

City Council of Peachtree City
Meeting Minutes
April 3, 2014
7:00 p.m.

The Mayor and Council of Peachtree City met on Thursday, April 3, 2014, at City Hall. Mayor Vanessa Fleisch called the meeting to order at 7:00 p.m. Other Council Members attending: Terry Ernst, Eric Imker, Mike King, and Kim Learnard.

Announcements, Awards, Special Recognition

Mayor Fleisch recognized Fire Marshal Dave Williamson for 15 years of service with the City. Fleisch also recognized outgoing members of the Ethics Commission, Louise Nelson and Eric Slepian, and the Water and Sewerage Authority (WASA), Mike Harman, thanking them for their volunteer service to the City.

10-Minute Talk

Vanessa Wilkins, Executive Director, Promise Place

Wilkins provided an overview of the work done by Promise Place, the non-profit domestic violence shelter that served Fayette, Spalding, Pike, and Upson counties. The 24-hour state certified agency was one of 47 certified shelter programs in the state. She noted that 33% of the Fayette County calls were from Peachtree City. Learnard asked what kind of help was needed. Wilkins said volunteers were needed to help with child care, phone calls, food pantry, and awareness. Financial help was also needed. The budget for Promise Place was \$600,000 annually.

Minutes

March 20, 2014, Regular Meeting Minutes

King moved to approve the March 20, 2014, regular meeting minutes. Learnard seconded. Motion carried unanimously.

Consent Agenda

1. Consider Structural Lining of Stormwater Pipe – Ashley Way

Learnard moved to approve the Consent Agenda. King seconded. Motion carried unanimously.

New Agenda Items

04-14-01 Public Hearing – Consider Rezoning Request for 17.2-acre tract on MacDuff Parkway (John Wieland Homes and Neighborhoods)

04-14-02 Public Hearing – Consider Rezoning Request for 86.7-acre tract in Wilksmoor Village (John Wieland Homes and Neighborhoods)

Imker confirmed with Dan Fields, the developer's representative, that there was a request to continue this item and 04-14-02 Public Hearing – Consider Rezoning Request for 86.7-acre tract in Wilksmoor Village (John Wieland Homes and Neighborhoods) until May 15. Fields confirmed the rezoning request for the 17.2-acre tract had been withdrawn, but he had comments regarding the 86.7-acre tract.

Field addressed Council, saying the discussions regarding the City's west side began in 2000. In 2007, Council put a task force together to study the entire westside area, including the 87 acres that were located within the City, and looked at housing needs and traffic, taking a lot of time and effort. At that time, 338 homes were recommended, with half of the homes as townhomes and the remainder as single-family detached homes. The recommendation was to annex the portions not located within the City. The plan had to go through Georgia Regional

Transportation Authority (GRTA) and Atlanta Regional Commission (ARC) reviews, and both organizations provided input on MacDuff Parkway and gave the developer and City lists of items that would be required. A great deal of time and effort went into the design of the parkway. MacDuff Parkway was currently permitted in the City, and it had been cleared. The development to the north of the Wieland property was under contract now with an active adult builder, according to Fields. They were being pressed to complete MacDuff Parkway. As part of completing MacDuff Parkway, Fields said the developer needed the 86.7-acre rezoning approved.

Fleisch asked Fields to focus on continuing the public hearing on the 86.7-acre tract until May 15. Fields said they had not agreed to the continuance yet. Fleisch said she was unaware of that. Imker asked if Fields was looking for a vote that night. Fleisch said they were not able to do that.

Fields asked to finish his statement, reading from Section 1303(3) of the City's Zoning Ordinance:

The planning commission shall have 30 days from the date of submittal of a completed application for a proposed amendment to make its recommendation. If the planning commission fails to make its recommendation within the 30-day period, it shall be deemed to have recommended approval of the proposed amendment. The above 30-day period may be extended with the approval of the applicant.

In Section 1304(1)(b), Fields read the following:

If the planning commission does not submit a report within the required 30-day period, the council shall act upon the application within 60 days from the date of the initial submittal of a completed application to the planning commission.

Fields continued that, in the spirit of cooperation, they were willing to extend the time period until May 15 and to have the application heard again by the Planning Commission. The application had been filed on January 9, and there had been some hiccups with the Planning Commission along the way. They did not want to spend a lot of time on a traffic study that had already been completed. He understood the City was doing its own study, but it might not have an impact on whether the 86.7 acres should be rezoned. Fields added that using the property with its current industrial zoning would create five times the traffic of 204 single-family lots. The 204 lots were also considerably less dense than what had been considered by GRTA and ARC.

Fields said they would be back in May after the Planning Commission had looked at the application. They wanted to partner with the City, and looked forward to seeing MacDuff Parkway completed, hopefully within the next 12-18 months. The developer was ready to move forward, assuming their development partner Brent Scarbrough was ready to go.

City Attorney Ted Meeker noted that New Agenda item 04-14-01 Public Hearing – Consider Rezoning Request for 17.2-acre tract on MacDuff Parkway (John Wieland Homes and Neighborhoods) had been withdrawn, and no Council action was needed.

Imker moved to continue New Agenda item 04-14-02 Public Hearing – Consider Rezoning Request for 86.7-acre tract in Wilksmoor Village (John Wieland Homes and Neighborhoods) to May 15. Learnard seconded. Motion carried unanimously.

04-14-03 Public Hearing – Consider Lifting Moratorium on Multi-Family Housing for Proposed Assisted Living Facility, Lexington Circle Tract

Imker asked if the developer was present, and whether the developer agreed to continue the agenda item to April 17. No one identified themselves as representing the developer. Due to issues with posting the property, the public hearing had not been properly advertised.

Imker moved to continue New Agenda item 04-14-03 Public Hearing – Consider Lifting Moratorium on Multi-Family Housing for Proposed Assisted Living Facility, Lexington Circle Tract, to April 17. King seconded. Motion carried unanimously.

04-14-04 Consider Land Swap with Peachtree City Church of Christ

Meeker said the church had approached the City approximately one year ago about the possibility of swapping a portion of its parcel for a portion of the City's greenbelt that was located between the church and Peachtree Parkway. The church had both pieces of property appraised, and the values were essentially the same. He asked Council to approve the contract, then staff would move forward with the closing once the appropriate notices had been posted. Meeker said copies of the appraisals were available, and they were in compliance with state law as far as the property the City would receive being greater than or equal to the property that the City would convey to the church.

Imker moved to approve the land swap with the Peachtree City Church of Christ. King seconded. Motion carried unanimously.

04-14-05 Consider Police K-9 Team Replacement

Police Chief H.C. "Skip" Clark addressed Council, saying the Department was asking to replace a K-9 unit. He introduced Lt. Matt Myers, who had overseen the program since its implementation, to give the presentation.

Myers provided a brief history of the K-9 program in the City, noting that the program began in 2009 with one K-9 funded by a donation from Panasonic. Forfeiture funds and citizen donations helped to put the second K-9 into service. From 2010 until January of 2014, both K-9s provided coverage seven days a week, and they rotated 24-hour on call responsibilities. In January 2014, the second handler resigned to move out of state, and his K-9 was retired. Myers requested Council consider replacing the retired K-9 using 100% forfeiture funds.

Myers pointed out this was not an additional position, adding the purchase of a K-9 equipped an existing officer position with an additional tool. The duties of a K-9 officer included responding to calls for service, investigating collisions, doing follow-up investigations on hit and run cases, performing directed traffic enforcement (complaint areas and collision suppression), proactive patrol duties, layering coverage in peak times, community relations projects, tracking suspects or missing persons, drug searches (faster, safer, otherwise not authorized), clearing buildings, responding to priority/high-risk calls, searching for evidence, searching lockers, investigating drug crimes, and more.

Officer safety was the primary benefit of a K-9. They could more safely search tactically disadvantaged areas such as attics, crawlspaces, or wooded areas; deterred use of force incidents and reduced the risks to officers when they could not be avoided; reduced time officers spent searching vehicles on the side of the road; and enhanced the capability to locate concealed suspects during building searches. Another benefit was the efficiency and effectiveness of the K-9s, who were able to search large structures more quickly and accurately than a team of three to four officers, cover more ground on perimeter security than multiple

officers, conduct article searches in a fraction of the time it would take officers, reduce resources needed to search for fleeing suspects and allowed tracking that would otherwise be impossible, and locate otherwise unfound evidence on tracks. In addition, K-9 officers located drug evidence that would be missed by normal search procedures, could provide the legal basis needed to search a vehicle containing drugs when the driver refused consent, and helped to detect and deter drug related crime in the City.

Having specialized assignments/lateral opportunities was a benefit to recruitment and retention of personnel, Myers said, which attracted better quality candidate, improved the retention of existing employees, improved morale and productivity by giving options for career growth and supplying officers with the tools needed to do their jobs to the fullest extent, and incentivized quality work for candidates seeking specialized assignment.

Myers reiterated that the Department was not asking for an additional position, but was requesting the purchase of a Police K-9 and the training necessary for the new handler to fill the vacated position. The cost of the K-9 and the training would be funded with seizure funds, which represented no unbudgeted cost to the City. The costs associated with the position were already allocated in the FY 2014 budget. The actual ongoing cost for this asset was approximately \$4,000 per year, which covered the stipend the handler received for performing general maintenance with the K-9 outside of work (feeding, grooming, taking care of the kennel, exercise, etc.). All the food was donated by Purina, and the Animal Medical Clinic donated all the veterinary needs for the K-9s. The Department already had the vehicle, kennel, and other miscellaneous equipment, some of which had been donated over the years by citizens, needed to outfit the K-9 position.

Myers concluded that the initial expenses of outfitting a K-9 team (vehicle, home kennels, and equipment) had already been covered, and much of the ongoing expense was funded by means other than the City budget. Utilizing K-9s increased officer safety, reduced the risk of on-the-job injuries, improved efficiency of basic police services, and provided enhanced services that were otherwise impossible. Having K-9s increased voluntary compliance by suspects and reduced the occurrence of illegal drug possession in the City. He continued that there was a clear benefit to having these resources readily available, especially considering what had already been invested and the low ongoing maintenance cost. The investment of approximately \$4,000 per year (handler maintenance pay) was a fiscally sound investment towards maintaining the quality of service delivered to the citizens and the safety of the officers. Myers added that approval of the request allowed the Police Department to continue to provide the level of service the citizens of the community had come to expect.

King thanked Myers for his presentation, asking how many times the remaining K-9 had been used since January. Myers said he was not sure for the entire Department, recalling the remaining K-9 unit had been called the previous Friday afternoon, but had been unable to respond. Approximately one month prior to the meeting, the officer had been on vacation, so Myers had tried to call Fayetteville and Fayette County for assistance, but had not been able to get a K-9. In that case, there were other reasons to hold the person until the K-9 arrived, but normally they would not be able to wait an extended period of time depending on the legal reasons for detaining the person. Myers said, prior to having K-9 units in the Department, it was often useless to call another agency because of the response times. King asked if the other departments were cooperative. Myers said they were, but the time required for them to arrive was the problem. If the K-9 was needed for a drug search, then officers were limited on time.

King asked if the position had been filled that was lost in January. Clark said they were in the hiring process for all open positions, and actually had conditionals out for the vacant K-9 position.

King said he had talked in January about using the open K-9 position for the additional Information Technology (IT) person recommended by the Matrix study done for the Police and Fire Departments. Clark said the Matrix report had identified a need for the Police and Fire Departments to have someone in IT assigned to the departments, but he was not aware of a discussion to replace a sworn officer position with a non-sworn IT position. King said the intent had been to not fill the position until the IT position was filled. Clark said he was not aware of that. King said Clark could fill any position in his department, but in January King said he had the impression the position would not be filled so it could be used for IT. He asked if Clark needed IT support more than another K-9. Clark said that, if he gave up a sworn position, he would be going below the minimum staff level identified by the Matrix study. The IT position was above and beyond the minimum staff level.

King said the Department still had the K-9 vehicle, and Myers had done a good job, but it was hard to believe it only cost \$4,000 per year for the K-9s. He asked if the Tahoe was replaced every three to five years. Clark said the vehicle would be replaced for the officer, which was a sworn staff position. The replacement was based on the mileage.

Learnard asked how long the City had the two K-9s. Clark said since 2010. The first dog arrived in 2009, and the Department had always planned to have a second. In 2010, the City received a donation for the second dog, and the remaining funds had come from the Forfeiture account. Learnard asked what forfeiture funds were. Clark said forfeiture funds were state and federal funds the City obtained through seizures for criminal activity that the Court awarded. The regulations for using the funds were very strict, and the funds could not be used to supplant the regular budget. Clark had called to confirm the City could use the funds to replace the dog and for equipment and training. The Department also received donations throughout the year to help offset the costs.

Fleisch noted that one of the reasons K-9 officer Enko was let go was because of health reasons, asking how often the K-9 Maik was used. Clark said Maik was used for everything, adding Enko had retired earlier than expected because of health reasons, but if the handler had not left, then the dog would still be working. Clark said the K-9 was a tool to help the police do their job more effectively and efficiently. There were legal reasons why officers could not detain someone on the side of the road to wait until a K-9 from another jurisdiction arrived.

Imker said everyone understood the dogs were valuable tools, an enhancement to an officer's normal duties. He wanted to ensure people outside the City understood crime was not tolerated. If the vote went one way, those people would see the City as a target. Voting for the dog was a vote for deterrence; and deterrence was 100 times more valuable than the actual conviction of a crime itself.

Ernst asked Clark if any statistics were available for the K-9. Clark said he had not brought any, but there had been approximately 150 narcotic seizures related to the dogs. Ernst asked Corporal Andy Johnson, Maik's handler, how many times he used the dog each week. Johnson said the numbers changed as the Department began getting accustomed and trained to working with the dog. A report was generated three to four times a week, but calls did not always generate a report, whether it was back-up to a scene or a burglary alarm call. On average, there were three or more calls per week specifically for the K-9. Johnson said he was

usually routed to any high incidence calls, which averaged more than 10 per week. Ernst asked if the dog was with him when he was on duty. Johnson said that was correct.

Imker moved to approve the K-9 replacement as presented. Learnard seconded. Motion carried 3-2 (King, Ernst).

Council/Staff Topics

Fleisch said the County Commission had approved an ordinance regarding golf cart reciprocity the week prior to the meeting. She had received a letter from the Commission Chairman asking the City to consider reciprocity for County golf cart registrations, which she had given to the City Manager. The information was now under review by staff as there were a few items the City needed to make sure everyone understood.

City Manager Jim Pennington said the review committee had made a recommendation on the company that would perform the classification/compensation study. The only member of the committee from the leadership team was Human Resources & Risk Management Director Ellece Brown. There were employees on the committee from each division. Six proposals had been received, and Condrey & Associates of Athens had been selected for a price of \$35,000. He concurred with the selection, and the approval was within the realm that could be approved by the City Manager. Pennington said the company had also been asked to do a benefits analysis, which increased the cost to \$39,500. The study should take five months to complete, but staff would see if it could be done in less time.

Pennington continued that this had been the first time such a group had been assembled, thanking Ernst for the suggestion. Pennington said those same members would also be part of the implementation review committee, and they would be talking to the consultants throughout the process. Learnard asked, based on Pennington's experience, what the study might come up with. Pennington said approximately 60% of employees would be interviewed to ensure their job descriptions/classifications were correct and how the City compared to other communities with similar positions salary wise. Normally, when it had been 10 years since a study had been done, there were a number of adjustments to be made. Part of the reason for the study was to bring the City into compliance with the cities it competed with for quality employees. The results of the study would be a validated classification that could be supported in court, as well as a validated pay plan, including an implementation schedule. It would cost money, but it would be over a period of time.

Imker said he was a little confused and he wanted the agenda packet to be clear on the differences between the Mercer Group, the Matrix study that had been done for Public Safety, and this review. He needed to understand what the objectives were, and the citizens also needed to understand. Pennington said he could put something together because they were not related. The last part of study would be a review of the City's benefit plan.

Pennington pointed out the renovations that would take place in Council Chambers, saying the work on the dais would begin the next day and continue through April 15. The work would include enclosing the area in Chambers where prisoners were seated during Municipal Court, providing a new level of security. The work was time sensitive since Court was not scheduled on April 9 due to Spring Break. The crews had done an excellent job.

Pennington said Council would receive an update on the status of their goals each month. It might be good to have another workshop in a few months to see if there were any changes.

They would also receive information from him on a routine basis that he received from others, information that was good to have in their "quiver."

Pennington continued some problems with the spillway for Lake Peachtree had been discovered by City staff while the water was down. Staff met with the Fayette County Water System for coordination. A geotechnical review would be done by the Water System. Everyone hoped it would be a simple fix. The results of the review would be available in three weeks, and then work would begin. The Water System was now inspecting all the dams in their reservoir system and implementing a maintenance program.

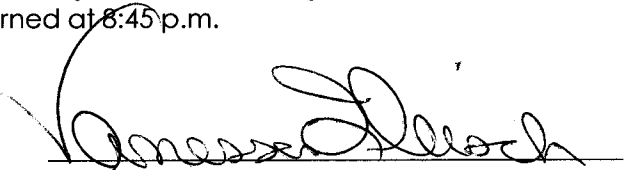
Learnard moved to convene in executive session to discuss the acquisition or sale of real estate, pending or threatened litigation, and personnel at 8:23 p.m. Ernst seconded. Motion carried unanimously.

Learnard moved to reconvene in regular session at 8:44 p.m. Ernst seconded. Motion carried unanimously.

There being no further business, Ernst moved to adjourn the meeting. Learnard seconded. Motion carried unanimously. The meeting adjourned at 8:45 p.m.



Pamela Dufresne, Deputy City Clerk



Vanessa Fleisch, Mayor