City Council of Peachtree City
Minutes of Meeting
April 1, 2010
7:00 p.m.

The City Council of Peachtree City met Thursday, April 1, 2010, in the City Hall Council Chambers. Mayor Don Haddix called the meeting to order at 7:00 p.m. Council Members present: Vanessa Fleisch, Erik Imker, Kim Learnard, and Doug Sturbaum.

Announcements Awards, Special Recognition

Mayor Haddix read a proclamation for Earth Day on April 22 and Fayette County Earth Day on April 17. Keep Peachtree City Beautiful Director Al Yougel accepted the proclamation.

Citizen Comment

Caren Russell addressed Council concerning the proposed pay raise for the Mayor. She thanked Imker for his analysis of the City's budget and search for solutions. She referred to a recent newspaper article concerning a proposed pay raise for the Mayor. She continued that the employees were working very hard, and she did not see how the Mayor could work by their sides and take a raise. They all had run for office knowing what the pay would be. Everyone had to look at things to cut. She asked Imker and Sturbaum not to bring the pay raise back and asked the Mayor to abstain from the vote if that occurred.

Agenda Changes

There were none.

Minutes

March 2, 2010, Workshop Minutes
March 4, 2010, Executive Session Minutes
March 18, 2010, Regular Meeting Minutes
March 18, 2010, Executive Session Minutes

Sturbaum moved to approve the March 2, 2010, workshop minutes; March 4, 2010, executive session minutes; March 18, 2010, regular meeting minutes; and March 18, 2010, executive session minutes as written. Learnard seconded. The motion carried unanimously.

Monthly Reports

There were no comments on the Monthly Reports.

Consent Agenda

1. **Consider Budget Amendments – FY 2010**

Sturbaum moved to approve the Consent Agenda. Fleisch seconded. The motion carried unanimously.

Old Agenda Items

02-10-04 Consider Amendments to Chapter 46, Municipal Court Establishing a Standard Code Enforcement Fine/ Cash Bond Schedule

Interim Community Development Director/City Planner David Rast said that Code Enforcement, the Court Clerk's office, Administrative Services Director, City Solicitor, Municipal Court Judge, and others had been looking at the existing cash bond/fine schedule for Code Enforcement violations. One area they had tried to address involved cases brought before the Court when there was not an established fee/fine for a violation of the ordinances. They looked at the most common offenses and which sections most of the violations were written for during the past year. The list was extensive. The schedule would allow those issued citations the option to pay in advance as opposed to appearing in Court and waiting until they could appear before the Judge, with the fee determined at that time. It would free up a lot of Court time for the code violations. The fines would take effect upon approval. Staff had identified which offenses would be considered as "must appear," which meant those cited had to come to Court to present their case. Staff's recommendation was to approve the schedule, which would be incorporated into the Municipal Court's fine schedule.

Learnard clarified that the purpose of the schedule was so that those cited would not have to appear, but could pay the fine. Rast said those cited would have to appear only if it was a repeat offense.

Sturbaum said he, Fleisch, and the Mayor had talked to staff about streamlining the code enforcement process for collecting the fines and ensuring the ordinances were enforced in a swifter way, yet still providing the ability for the Judge to enforce laws when he needed to. Sturbaum commended staff.

Fleisch also thanked staff. She was concerned that as the City aged, people were getting lax in taking care of their property. This provided some recourse for repeat offenders.

Learnard moved to approve the standard fine schedule for code enforcement violations. Sturbaum seconded. The motion carried unanimously.

New Agenda Items

04-10-01 Annual Audit Presentation (FY 2008 – 2009) – Moore and Cubbedge

Tammy Galvis from Moore and Cubbedge, the City's audit firm, said the audit for the fiscal year that ended September 30, 2009, had been submitted to the Georgia Department of Audits and Accounts as required by state law and to the Government Finance Officers Association (GFOA) for the Certificate of Achievement for Excellence in Financial Reporting, which Moore and Cubbedge believed the City would receive again this year. She continued that Moore and Cubbedge had issued a clean, or unqualified, opinion this year, which meant the auditors believed that the financial statements were fairly stated in all material respects.

Galvis gave an overview of what was included in the financial report. (A copy her PowerPoint is included in the official meeting file.) The City's governmental funds included the General Fund; Special Revenue Funds – sports association fees, neighborhood parks, Drug Abuse Resistance Education (DARE) program, state/federal seizure funds, hazardous materials funds, Police Department tuition, youth, hotel/motel tax, grants/donations, special events, Keep Peachtree City Beautiful; Debt Service Fund; Capital Projects Funds – Special Local Option Sales Tax

(SPLOST), capital projects; Proprietary Funds – Stormwater, Amphitheater; Fiduciary Funds – pension trust, agency funds (Municipal Court, landscape deposit fund); and Component Units – Peachtree City Water and Sewerage Authority (WASA), Peachtree City Airport Authority (PCTA); Peachtree City Tourism Association (PCTA), and Development Authority of Peachtree City (DAPC).

Imker asked if they also audited the City's component units. Galvis said they did not audit the component units, but received copies of their audits. They also received clean opinions as well.

Galvis summarized that the General Fund had total revenues of $24.5 million for the year, expenditures before transfers of $24 million, for an excess of revenue over expenditures of $497,000. The net for other sources and uses was $1 million, which was primarily transfers to the debt service fund for principal and interest payments on the City's debt, for a net decrease in fund balance for the year of approximately $584,000. The General Fund ended the fiscal year with a total fund balance of $9.8 million dollars, of which $328,000 was reserved, with $451,000 as designated reserve funds and $9 million as unreserved undesignated. The total unreserved fund balance, the designated and undesignated portions, would cover about 36% of the 2010 budgeted expenditures and transfers out.

Galvis compared the actual results of the General Fund to what had been budgeted. Total revenues had been budgeted at $25.9 million, and the final budget was $25.1 million, with the actual revenue at $24.5 million. Revenues were underbudgeted by approximately $571,000, primarily due to the decrease in the Local Option Sales Tax (LOST) and property taxes. The total expenditures were originally budgeted at $25.2 million, with the final budget at $24.3 million, and the actual was $24 million. Expenditures were under budget by approximately $300,000. Originally, the City budgeted approximately $1.1 million of the fund balance from the prior year to help cover operations for the next year. The final budget expected to use $151,000 of the prior year's balance and actually used $585,000 because of the declines in the revenue sources.

Galvis went over the ending unreserved fund balance for the last three years. In 2007, the General Fund ended with $10.6 million in unreserved fund balance. In 2008, the year ended with $10.1 million. In 2009, it ended with $9.5 million. For that period, there was a $1.1 million decrease. She said 2009 was a challenging year, and 2010 would also be challenging. She continued it was important for a city and county to know they had an experienced and knowledgeable accounting staff so they could get good information throughout the year in order to make good decisions. She was confident the City had that.

Imker asked how long Moore and Cubbedge had been the City's auditors. Galvis said last year had been the first year of the contract.

Haddix thanked Galvis for the positive audit and kind words. Sturbaum said the audit showed staff took a very serious approach to the budget, making adjustments when needed.

04-10-02 Consider Renewal of Coweta-Fayette Natural Gas Agreement

Coweta-Fayette Natural Gas offered the City a fixed rate for the months of August 2010 through March 2011 of $0.5797 per therm, which represented a cost savings of approximately $4,700 during that time.

Sturbaum moved to approve the renewal of the Coweta-Fayette Natural Gas agreement. Fleisch seconded. The motion carried unanimously.

04-10-03 Consider Amendments to Code of Ordinances – Chapter 42 Health and Sanitation

Rast said clarifications had been needed to four sections of the ordinance. Under Section 42-36 Definitions, "abandoned personal property" and "inoperable vehicles" would be added, and the existing definition of "rubbish" would be clarified. Rast pointed out that golf carts were included in all three definitions.

The proposed amendments to Section 42-38 and 42-39 included requiring owners of a developed lot to maintain brush, weeds, and grass to a height no greater than eight inches from ground level. He said staff also proposed eliminating the "40 foot rule," which required property owners to maintain only the portion of their property that lay within 40 feet of their dwelling. The change would require all owners of private property, whether residential, commercial, or industrial, to maintain their property to the standards identified in the ordinance.

Rast continued that another amendment would require, to the greatest extent practicable, all garbage, garden trash, rubbish, and debris awaiting proper disposal to be stored within an appropriate covered container. He said the intent was to discourage rodents from entering trash containers and to discourage the formation of breeding grounds for mosquitoes and other insects.

The proposed changes to Section 40-42 addressed violations, and the 48-hour Notice of Violation (NOV) would be changed to stipulate the violation must be abated in the time prescribed when the NOV was issued. The amendments would also require that no more than one NOV per property per growing season be issued. If the property owner failed to comply after the NOV was issued, then a citation could be issued.

Rast said that the amendments were designed to strengthen Code Enforcement's ability to write NOVs and citations.

Haddix asked if anyone had comments. No one from the public spoke.

Sturbaum said the proposed changes were what Council set out to achieve when looking at the ordinance with staff. People had been working the system, and the amendments would help people maintain their property values and address abandoned property.

Haddix asked if the amendments adequately covered weeds. Rast said the amendments were written specifically for lawn areas. The Property Maintenance Code, which was also enforced by Code Enforcement and the Housing Code Official, had a section specifically for vacant properties and weeds, which was referred to when addressing overgrown weeds and underbrush. Haddix was also concerned about property when development had started, then ceased, and the property had not been restored. Rast said staff was looking into that. The Property Maintenance Code covered most of it, and there was language in the soil erosion ordinance that addressed temporary and permanent grassing. Staff would bring any potential changes to Council. He continued that there were some properties that were pre-cleared and pre-graded, with some having reforested. Some properties were in prime locations. The biggest issue was the transition from temporary grassing to permanent grassing. A couple of different ordinances addressed those issues, and they needed to be consolidated into one specific area so it could be enforced.

Fleisch commended Housing Code Official Tami Babb for working with the owners at Lexington Circle, saying it looked a lot better. Rast said there had been a great deal of garbage at Lexington Circle, probably the result of the student parking. Student parking had been prohibited on the private streets, and the streets in the development had been posted.

Imker clarified that the height of grass had been reduced, adding that he did not want to see the changes to the ordinances become a revenue generator. Rast said the changes would be put in the ***Update*** newsletter. It was not intended to be a revenue generator. Rast said staff had been looking at the proposed changes for some time. Staff had researched what other cities with grass-cutting ordinances had done, and most required less than eight inches. There were not many lots where the grass grew that tall, and most owners were pretty quick to rectify the problem. Imker asked Rast to let Council know if revenue had tripled by the end of the season. Council and staff might need to look at it again if there was a huge increase in the revenue or too many complaints.

Haddix said this was something that had been needed for a long time. In wet years, there would be many complaints. The intent had not been to generate revenue. If the revenue tripled, then people were not learning their lessons.

Sturbaum moved to approve the amendments to Chapter 42 Health and Sanitation as presented. Fleisch seconded. The motion carried unanimously.

04-10-04 Consider Modifications to Recreation Fee Schedule
Leisure Services Director Randy Gaddo addressed Council and went over the proposed modifications to the fee schedule at the Kedron Fieldhouse and Aquatic Center. He noted the Council had authorized an increase in revenue at Kedron at this year's Retreat. Staff had been working on the adjustments for a year. The goal was to bring the facility as close to break even as possible. (A copy of Gaddo's PowerPoint is included in the official meeting file.)

Gaddo continued that Council approved an increase in some fees in May 2009, and staff requested Council look at the fees again. Gaddo said the 2009 proposed increases in swim fees were based on the cost of operating the pools when the teams were in the pools using them. The proposed fees would have increased revenue by $55,000. Council modified the proposal for the fees, which accounted for an increase in revenue of $24,000. The modified fee increases were based on a per lane charge compared to the actual cost of maintaining the facility.

The current team fee equaled about $12 per swimmer per month. The recommended fee was $32 per swimmer per month for the Southern Crescent Aquatic Team (SCAT) and the high school teams. The Pirates summer swim program did not have a fee. The proposed fee would be $5 per swimmer in the County and $10 for swimmers from out of the County, which would go into a fenced account to help maintain the facility. The Masters program fees would increase from $5 per swimmer to $18 per swimmer per month. The estimated increase in the swimming fee revenue was $55,000.

Gaddo recommended reducing the rental rates for the facility so it would be more affordable. The intent was to rent the building during low use times. An example was the Air Tran ditch training that would begin in August. The estimated rental revenue was $20,000, and the facility would be used during the day time low use time. If the rental revenue and demand was significant, the event could be scheduled during prime use hours, such as the Buy Design Jewelry Show. He also suggested adding an open gym fee. Staff also recommended increasing the adult team athletics by $25 per team. The estimated impact for the remainder of the fiscal year was approximately $40,000.

Learnard asked why there were more rentals of the facility this year. Gaddo said that staff had not looked for rentals in the past, but were now promoting them.

Bob Brown asked why the proposed fees for churches and civic groups were less. They did not pay property taxes, while City residents did pay property taxes to support the facility.

Jamey Myers, head coach for SCAT, said SCAT's fees were $7,000 annually a year ago. This year, the fees would be $17,000 based on the increase approved in May 2009. If the new increase were approved, the team's fees would be $42,000 annually. The norm for pool rental rates was $3 to $5 per lane per hour. The City was now on the low end at $3. The new rates were triple the cost anywhere else. There were 125 kids on the team. There had been some good ideas on increasing the numbers from SCAT, such as an early morning triathlon group and renting Room #1 to him for an office. He currently paid $600 a month for an outside office. Myers asked the net loss of pools and the City's contract with USA Pools. Gaddo said it cost the City $460,000 more than the revenue that came in to run Kedron, and the pools were the majority of the expense. Myers said the City could save money by bringing the pool operations inhouse rather than contracting them out, noting the City paid a lot for the service contract. Gaddo said the pool operations were coming up for re-bid this year. In making a direct comparison with other facilities, if the pools were owned by the County or the school board, then they had access to other funding sources. Kedron was funded by the taxpayers. Myers said increasing the costs by $25,000 in one year was a lot. It would be better if the increase were more incremental. He said people would leave the program, and the 125 members could drop to 100 or 90.

Becky Finney and her daughter, Sarah, a SCAT member, asked how the City could rationalize $25,000 for the 50 families that participated in the year-long competitive program. She asked if the fees had been raised for all the recreation teams, adding that soccer could hold their tournaments on City fields, but SCAT had to hold its meets at the Clayton County facility.

Finney said most of the participants had working families who wanted to do this for their children. If the City kept increasing fees, people would leave and the revenue would not be there.

Gaddo said if they could not bring the revenue and expenses closer, the bubble could not go up, so there would be no winter pool season. He said the other sports associations put significant money into the facilities they used. The swim teams did not. Kedron was not built or designed as a competition facility. The $32 per person per month was the level they needed to get to. Myers was going to work on other ways to get the money than taking it out of the parents' pockets.

Rob Copeland said he was a master swimmer and sat on the Board of Directors of U.S. Masters Swimming. He said the accepted standard fee at comparable facilities was $3/lane/hour. Kedron's revenue was up 35%; there had to be a better way to further enhance it. He noted that, of the 55,000 hours of lane time, SCAT used the pools 11% of the time, the Pirates program used approximately 1%, Masters used 1.5%, and the high schools used 2%, which total approximately 15.6% utilization on a per lane per hour basis. It could be done without raising fees for the youth programs. Increasing the fees in this economy had already impacted the youth programs. Increasing utilization of the facility was the answer for the fieldhouse side and the pools.

Gaddo pointed out that a City bond paid for the facility. Fayette County gave the City $150,000 a year for all the recreation the City provided for City and County residents. Kedron was funded by the City. Everyone wanted to use the facility at the same prime time, 4:00 – 9:00 p.m., Monday through Friday, and on the weekends. It needed to be used during the day, during the school year, which made it difficult. It was a common problem.

Jim Schmid said raising the fees would drive customers away and reduce the use of the facility, which was not what the City wanted to do. He said there was interest in opening the facility early in the morning. He would like to swim before he left for work in Atlanta. He asked staff to talk with the users to find other ways to generate revenue.

Beth Pullias recommended adopting the fee increases for one year to see how the users were affected. She also suggested setting up a donation fund to replace the bubble.

Finney asked if the cost of running Kedron could be spread out over all the sports programs. She noted that her neighborhood in the city she moved from had a bubble for its pools. She did not understand how a neighborhood could afford it, but a city could not. Haddix said the other youth associations contributed tremendous amounts of time and money to the City. They were taking care of themselves. He did not see that from Kedron.

Sturbaum noted that Spalding County had used a SPLOST for recreation programs and improvements. The other sports leagues put a tremendous amount of money back into the fields because they knew things were going down. It was a challenge. The bubble replacement cost was $250,000. Enclosing the pools with a fixed structure that could open up would cost $4 million to $6 million, and the millage rate would double. Staff had doubled the life expectancy of the bubble. Kedron, at one time, had cost $900,000 more to operate than the revenue it brought in. Last year, the shortfall was cut down to $650,000. This year it was down to $450,000 to $470,000. Staff had increased efficiency and looked at other programs. Council wanted to protect recreation as an amenity, but had to look at what those avenues could be.

Bob Brown noted he had been involved with the Little League program with his sons and had served on the Board of Directors. The Little League raised and spent a lot of money on City facilities. The advertising program raised a lot of money, and he asked if the swim team could do the same thing. They could put up banners to offset the cost rather than passing it directly to the participants. Gaddo said that was something they could look at.

Learnard said she had received an e-mail from a McIntosh swim parent who said it was a 300% increase in their fees. Learnard checked the cost of the other sports program at McIntosh, noting that the McIntosh football program cost $500 with the understanding the student would participate in the Lift-a-thon and raise another $250. Lacrosse was $250, with the understanding the student would get one sponsor for $100. Baseball was $500, with the understanding the student would do the 100 Innings fundraiser and raise at least $250. She said no one was taking the increasing fees lightly.

Susan Beale asked Gaddo if anyone had talked to the high schools to see if they would drop their swim programs due to the increase. Gaddo said the Board of Education did not pay anything for the facility. The booster clubs paid for the use of the facility. Beale said she thought the school paid some of the money. Gaddo said the schools had teams, but no facilities, and provided no funding to help offset the cost.

Haddix said Kedron was meant to serve 13,000 homes and only part of them used it, yet it supplied the Board of Education and the County with a facility. The County had cut its budget by 4% across the board, including the $150,000 in recreation funding that the City received. If user fees were not imposed, then the shortfall would fall back on property taxes. He commended those groups that had done what they did to help their programs. Similar facilities in other areas had shut down completely because they were too expensive.

Fleisch said Council had discussed sending out a Request for Proposal (RFP) for privatizing the Kedron operation at Council Retreat, and Council wanted to keep it a City facility. Increasing fees was another way to make it a well-functioning facility. At this point, Council needed to give staff the tools to keep Kedron functioning.

Sturbaum felt a sensitivity analysis should be done in six months to see the impact of increasing the fees. Many different things were going on that could make a difference, and adjustments could be made at that time. Haddix said the shortfall issue at Kedron had been discussed for three years. They had to give staff a chance to fix it.

Learnard moved to accept the modifications to the recreation fee schedule as presented. Fleisch seconded.

Sturbaum asked to add a six-month review to the motion and whether the motion should be rescinded. City Manager Bernard McMullen said staff would come back with an update in six months. No amendment was made.

The motion carried unanimously.

04-10-05 Consider Residential Amendment to Fire Sprinkler Ordinance

Imker said House Bill 1196 (if approved, the bill would overrule any local ordinances on sprinkler systems) had crossed over from the House to the Senate with some language changes. He needed to understand those changes before he could make a decision on the amendment to the ordinance. City Attorney Ted Meeker read the legislation in its current form. Based on the verbiage, if the City's amendment were approved before the state bill became law, then the City's regulations would stay in effect. Imker asked what effect a motion to continue would have. Meeker said if the state legislation were already in effect when a local ordinance was considered, then local ordinance could not be adopted.

Sturbaum said that changed his position on a continuance. Meeker said the legislation had to be signed by the governor and would have an effective date, which was usually either on the signing date or July 1.

Fire Chief Ed Eiswerth addressed Council on the proposed amendment, asking for approval to require automatic sprinkler systems in new construction. No retrofit of existing homes was included. The battle was between safety for citizens and firefighters versus profit and cost. Eiswerth referred to a house fire that had occurred in the early morning that day in the City. The smoke detector had not awakened the family. A young man dropping his girlfriend off at her home in the neighborhood saw the flames in the garage and got the family out. The use of drywall in the garage had helped in that fire. Eiswerth continued that fire departments had fought for residential sprinklers for 25 years. Two years previously, the International Code Council (ICC – the association that developed building codes) added sprinkler systems to the single-family housing code. There were no recorded deaths in single-family structures with sprinklers installed. Eiswerth continued that sprinklers put out fires, and most deaths from fires occurred in single-family residences, not multi-family housing, which was required to have sprinklers. Eiswerth cited statistics from several sources. Builders and developers preferred the installation of sprinklers be a homeowner's choice. Smoking was a choice, and it was the leading cause of death in a residential structure fire, and the third leading cause of injury. Although homes today were well-built and engineered, structural failure could occur in seven minutes during a fire. Sprinklers saved the lives of residents and firefighters, and they were now included in the Building Code. Eiswerth asked Council to approve the amendment.

Juan Matute said there was a lobbying effort trying to bulldoze people into believing fire sprinklers were not needed in homes. Sprinkler systems would cost a little more, but they save lives. The City should go on record and approve the amendment to the ordinance. Let someone else tell the City it was not a good idea.

Bob Barnard of the Home Builders Association of Midwest Georgia asked Eiswerth if he had a sprinkler system in his home. Eiswerth said he did not, but if he built a new home, it would have a sprinkler system. Barnard said that while the national building code required the sprinkler systems, local states could opt out of that requirement. In addition, homeowners would have to get an annual inspection of the system. He continued that the chances of surviving a fire in a new home were 99.45%. The only death from a home fire that he was aware of in Peachtree City since 1970 was someone who lived in a condo who died of smoke inhalation. Sprinklers did not go off from smoke, but from heat, sprinklers would not have save that person. The requirement to install sprinklers would generate $3 billion annually for that industry. If the systems were required in new construction, staff would eventually bring retrofitting older homes back to Council.

Michael Rossetti, also a builder, said the people who wrote HB 1196 were professionals who dedicated their lives to the safety of construction. Georgia's Department of Community Affairs (DCA) was also involved. The members of the ICC were also professionals. He did not agree with everything in the Building Code, but he did agree with their methods when it came to imposing new codes. It had proven the homes built today were much safer. Smoke alarms had also gone through an evolution, and they were now wired into homes with battery back-up. There had been tremendous construction improvements for fire safety. Rossetti said he installed sprinkler systems in The Villages in Fayetteville, adding that Fayetteville had required sprinkler systems in that development. Not one customer cared if there were sprinklers in the homes. Three years ago it cost $5,000 to install the system in a $250,000 home. He asked McMullen if he confirmed that Fayetteville had cut the impact fees and permit fees in the Villages because of the expense of the sprinkler systems. McMullen said he had spoken with Joe Morton, Fayetteville's city manager, who verified the fees had been cut, but Morton said the reason the sprinklers were required was the density. There was a 10-foot separation between the homes. Rossetti said if people wanted sprinklers, fine, but people should not be forced to have them.

Fleisch asked who would install the systems. Rossetti said plumbers could be trained to install the systems, but in the past, they had to hire a sprinkler company to install the systems. He added that, if the water had been sitting in the system for a couple of years, it was black and stank when it came out. It destroyed property.

Eiswerth said he had not seen any black stuff coming out of the sprinklers, but he had seen them put out fires and save lives. Barnard pointed out that 14 states had passed the same legislation under consideration by the state legislature, and there was a reason.

Bob Brown asked Council to vote no on the amendment. Everyone had the option of installing the sprinklers when building or retrofitting their home. No one should be required; people should be able to exercise their choice. Brown continued that the Chief was doing his job by asking for the amendment, but Council's job was to decide what was appropriate to implement. The City was close to buildout. He asked how many homes the amendment would affect, and asked why it should be done if only a few hundred houses would be affected. He agreed the sprinkler discharge was bad.

Les Dyer said the discharge argument was ridiculous. There was no reason not to approve the amendment. It was not about saving money, but saving lives of citizens and firefighters.

Learnard said she had recently remodeled her home for over 50% of its value. She asked McMullen to clarify whether the amendment under consideration was only for new residential construction. McMullen verified it was for new construction only. Learnard said she sent her remodel plans out to five companies for bids. Not one of the builders said anything to her about residential sprinklers. She worked in industrial safety, and the case studies she dealt with concerned what happened when there was an accident that occurred in spite of the odds. Learnard continued with the following statement:

Fire sprinklers discharge one sprinkler head local to the fire. They use much less water than a firefighter hose, minimizing water damage. They extinguish the fire promptly, sometimes before the firefighters even arrive, minimizing both fire and smoke damage. If nobody is home, a smoke detector serves no purpose. Even if a smoke detector goes off and someone is home, people are supposed to get out. The chance of injury is compounded if the resident tries to put out a fire on their own.

Reasons why I support residential fire sprinklers in new home construction:

1. *Fire sprinklers absolutely save lives. Residents' lives and firefighters' lives.*
2. *In my own experience, I teach industrial safety including fire safety in an industrial setting. I am acutely aware of what can happen in spite of the odds.*
3. *Opposition to new safety features is common. It is normal. In the auto industry... seat belts and air bags. Smoke detectors were originally opposed.*
4. *Benefits to a municipality may include smaller water mains in new developments and wider spacing of fire hydrants. This is still being ironed out.*
5. *Some of the remaining single family residences to be built in PTC have a possibility of being for seniors, 55+ who live on their own. It is reasonable to build their homes to optimize personal protection in case of a fire.*
6. *We already have them in North Cove and in multi-family units. This is not new technology. There were no problems or issues with fire sprinkler installations in these places.*
7. *Fire service officials universally support residential fire sprinklers.*
8. *How do we not take every precaution where our families are concerned? This is an inexpensive solution compared to the loss of a life.*
9. ***Cost** is widely estimated at 1% of building costs. For a $200,000 construction, that's $2000. How quickly would you have $2000 of damage in the case of a fire?*
10. *At this point in time, interest groups are lobbying the Georgia legislature to prohibit municipalities from making their own decisions in this matter. Interest groups do not dictate public policy; municipalities do. We are here to make good decisions.*
11. *Cities, counties, and local districts should have and should retain the authority to determine the best approach to providing fire safety based on their local community needs. Our local fire officials support this.*

Learnard said she supported the proposed amendment.

Fleisch said she had been selling houses for 13 years, and she could not think of anyone who asked her about sprinklers. The technology for automatic sprinkler systems had existed for a long time. Builders would pass the cost along to the homebuyers. People could not constantly look to government to save us from ourselves. She was tired of government speaking for her.

Imker said he was glad they had the discussion. He was an advocate of hearing things out.

Haddix asked where Dover Square would fall under the definitions since they were attached homes. His building exceeded 5,000 square feet total. Meeker said attached homes were on the books now. The issue at this meeting was the new paragraph (b), which was new construction. Meeker said the definition included care homes, multifamily dwellings, apartments, condominiums, townhouses, two-family dwellings, hotels, nursing and assisted living homes and row houses. Meeker said the ordinance would require the homes in Dover Square to add sprinklers. Learnard said she understood Council was not voting on retrofits. Meeker confirmed that they were not. Haddix said he had a concern beyond what they were voting on. Meeker said they could go back and look at it, but it was in the ordinance approved in 2008.

Learnard said the free choice now was the City's free choice. If Council did not approve the amendment that night, the free choice to require the sprinklers would go away due to a special interest. Haddix said he was struggling with whether it was free choice if they took the choice away from the residents. He asked when enough was enough. Learnard said when it involved human life.

Imker moved to reject the residential amendment to the fire sprinkler ordinance. Fleisch seconded. The motion carried 4-1 (Learnard).

04-10-06 Consider Request from Entertainment Productions for Lake Use

Haddix noted there were additional documents on the dais – the staff memo on the request and a letter from Lake Peachtree Association President Tim Therrell. Gaddo addressed Council on the request from Peachtree City-based Entertainment Productions for the use of Lake Peachtree by a Marietta-based company for a corporate team-building session on April 20. The company planned to hold a business conference at the Dolce Atlanta Peachtree with approximately 100 people attending, and one of the exercises included the use of three dragon boats on the lake. There was not a rental fee for the lake, so staff recommended applying the In-County Commercial rate for Drake Field, which was $40 per hour. The fee would be $320 for the day, plus a $200 refundable security deposit. The impact on the lake would be minimal. They were renting the lake for eight hours, but the boats would only be the water for two or three hours. The company would also rent docks so there would be minimal impact on the shoreline. Gaddo asked Council to approve the stand-alone one-time request. He added that he would like to form a committee to look at the feasibility of future lake use. The fees for the rental could be applied to lake maintenance. He recommended that there be representatives from staff, Council, Recreation Commission, Tourism Association, Lake Peachtree Association, the Triathlon group, and the hotel/motel industry.

Fleisch asked how much it cost to have someone from the Fire Department available during the eight-hour exercise. Gaddo said that would be a separate cost from the rental fee, but the cost was approximately $1,300 for five people for the eight boats used for the Dragon Boat Races, so the fees would be considerably less for three boats.

Sturbaum said a request had been brought forward by the Peachtree City Tourism Association (PCTA) when they were notified about the conference last fall. The previous Council had charged the PCTA with going out and finding conferences that would bring people to the City for several days. He and Learnard had discussed the material on the boats that could contaminate the lake, and they had looked at requiring the boats be sanitized and rinsed before they were put in the water. Gaddo said he agreed with the Lake Peachtree Association (the homeowners group) that they had to look at the foreign weeds that might be put into the lake. That was also why they were asking for approval of the request on a one-time basis, then moving forward with a recommendation later. Sturbaum said he would also like to get some feedback on any lessons learned.

Learnard said there was severe erosion on the lake with only two official events per year, and there was no mitigation plan. She would like to see any revenue earned from the lake usage spent on maintenance and upkeep on the shoreline. Gaddo said that Tim Therrell had agreed to serve on the committee. Haddix asked Fleisch if she would also serve on the committee. Fleisch agreed.

Sturbaum moved to approve the request from Entertainment Productions for lake use and the request to set up a committee and a follow-up report on the lessons learned. Imker seconded. The motion carried unanimously.

04-10-07 Consider Waiving Special Event Permit Fees for SR 54 W/CSX Multi-use Bridge Grand Opening Festivities

Haddix noted there was an additional document on the dais – the memo from staff. The request was to waive the City's $25 special event fee for the official opening of the paths and bridge on April 17 at 10:00 a.m.

Imker moved to waive the special event permit fee for the SR 54 W/CSX multi-use bridge grand opening festivities. Learnard seconded. Haddix noted there had been a date change. Rast said they were still trying to find the best date. The motion carried unanimously.

04-10-08 Consider FY2011 Defined Benefit Pension Contribution

Haddix noted there was an additional document on the dais – the memo from staff noted that stated the City would save $50,441 by making the deposit on April 2 rather than waiting until October 1 or making monthly installments throughout FY 2011.

Imker moved to accept the change in the deposit date for FY 2011 Defined Benefit contribution. Fleisch seconded. The motion carried unanimously.

<u>Council/Staff Topics</u>
Hot Topics Update
McMullen reported that the Flat Creek bridge was open. The CSX bridge path and approaches was scheduled for paving on Monday, April 5. Imker asked why it had not been done that day. McMullen said he had spoken with City Engineer Dave Borkowski, who said the compaction rating had to be 100% before they could pave, and it was currently 96.5%. If the Department of Transportation (DOT) did not approve the compaction ratings, then they might not reimburse the City. The Police Department frontage road was almost finished; only signage and striping was left. Staff was working with DOT to finalize the encroachment permit for the Paschall tunnel. The Wisdom Road shoulder work was back on schedule. They hit a water line that was not identified when the locates were done, and the water line had to be relocated to the other side of the road. He reminded Council the road would be closed the week of Spring Break (April 5-9). McMullen summarized the grass-cutting schedule. State routes/primary roads would be cut every two weeks. The municipal facilities would be cut every two weeks. The Planterra subdivision entrance would be cut every two and one-half to three weeks. Secondary roads would be done three times a season (when the season started, June and July, and at the end of the season in October). The recreation facilities (ballparks) would be cut every week. Work would be done on landscaping three times during the season. Litter and animal pick-up would be done everyday. An addition to the contract for the fall was to blow the leaves off the plaza and the parking area at City Hall and at the Police building every three weeks.

Sturbaum said he had received two complaints regarding a dirt pile at the intersection of Rockaway Road/SR 74. The dirt made it difficult to see when making a turn left from Rockaway Road onto SR 74 North. There was also an excavator against the dirt.

Sturbaum moved to convene in executive session for personnel and pending or threatened litigation at 9:33 p.m. Learnard seconded. The motion carried unanimously.

Sturbaum moved to re-convene in regular session at 10:04 p.m. Fleisch seconded. The motion carried unanimously.

Sturbaum moved to enlist the services of Elarbee Thompson for the pending personnel action. Fleisch seconded. The motion carried unanimously.

There being no further business to discuss, Sturbaum moved to adjourn. Imker seconded. The motion carried unanimously. The meeting adjourned at 10:15 p.m.

Pamela Dufresne

Pamela Dufresne, Deputy City Clerk

Don Haddix

Don Haddix, Mayor