City Council of Peachtree City
Minutes of Meeting
April 3, 2008
7:00 p.m.

The City Council of Peachtree City met Thursday, April 3, 2008, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Other Council Members present: Steve Boone, Don Haddix, Cyndi Plunkett, and Doug Sturbaum.

Announcements, Awards, Special Recognitions
Mayor Logsdon proclaimed April as Confederate History and Heritage Month. The McIntosh High School Adopt-A-Stream Program was recognized for its ongoing efforts to improve water quality.

Public Comment
There were none.

Agenda Changes
There were no changes.

Minutes
Boone moved to approve the 2008 Retreat minutes and the March 20, 2008, regular meeting minutes as written. Sturbaum seconded. The motion carried unanimously.

Monthly Reports
Boone asked Finance Director Paul Salvatore how the revenue stream was doing. Salvatore noted that the sales tax and the associated Special Purpose Local Option Sales Tax (SPLOST) revenue were the biggest problems. The loss was still tracking in the neighborhood of 10%. He added that he and City Manager Bernard McMullen had spoken to the directors and chiefs about possible cuts in the FY 2008 budget, and he would bring the proposed budget amendments to address the shortfall to Council at the April 17 meeting.

Consent Agenda

1. **Consider Radar Permit Update for Times in School Zones**
2. **Alcohol License – Change in Licensee & License Representative – Peachtree BP, LLC**

Plunkett moved to remove Item #1 from the Consent Agenda. Boone seconded. The motion carried unanimously.

Plunkett moved to approve Item #2 on the Consent Agenda, the change in the licensee and license representative for Peachtree BP, LLC. Sturbaum seconded. The motion carried unanimously.

CA #1 – Consider Radar Permit Update for Times in School Zones
City Engineer Dave Borkowski noted that he, Public Works, and the Police Department had worked on the update, which was based on the standards in the Manual of Uniform Traffic Control Devices (MUTCD). According to the MUTCD, school zones should be established 100 feet from the property line of the school or 200 feet from the crosswalk to school. He introduced Police Sergeant Mark Brown, who was working on the Safe Routes to School program. The

work on the update began last summer and was very involved. They had looked at aerial photos, talked to the schools, and had performed an engineering study. The MUTCD specifications said the measurement should be 200 feet from the crosswalk to the school, but there was no definition for a crosswalk to school or how far the crosswalk should be from the school. Staff went to each school and looked at the City's multi-use path map to determine which paths and crosswalks fed the most students to each school. The intent was to provide a safer route to school. Borkowski showed aerial photos (a copy of the slides are included in the official meeting file) with the original school zones and the proposed extensions marked. He noted that the zones were larger and were based on engineering judgment as to what was considered a crosswalk to the school. The paths made that determination more difficult.

Plunkett asked how people would know where the school zones were. Borkowski said there would be an extensive sign program. Logsdon asked how much it would cost to install blinking yellow lights on the signs during school hours to ensure motorists were aware they were in a school zone. Borkowski said he was not sure. There were certain standards that were required for those lights. Boone felt every school area should have flashing lights. McMullen noted that Assistant City Manager/Developmental Services Director Colin Halterman had priced the cost in 2000-2001. At that point, the cost was $150,000.

Boone clarified that the reduced speed would be in effect during school hours only, and the speed limit would revert to the normal limit during non-school hours. Borkowski said the hours would be posted on the signs. Sturbaum asked if the hours were based on the school attendance times. Brown said that currently the elementary school zones had different times. The new signs would have the same hours and included the afterschool program. The current signs would be changed to a diamond-shaped yellow sign with the speed limit and hours listed. Signs would also be posted as a warning that a school zone was ahead.

Sturbaum asked if there had been any trials to determine how the changes would impact the traffic flow, and if an increase in citations was projected. Brown said that they did traffic volume studies with the SMART trailer and found that it was rare for drivers to comply with the 25 mph speed limit at any time. About 70% did not comply. Boone asked if it was a state standard to cite drivers going one mile over the speed limit in a school zone. Brown said it was, and the Department usually stuck to a reasonable standard.

Brown noted that, as for the cost of the signs, there was a plan with the Safe Routes to School program to encourage use of the path system. The standard in the MUTCD did not address the City's unique path system and trying to figure out how students walked to school was difficult. Boone expressed concern that the modified carts that traveled faster were a danger to students walking to school. Brown said there would be more officers on the path system as part of the general plan to make the paths safer.

Brown noted that all of Waterwood Bend would be included in the school zone for Booth Middle School, since there were numerous path crossings in the area used by students. He added that the Police Department also received a number of speeding complaints in that area after school was out. Plunkett suggested that the speed limit on Waterwood Bend be lowered to 25 mph all the time. Borkowski said that was an option.

Plunkett moved to accept the radar permit update with the times that were presented in the school zones and to look at changing the speed limit on Waterwood Bend all the time. Boone seconded. The motion carried unanimously.

Old Agenda Items

02-08-18 Discussion/Consideration on Repair of Police Department Building (and acquisition of Recycling Center property)

City Attorney Ted Meeker addressed Council and said that, due to ongoing discussion among various parties and the potential impact on the scope and cost of the proposed work on the building, staff requested that this matter be continued until the April 17 Council meeting. The analysis done by staff to date would not change, but there were legal issues they were trying to resolve. They should be ready by the next meeting.

Plunkett moved to continue the discussion on repair of the Police Department building based on the City Attorney's recommendation to April 17. Boone seconded. The motion carried unanimously.

03-08-01 Consider Comprehensive Revenue Analysis/Fee Charges

Salvatore said staff would go over the suggested changes from the Public Hearing on March 6, present the Developmental Services fees, and then they would look at each department individually.

Acting Administrative Services Director/City Clerk Betsy Tyler reviewed the fees for Administrative Services. The Occupational Tax included a $20 administrative fee and $17.50 per employee, with a $100 minimum fee for companies with one to four employees and a maximum of $5,000 for companies with 500 or more employees. Staff proposed increasing the maximum fee to $8,000 in $1,000 increments over a three-year period, which would result in a $10,000 revenue increase after the third year. In addition, Tyler recommended increasing the per employee charge from $17.50 to $18.50 effective for all 2009 taxes, which would add $22,000 in annual revenue. Approximately 75% of the companies paid the minimum fee, so those companies least able to afford it would not have an increase. The average increase for the other businesses would be $43 per year. She suggested that, effective immediately, exempt businesses (churches, utilities with franchise agreements, attorneys, non-profit organizations) interested in being listed in the database on the City's website pay just the $20 administrative fee, which would yield an additional $1,000 to $2,000 in annual revenue. Tyler added that some cities did not have a maximum limit on the Occupational Tax, or the maximum was $15,000 to $20,000. Plunkett asked Tyler if she had spoken to any of the larger companies to tell them about the proposed increase. Tyler said she had not.

Sturbaum asked Meeker if it would be a conflict of interest for him to vote on this issue. He noted he was employed by Panasonic, which was one of the larger companies. Meeker said it would not be a conflict.

Acting Police Chief Mike Dupree said there was one recommended change in the solicitor's permits. The current charge was $25 per day, but there was no distinction between a one-day or six-day permit. The process was completed on the first day when the application was turned in; anything after that should be considered a renewal. The suggested fee would be $25 for the first day and $10 for each additional day within the same week. The applications would be processed on a weekly basis, beginning on Monday and ending on Saturday.

Fire Marshal John Dailey went over the changes to the Fire Marshal fees, which included the following:

- Building Permits Review – consider doing away with $500 maximum at current rate of $0.015 per square foot;
- Fire Sprinkler Plan Review – consider increasing from $50 to $100;
- Fire Alarm Plan Review – consider increasing from $50 to $100;
- Construction Site Follow-Up #2 – consider increasing from no fee to $100;
- Construction Site Follow-Up #3 – consider increasing from no fee to $150; and
- Proposed fees to be effective immediately

Leisure Services Director Randy Gaddo presented a compromise recommendation on the Recreation Department's facility rental fees. He noted that churches, schools, and civic groups were not currently charged to use the facilities. He suggested that three no-fee bookings (3-No-Fee) be allowed each year for organizational events. Civic groups would have to be based in the City and show an Internal Revenue Service (IRS) "letter of determination" as proof of the organization's 501(c)(3) status. The 3-No-Fee reservations would be made on a first-come, first-served basis and could be bumped up to one week prior to the date if a paid rental or recreation program needing the space. After the 3-No-Fee schedulings, the organization could schedule paid bookings up to six months in advance that could not be bumped off the schedule. All other rules of rental/reservation per facility would apply, except for those groups with written City agreements. Groups in the category located outside the City limits would pay the full fee. Gaddo recommended the fees be effective on June 1, and that any group already scheduled to use a facility under the existing rules be exempted on a one-time basis. Gaddo estimated $5,000 to $8,000 additional revenue based on usage in 2007.

Gaddo continued that staff also recommended reducing out-of-County fees for instructional classes from 50% over the fees for in-County residents to 25%. He said staff hoped the reduction in fees would increase class participation. Staff recommended the reduced fee take effect immediately.

The Kedron and summer pools in-County daily pass would increase $1 per pass for ages three to 64. There would not be an increase for ages zero to two and 65 and over. Gaddo said the increase would generate approximately $15,000 in additional annual revenue. The family pool package rates would increase by an average of 9%, which should increase revenue by $4,000 annually. Rates for out-of-County passes in all categories would double effective with the new summer pool season which would start on May 24.

Gaddo suggested that an access fee be charged for users of The Gathering Place. The fee would be $10 per person per year for County residents and $20 for out-of-County users. The fee did not include rentals or people taking instructional classes offered by the Recreation Department at The Gathering Place. The access fee was for access to the facility and would be effective on January 2, 2009. Users would be given an access card or other identification device.

Logsdon asked Gaddo if he had discussed the access fee with the seniors who used The Gathering Place. Gaddo said he had not specifically. Expenses to operate The Gathering Place had increased, and access had been free until now. He felt it was best to approach use as pay-to-play. Logsdon agreed, but said the City should talk to the seniors first. Plunkett also felt that the City should talk to the seniors. Haddix noted that some of the elderly were on limited budgets, and The Gathering Place was their only escape during the week. He asked why there was a two-tiered system of fees for County and out-of-County residents. Gaddo said the City accepted an annual grant for recreation from Fayette County, which was traditionally $150,000. In exchange, the City offered in-County residents full access to the City's recreational facilities. Sturbaum said the City should reach out to the groups that would be affected by the fees. Haddix said they had to be able to reach a reasonable point where the facilities and programs were not 100% tax-base supported. There should be a tax base plus user charge. Boone agreed that there were some seniors who never had the opportunity to go to The Gathering Place, and the facility was the only avenue for some people. He also agreed that the City should talk to the seniors before making a decision. Gaddo said he had spoken to some seniors regarding a user fee, but not about the specific fee that had been discussed. The response at that time was that seniors should not pay anything. Logsdon said a few of the Council Members should go with Gaddo to talk with the Senior Adult Council. Boone clarified that out-of-County youth sports participants paid more than City residents. Gaddo said the fee was doubled for out-of-County youth sports participants, and staff was not recommending any change to that rate.

City Planner David Rast gave an overview of the Development Services Division's fees. There had been an overhaul of the entire fee structure for the division's five departments. Rast added that many jurisdictions charged substantially more than the City, and the City's fees had not been overhauled in 10 years. Major changes included charging for the Step 1 annexation applications ($0 to $250) and a change in the fees for rezoning and Step 2 annexation applications ($600 plus $25/acre to $250/acre). Another major change would be in the subdivision plan review fees. Rast noted that staff spent significant time reviewing plans that were not complete and sending the plans back with comments. There were usually three to four submittals before a project was ready to go to the Planning Commission for approval. Currently, there was not a charge for plan review for subdivisions. Staff recommended $250 plus $4 per lot for concept plats and preliminary plats, $300 for construction plans, $250 plus $10 per lot for final plats, $50 for plat amendments, and $100 each for resubmittals.

Rast continued that the Building Department was limited as to the fees that could be assessed. Building Official Tom Carty had done a good job of keeping the fees updated. They were instituting a plan review fee for residential construction of $.05 per total heated square feet ($300 minimum) and $100 for each resubmittal. Inspections had also increased to 15 to 20 per day, with many re-inspections. The first re-inspection would increase from $25 to $125, the second re-inspection would increase from $50 to $150, and subsequent re-inspections would increase from $75 to $175. Rast noted that the plan review fee for commercial had been 50% of the permit fee, with a maximum of $500. The new fee would be $.05 per total heated square foot, with a $300 minimum. One recent set of plans, which usually contained 50 to 80 pages, was submitted five times before they were ready, and the City had only collected $500. There had been no charge for issuing a temporary certificate of occupancy; the proposed fee was $200 in addition to the bonds required for incomplete work.

Rast continued that staff was researching and working on a new ordinance for tree removal and fees. There was no charge currently. There had been a lot of concern about tree removal during the Comprehensive Plan process, and the fee recommendation was pending. The sign application fee would increase from $25 to $100. Rast reiterated that the fees would cover staff time and would hopefully encourage people to turn in complete applications. Sometimes there were two to three submittals.

Rast pointed out that the fees for annexation and rezoning were separate. He recommended combining them so the fees would not be exorbitant since the work required by staff was the same. Usually, an annexation also required a rezoning. Plunkett said they could charge for both, but it could be brought to Council for discussion. Some annexations did not require rezonings. Logsdon suggested another line for annexation/rezoning. Meeker agreed and noted that any fee should approximate the cost of providing the service.

Boone said it was time the fees were increased. Sturbaum agreed. He noted that the staff had done a lot of work, and the fees seemed fair and reasonable.

Scott Bradshaw, Homebuilders Association of Midwest Georgia, said he had just found about the increase in the Developmental Services fees. He asked Council to consider tabling the Developmental Services part until his organization could prepare a position paper. Some of the increases were extremely significant. Logsdon said he did not have a problem with that. Plunkett asked Bradshaw what his concerns were. Bradshaw asked what would happen in the event of an involuntary annexation. Meeker said an involuntary annexation could be done, but the City would have to initiate it. In that case, the fee would either be waived or the City would charge itself. Plunkett said the builders should have time to look at the fees and comment.

Paul Van't Hof of the Peachtree City Civic Association (PCCA) read the organization's position paper stating their opposition to charging rental fees to civic groups and non-profit organizations that used City facilities. The major points of the paper included the following: Fees should reflect the cost of heat and light and should not be assessed to make a profit on something already paid for and maintained by the residents; and fees should also be applied equitably to all users. Van't Hof said he, personally, was also opposed to the proposed fees for civic organizations, churches, and schools. He believed that charging for use would discourage the use of the facilities. He pointed out that $30 per hour was far more than the cost incurred for using the room. Increasing fees for citizens was the last thing the City should do to increase revenue. Plunkett said using a room for a meeting was different from charging a child to play soccer. Van't Hof said if seniors were charged $10 annually to use The Gathering Place, then civic groups within the City should be charged the same. If a building was open, then only the cost for heat and light should be assessed. There needed to better definitions. Haddix said it would depend on the definition for non-profit. His homeowners association (HOA), which was non-profit, had used The Gathering Place for years. No staff was present, and they had to pay a $125 deposit and pay per hour to use the room. He asked how a fee-free civic group would be defined. He also questioned how fees would be paid – 100% tax base or tax base plus user fee. A tax base plus user fee was fairer.

Beth Pullias noted that the fees charged for children who played soccer supported the individual player. There would not be a program if the players did not pay a fee, but Kedron's pools would still be there if a group did not meet there.

Phyllis Aguayo agreed with Van't Hof and said the City had to look at the service it was providing when assessing charges. There was a difference when fees recouped the cost of providing a service and a fee was charged to a group wanting to use a room that no one was using anyway in a building that was open.

Sturbaum said that if the City was going to meeting with the builders about the Developmental Services fees and the users for the Recreation fees, then Council should also hear from the businesses about the Occupational Tax fees. Haddix said it was difficult to make a decision when he did not have definitions, costs, and usage rates. Plunkett suggested holding three mini town hall meetings to get public input. Logsdon said he was open to whatever the other members wanted to do, but Council had had this information for four weeks and some of the questions should have been asked three weeks ago. Plunkett said she had asked if anyone had talked to the businesses on March 6. McMullen noted that public notice was given and a public hearing was held. Staff would do what Council wanted, but it would cost to notify everyone individually (1,000 businesses and 36,000 residents). Plunkett said Panasonic, for example, was not reading the agendas that were posted. Unless the businesses were told about things that affected them, they would not know. Boone said the information was on the website, and that the managers of the businesses should know what was happening in the City. Logsdon added that the newspapers had covered the fees fairly well, and the City had a very good website. Word had gotten out, but the City should communicate with its industrial base. Plunkett said that if notices were sent out, and they did not come, then it might not be a big deal to them.

Salvatore clarified that the increase in the fees was not to make up the revenue shortfall. The fee analysis was part of the City's written financial policy. The increases were based on the cost of providing the services and a fee comparison to other cities in Georgia. Logsdon said staff had done a good job of putting the information together. He agreed that fees should increase, but he wanted to look the seniors in the eye and tell them what the City was doing.

Plunkett moved to postpone the Administrative Services fees until the May 15 meeting and that a notice be run. Boone seconded. Tyler noted that staff had an e-mail list of the businesses interested in the SR 74 traffic issues. She suggested sending a notice to the businesses on that list. Plunkett said that would be fine. The motion carried unanimously.

Sturbaum moved to approve the Public Safety fees for solicitor's permits. Boone seconded. The motion carried unanimously.

Boone moved to approve the Fire Marshal's report. Sturbaum seconded. The motion carried 4-1 (Plunkett).

Haddix said better definitions were needed for the Recreation fees. Plunkett moved to continue the Recreation fee discussion to May 15. Boone seconded. The motion carried unanimously.

Boone moved to continue the Developmental Services fee increases to May 15. Haddix seconded. The motion carried unanimously.

Gaddo asked Council if they wanted to consider the out-of-County fees and the pool fees separately. There had not been any discussion on those items, so there was no reason to hold them until May 15. He noted that the pool season began at the end of May.

Plunkett moved to reconsider the portion of the Recreation fees dealing with pool fees and out-of-County fees off. Sturbaum seconded. The motion carried unanimously.

Plunkett moved to approve the pool fee schedule for 2008 as stated in the agenda packet. Boone seconded. The motion carried unanimously.

Logsdon asked Gaddo why staff wanted to reduce the out-of-County fees for classes. Gaddo said that the fees had doubled four years ago when they were trying to reduce out-of-County use of the facilities. Staff had found that the classes were not filling up and wanted to back off on the fees to see if participation would increase. Gaddo noted that the reduction was for instructional classes only. He added that, sometimes, classes were cancelled because the requisite number of people had not registered. Plunkett noted that 80% of the class fees went to the instructor and 20% to the City. Gaddo pointed out that 100 % of the additional out-of-County and late fees went to the City. Sturbaum asked if the City would make the same amount of revenue with the reduction in fees and increased participation. Gaddo said it was possible, and the classes were usually better when they were full. Boone clarified that the fee reduction was basically a test to see if more people would sign up for classes. Gaddo said yes. Plunkett moved to reduce the out-of-County fees from 50% to 25% for one year from the meeting date and that the Leisure Services Director report to Council at that time. Boone seconded. The motion carried 4-1 (Sturbaum).

Meeker noted that Council needed to vote on the ordinance amendment regarding fees that was included in the Fire Department package. Section 38-38 had included a detailed fee schedule, which would now be embodied in the Council's adopted fee schedule. The amendment would reference the schedule adopted by Council. Plunkett moved to adopt the ordinance amending Section 38-38 as set forth in the Council agenda packet. Sturbaum seconded. The motion carried unanimously.

03-08-03(a) Consider Non Profit Funding Policy

Tyler noted that Council had asked for additional changes to CAR 8-3 City Council Funding for Non-Profit Organizations in Fayette County when the policy was discussed at the March 6 meeting. Council had not wanted to change any limits, but had asked to have an emergency out. Section "G" was added to allow Council to provide emergency funding from Council Contingency while still adhering to other requirements.

Boone moved to approve the modifications to the Non-Profit Policy with an emergency out added. Sturbaum seconded. The motion carried unanimously.

03-08-03(b) Consider Non Profit Funding Request – Fayette Art Center

Tyler introduced Kathleen Brewer, the Fayette Art Center director. Tyler said the non-profit policy set criteria for consideration up to $7,500 for basic needs (food, shelter, protection); up to $5,000 as a grant for general needs; and public schools ($5,000 every five years specifically for playground improvements with a match from the parent-teacher organization and an agreement regarding use by City residents). Plunkett clarified that this request would fall under the general needs category. Tyler said it would and added that, after Brewer's presentation, staff would need direction on whether or not to include Brewer's request in the FY 2009 budget.

Brewer gave a presentation on her program and requested that Council consider giving the Art Center $3,500. (A copy of the PowerPoint presentation is included in the official meeting file.) Her mission statement was to bring people together through art and to provide access to continued arts education. Brewer went over the programs offered at the center, which also had a gallery for exhibitions. The classes were attended by people from throughout the Southern Crescent region. She noted that she had spoken with Peachtree City Tourism Association (PCTA), and she was interested in holding special classes for the spouses of people attending conferences at the conference centers in the City. She said a strong arts community had a positive economic impact by providing a sense of identification, increased home sales, attracting new businesses, and increasing tourism. Brewer estimated that approximately 65% of participants in the Center's programs had been from the City during the year and a half the Center had been operating. She provided a listing to Council prior to the presentation. Plunkett and Haddix noted that there appeared to be more participants from other areas than from the City, based on her application.

Haddix said the center seemed to be more of a regional program. Brewer said she had asked Fayette County for funding and was told that they would provide funding when it was mandated by the state. Logsdon asked Brewer if she had talked to the other City Councils. Brewer said she was going to ask Fayetteville in two months. Haddix said he was struggling with where the line was drawn between an educational institution and a civic group and where it would fall in the funding mandate. Brewer said that clubs and guilds were formed out of the Center.

Tyler said that, according to last year's application, approximately 33% of the participants were City residents. Plunkett said that matched the numbers provided at the meeting. Tyler continued that there must be a contract for the service the City was paying for. There was also a requirement for a match of non-government funds. According to the application, the money would be used for studio supplies and classes, which were operating expenses. She added that was the City's concern. Plunkett noted that even free room space would have value, but she did not see how to provide funding without a match. Haddix agreed.

Tyler noted the Recreation Department offered arts classes, and a percentage came to the City. Gaddo added that staff had looked at the Center's programs, and Brewer's classes were at a much higher level than those the City offered. Plunkett asked Gaddo if he could draft an agreement. Gaddo said that they would have to craft an agreement to suit the purpose. Plunkett told Brewer she did not think the City could give her any funding, even with the modifications that were made earlier to the policy. The money the City provided would need to be directly applied to the educational aspects of the arts. She suggested that Brewer work with Gaddo and Meeker.

Plunkett moved that Council not approve the funding. Boone seconded. The motion carried unanimously.

Plunkett asked Council if they should direct Gaddo to look at an agreement. Logsdon said they could pursue it, but he did not want to spend a lot of staff time on it. It was a good program, but the budget was struggling. Gaddo said staff could look at the program informally and bring back information.

03-08-07 Consider Rezoning, GC to LUC-21, Wisdom Road (Fairfield Inn)
Logsdon noted there was an additional document on the dais – an e-mail from the applicant requesting the rezoning be moved to April 17. Boone moved to postpone Agenda Item 03-08-07 Consider Rezoning, GC to LUC-21, Wisdom Road (Fairfield Inn) to April 17. Plunkett seconded. The motion carried unanimously.

03-08-08 Consider Rezoning, GC to LUC-22, Commerce Drive North (Hilton Garden)
Rast said the rezoning had been requested in order to allow the hotel to be 60 feet in height rather than the 35-foot maximum height allowed by the City in GC General Commercial zoning. The Planning Commission was comfortable with the building elevations. At the March 20 meeting, Council asked for clarification and additional restrictions in three areas. Staff had looked at the permitted uses and identified additional uses, as well as uses that would not be permitted such as extended stay facilities. Another added condition was that the building could not be used for any kind of residential use. The developer would be required to submit a sample of the building materials to the City prior to submittal of the building plans to ensure the materials were consistent with what was in the zoning ordinance. Since the additional height of the building was a 42% increase over the City's maximum, the landscape provision was amended to require that 42% of the required canopy trees be no less than four inches in caliper. In addition, no less than 50% of the canopy and understory trees provided for tree replacement requirements must be evergreen plant material. Staff recommended approval of the revisions to the proposed rezoning.

Boone said Council's requirements had been met by the revisions. It would be a good project that would bring revenue to the hotel/motel tax. Haddix said that people did not come to the City just to stay in a hotel. He felt the project would put pressure on the older hotels to become extended stay facilities. Logsdon said the occupancy rate in the City might be down, but executives in the industrial park complained that their visitors had to stay in other cities.

Boone pointed out that the new BB&T building would be right next door to the project and would be a taller building. It was a quality project that would attract corporate people. He had faith in the Planning Commission. Haddix said Council had capped the buildings at 35 feet to stop the growth of taller buildings. Boone noted that the ordinance was written so a variance could be requested. Haddix said that one of the reasons the City lost the Lowe's lawsuit was that Council had made exceptions. Logsdon said there was a lot of emotion about this issue, but the ordinance made provisions for buildings over 35 feet, and an LUC allowed no more than 60 feet. A lot of activity was coming into the City. He had no problem.

Boone moved to approve the request for rezoning for the Hilton Garden Inn on Commerce Drive. Plunkett seconded. The motion carried 3-2 (Haddix, Sturbaum)

03-08-11 Consider Variance to Rear Building Setback, 516 Clearwater Cove

Rast noted that the variance request had been continued from the March 20 meeting due to an error on staff's part. The homeowners' association (HOA) confirmation had not been received. The letter from the HOA was attached to the memo in the meeting packet. Letters from the owners of the adjacent homes at 514 and 518 Clearwater Cove were received prior to the meeting. Rast continued that the request was to extend up to 10 feet in the 30-foot rear setback to build a sunroom. The property backed up to a greenbelt, and the expansion would be seen only by the neighbors on the left side of the home. Staff recommended approval with the conditions in the March 18 memo to Council.

Boone noted that the variance request had been postponed due to the HOA letter. He moved to approve the variance for 516 Clearwater Cove with the stipulations. Plunkett seconded. The motion carried unanimously.

New Agenda Items

04-08-01 Consider Appointment of Deputy City Clerk

Plunkett moved to appoint Pam Dufresne as the Deputy City Clerk. Boone seconded. The motion carried unanimously.

04-8-02 Consider 50th Anniversary Logo and Use Policy

Plunkett moved to approve the 50th Anniversary logo and use policy as stated in the agenda packet. Sturbaum seconded. The motion carried unanimously.

04-08-03 Consider Homeland Security Grant and MOU with Georgia Emergency Management Agency

Plunkett moved to approve the Memorandum of Understanding for the Homeland Security grant opportunity. Boone seconded. The motion carried unanimously.

Boone asked what the wireless card was for. Information Technology Administrator Matt Robinson said it would provide the internet connectivity that would be required with the system to connect to the other agencies and to the state. It would be managed through the Georgia Bureau of Investigation (GBI).

04-08-04 Consider Improvements (Additional Seating) at the Amphitheater

Peachtree City Tourism Association Executive Director Lauren Yawn explained that the improvements were part of the sponsorship agreement with Belgard Hardscapes. The company would add the additional seating using their products in a terraced level. The area was currently shrubs. It would provide additional seating, which would provide additional revenue. Plunkett said the City would be able to improve a City facility without spending any money, and the seating would add revenue to the Amphitheater. Logsdon noted that they would be similar to boxed seats and would hold six to eight people.

Sturbaum moved to approve the improvements for additional seating the Amphitheater per the recommendation. Haddix seconded. The motion carried unanimously.

04-08-05 Consider Transfer and Renewal of Newnan Utilities Franchise

Meeker explained that the City's consent was a stipulation in the current franchise agreement with Newnan Utilities in the event of a sale to another entity.

Plunkett moved to approve the transfer and renewal of the Newnan Utilities franchise. Meeker asked Plunkett to amend her motion to include authorization for the Mayor to sign the agreement. Plunkett amended her motion. Haddix seconded. The motion carried unanimously.

Council/Staff Topics

Sturbaum moved to convene in executive session for threatened or pending litigation and a personnel matter at 9:50 p.m. Haddix seconded. The motion carried unanimously.

Boone moved to reconvene in regular session at 10:02 p.m. Sturbaum seconded. The motion carried unanimously.

There being no further business to discuss, Sturbaum moved to adjourn. Haddix seconded the motion. The motion carried unanimously. The meeting adjourned at 10:03 p.m.

Pamela Dufresne

Pamela Dufresne, Deputy City Clerk

Harold K Logsdon

Harold K. Logsdon, Mayor