents – the comprehensive annual financial report (CAFR) and the annual audit agenda (copy is included in the official meeting file). He concentrated on the annual audit agenda. The CAFR received a clean opinion. He continued that the audit had gone very well. He commended staff and management for their help in the audit process. He explained that, in layman's terms, the audit was clean. Technically, it was an unqualified opinion, which was what the City wanted.

Fraley said Page 2 of the annual audit agenda included information on the purpose of the audit agenda and the engagement team. Page 3 listed required communications, including the auditor's and the auditee's responsibilities. Required communications also included a statement on management judgments and accounting estimates, as well as any audit adjustments and uncorrected misstatements. There were some audit adjustments, but nothing significant, and there were no uncorrected misstatements. All adjustments found during the audit process had been made and posted.

Fraley continued with Page 4, which focused on accounting policies. The City was required to present financial statements in accordance with the Government Accounting Standards Board (GASB). New standards would be coming out in the next few years. Page 5 stated there were no disagreements between the auditing firm and management. Management was cooperative and helpful; there were no major issues. The audit firm did not encounter any difficulties with management while performing the audit.

Page 6 focused on accounting recommendations and related matters. Fraley said the recommendations were meant to improve the City's control system, while including some "for your information" issues. None of the issues were significant. He added that management was in the process of responding to the management recommendations and taking corrective action to implement the directions.

Fraley said that Pages 7-9 discussed the new standards and laws that were coming out that would be significant to the financial report. Fraley thanked the City's management and said they appreciated serving the City.

Kourajian asked about tagging capital assets, which was a recommendation on Page 6. Fraley explained that many of the City's assets were not tagged, but were systematically and periodically inventoried. The threshold for capitalization was $5,000 for reporting purposes, which was the GASB standard. He said the City kept up with the capital assets under $5,000.

Kourajian referred to the EMS receivables comment on Page 6. He asked how much they were recommending writing off. Salvatore said they did not want to show the delinquent accounts as receivables. The City would keep trying to collect the debts. The oldest account was from 1997, according to Assistant Finance Director Janet Camburn. She said individuals, not insurance companies, owed the money. Boone asked City Attorney Ted Meeker if there was a statute of limitations on collecting debt under the Fair Credit Collection Act. Meeker said there were just the standard limitations. Rutherford suggested that there be a determination made on the statute of limitations, then write off the older debts.

Kourajian questioned recommendation #4 on SPLOST and the local news. The state required the cities and counties with a SPLOST to publish a report once a year in a local newspaper. Fraley said he understood the City was to work with the County since it was a County SPLOST. McMullen said the first report had been published in December 2005. The County was responsible for the report.

Kourajian asked about the "affidavit value of infrastructure" recommendation on Page 8. Fraley explained that GASB 34 required the affidavit as a way of substantiating the value of the City's infrastructure. All cities were required to capture the value of bridges and roads, including roads donated by developers. Kourajian noted that one paragraph used the word "required," while the next paragraph used the word "recommend." Fraley said the City was now required to inventory infrastructure and report on it in the CAFR. It was the auditor's recommendation to consider changes in the process of accepting and recording donated infrastructure such as getting an affidavit of value on the infrastructure. Fraley added that the City was fulfilling the requirements.

04-06-02 Discussion of Realignment of Huddleston/Dividend Intersection

City Engineer Dave Borkowski explained that the staff recommendation was that the City not utilize the Q23 funds approved for the project and to notify the Atlanta Regional Commission (ARC) that the City would not use the funds designated for this project.

Borkowski continued that the current realignment design was a sweeping "s," with the traffic on Paschall and coming out of the Paschall Industries site required to stop. The total cost would be $358,000 – $150,000 for rights-of-way, $40,000 additional design costs (environmental certification and historical investigation) to utilize the Q23 funds, and $166,000 for construction. The maximum reimbursement from the TIP and the ARC would be approximately $132,800, based on the cost of construction. The City would be required to spend $226,000 out-of-pocket. He said that given the substantial cost and timeframe, as well as the additional environmental work and historical investigation that would be required, staff studied the intersection and found less than a one-minute wait at the stop signs during peak times. There had not been a significant number of accidents. Most of the accidents were rear-end collisions or hitting deer. The problem with the area was there was not enough room for the tractor-trailer trucks to make right turns.

Kourajian asked where the City's funds were originally going to come from. Borkowski said the project was in the PIP, and federal funds had been requested some time ago. In the 2005 PIP, there had been $280,000 budgeted, and $133,000 had been in the 2004 PIP. McMullen added that $220,000 of the $280,000 in the 2005 PIP would have come from federal funds. Some of the funds had been spent; the balance now was about $170,000. The 2004 money was for right-of-way acquisition.

Rutherford asked how old the project was. Kourajian asked why the project was on the list. McMullen said there was no documentation on why the realignment should be done, but the project had been around for some time. He noted there would be a problem for Paschall Industry to access the road if it were realigned. Kourajian asked if Huddleston would become a thoroughfare once GA 54 was completed. McMullen said that, if left in the current configuration, the trucks would use Paschall as a way to get to GA 74. The trucks would go down Huddleston to get to GA 54. He added that Huddleston Road was also a possible area for redevelopment. They would not want much truck traffic on Huddleston Road during construction. Boone said it would be difficult for trucks coming east on GA 54 to make the turn onto Huddleston. Logsdon said he and McMullen had discussed the issue and decided it would be better to keep the trucks on GA 74 rather have them going down Huddleston Road.

Kourajian asked if staff wanted to scrap the project, or just put it off until later. Borkowski said staff recommended pursuing modifications to the intersection with the PIP funds. The lanes should be widened for softer turns. The cost would be less while accomplishing the same thing. The cost estimate had not been done, but it would be significantly less than $226,000.

Rutherford said Huddleston Road would get more traffic once the construction began on GA 74. She said there were a lot of utility boxes on the right hand side of Dividend Drive right at the intersection with Paschall Road. She asked if they would have to be moved for the turn lane. Borkowski said staff felt the modifications could be done without affecting those utilities. If the intersection were realigned, the utilities would be significantly affected.

McMullen said staff needed a concurrence not to use the Q23 funds designated for the project.

Rutherford moved to abandon the extensive redesign of the Huddleston intersection, to move forward with widening the lanes as presented, and to notify the ARC that the City would not be using the Q23 funds set aside for the project. Boone seconded.

Kourajian noted that the agenda item read that there would be a discussion. He questioned whether Council should take action. Meeker said the item was on the agenda so Council could take action. Kourajian said that residents might not attend meetings if they saw a topic listed for discussion on the agenda. He wanted to ensure that residents would know Council could take a vote by looking at the agenda.

The motion carried 4-0.

Earl Randall, a business owner on Dividend Drive, questioned Council's decision. He noted that traffic on Huddleston Road had dropped drastically with the construction on GA 54, but traffic would pick up when the road was finished. The traffic would also get heavier if someone bought the Photocircuits buildings. He asked Council not to scrap the plans to realign the road yet.

04-06-03 Consider Project Management Agreements for Q23 Projects

Borkowski said that staff recommended Council accept the agreements and the Q23 funds. The projects included Peachtree Parkway/Crosstown Drive intersection improvements, Peachtree Parkway/Walt Banks intersection improvements, and the GA 74 South multi-use paths. The Q23 funds were federal dollars, and many steps had to be taken to ensure the City was reimbursed with the funds before construction could proceed. He asked that Council approve the agreements so staff could move forward with the projects.

Rutherford asked if the local estimates were still accurate. McMullen said they were.

Rutherford moved that the City move forward with FA-237, Peachtree Parkway/Crosstown Drive intersection improvements ($216,000 federal, $144,000 local); FA-255, Peachtree Parkway/Walt Banks Road intersection improvements ($228,00 federal, $57,000 local); and FA-AR-BP024, GA 74 South multi-use path-Cooper Circle to South 74 BSC ($200,000 federal, $50,000 local), and that the Mayor be authorized to sign the paperwork. Kourajian seconded.

Kourajian asked McMullen if there would be a negative reaction to the City giving back the federal funds for the Huddleston/Dividend realignment project. McMullen said the ARC had called and the main concern was that a decision be made. If the City requested future funds for the same project, the request might not be looked on favorably. It should not affect other projects.

Kourajian asked how the local share was determined. McMullen said in most cases the split was usually 80/20, with the 80% share having a maximum of $224,000.

Kourajian asked what was going to happen at Crosstown/Peachtree Parkway. McMullen said that QK4, the City's traffic consultant, was to do a traffic study, then come back with recommended intersection improvements. The costs had been developed several years ago. A roundabout was originally planned. Staff was looking at doing lane improvements now. Boone asked if the programmed amount could be updated since the information had been updated. Rutherford said the City could not request more funds from the TIP program since the funds were approved in advance for specific projects. The prices were set. The City was putting in requests now for the next five years. The estimates were based on what the City knew at the time. Boone asked if there was not a factor that could be figured in to account for price increases. McMullen said there was, but the problem was they were not able to clearly define the scope of work. The plan was originally for a roundabout. The biggest problem was there had been no design before the numbers were put out.

The motion carried unanimously.

04-06-04 Consider Project Management Agreement for Flat Creek Multi-use Bridge

Borkowski said that a supplemental agreement to extend the project completion timetable was needed for the TEA-21 grant. The grant had been originally awarded in 2001 and had been extended four times for various reasons. The bridge and abutment installation had been completed. The extension would give staff time to get the paperwork done and to get approval from the DOT. Rutherford clarified that the extension was only to provide enough time to get the paperwork done so the City would be reimbursed $48,000. Borkowski said that was correct.

Rutherford moved to apply for the extension so the paperwork could get in and the process could get done. Kourajian seconded. The motion carried 4-0.

04-06-05 Discussion on Mosquito Control

Fire Chief Stony Lohr gave Council a summary of the City's mosquito control program, which he said was limited but adequate and inexpensive. The program included public education on mosquito control, draining areas that could be drained, and selective application of larvicide. A mosquito control article would be included in the next *Update*. Mosquito control was important in the prevention of selected diseases, in particular West Nile Virus (WNV). In 2003, one man died in the County and a crow found in the City tested positive for WNV. Once the virus was in an area, it was persistent. The majority of mosquitoes were home grown and bred in standing water around the home. They did not fly more than 300 feet. The effort was to try to keep residents from having standing water. If there was a problem or an area, such as a pond, that could not be drained, residents were encouraged to purchase mosquito dunks from local hardware stores. The dunks were a biologic agent and were approved by the Environmental Protection Agency. They were effective, but only lasted for 30 days. Lohr said he used a similar product with extended release that lasted for 150 days.

Boone asked if areas on the cart path with standing water were treated. Lohr said selected areas had already been treated, especially areas with high concentrations of the populations most susceptible to diseases carried by mosquitoes, such as senior citizens and young children. The areas included Southland Nursing Home, Ashley Glen Assisted Living, Village Park, the Field of Hope, and the All Children's Playground.

Logsdon asked if 150 days covered the mosquito season. Lohr said it would depend on whether there was enough rainfall to keep the dunks submerged for the full 150 days. If there were dry spells, they would last longer. August, September, and October had the highest incidence of mosquito activity historically. Lohr said it would be a good idea to put out more larvicide in September.

Rutherford noted that the path behind Village Park was still wet, even though there had not been much rain recently. Lohr said there were a few places that were still wet. He would have to go back to the area. The areas within 30 feet of the path had been treated in that area. Rutherford asked Lohr if he had enough material to treat the complaints. Lohr said most of the treatment was based on complaints as a reactive process, and he should have enough. He did not try to treat all of the City's catch basins or ponds.

Lohr continued that there had been no reports of human disease in 2006, but there were 24 cases reported in the state in 2005 with two deaths. The people who died were both senior citizens. One lived in DeKalb County.

Rutherford asked Lohr if he needed funding. Lohr said the funding was currently adequate. The recent cold snaps had helped to keep the mosquitoes dormant. He expected to receive complaints in the next few weeks. Rutherford asked if the path area from McIntosh Trail to Braelinn Village, behind the Amphitheater, had been treated. Lohr said it had not. Rutherford said the area was very wet. Lohr said if activity increased a lot, there might be a need to increase treatment. McMullen added that Public Works was working on drainage improvements in the Village Park area, which should also help.

Phyllis Aguayo told Council there was an area of concern in her subdivision, Stoneybrook. There was a stream that flowed into a pond that was filling in with sediment and had stagnant water. After heavy rain, the water did not flow back into the stream. The stream flowed into the reservoir. There was a problem with mosquitoes. She asked if it would be better to treat it with the larvicide, or if the City should take another look at improving the drainage. McMullen told Aguayo someone would look at the area.

Boone asked if detention ponds were ever treated. Lohr said they were treated only if there was a complaint or if he noticed a problem. If the ponds were large, he would need a case of mosquito dunks. One briquette treated about 1,500 gallons, or 200 cubic feet of water. Kourajian asked whose budget paid for mosquito control. Salvatore said there was a $1,000 line item. Lohr said he did not treat ponds if they had fish, since they typically took care of the problem.

Boone asked if the City had considered spraying. Lohr said that spraying was the last resort in all locations. It was the most expensive and least effective method, and caused the most side effects.

Council/Staff Topics

Logsdon asked when the "Public Comment" section of the agenda would go into effect. McMullen said the proposed rules were sent to Council for comment, and two members had responded. Administrative Services Director/City Clerk Jane Miller said that it should begin by the first meeting in May. Logsdon said there should also be a press release so the citizens would know about it.

Rutherford asked if there was any information on the fence in disrepair behind Balmoral Village. Miller said Public Works had gone out and looked at it. There were several issues, and Code Enforcement was looking into the matter. Rutherford said if a golf cart tipped over someone would get hurt.

Kourajian noted that the $3 Café was not open. McMullen said it was to open on April 17. Rutherford moved to convene in executive session for threatened or pending litigation and a personnel issue. Boone seconded. The motion carried 4-0.

Rutherford moved to reconvene in regular session. Kourajian seconded. The motion carried 4-0.

Rutherford moved to deny the claims of Michael Cahill, Maria Cahill, Arthur Connor, Lou Ann Connor, Penelope Spetsios, and Maria Cahill as next friend of her minor child Athena Cahill, as such claims were presented and to authorize the City Attorney to file the necessary counterclaims against said persons. Boone seconded. The motion carried 4-0.

Rutherford moved to deny the claims of Brian McConnell, Nora McConnell and Christopher McConnell as such claims were presented. Boone seconded. The motion carried 4-0.

There being no further business to discuss, Rutherford moved to adjourn. Boone seconded the motion. The motion carried 4-0. The meeting adjourned at 9:00 p.m.

Jane Miller
Jane Miller, City Clerk

Harold K Logsdon
Harold K. Logsdon, Mayor

Pamela Dufresne
Pamela Dufresne, Recording Secretary