

City Council of Peachtree City
Minutes of Meeting
March 19, 2009
7:00 p.m.

Mayor Logsdon called the meeting to order at 7:00 p.m. Council Members present: Cyndi Plunkett, Doug Sturbaum, Steve Boone, and Don Haddix.

Announcements, Awards and Special Recognition

Steve Miclette, Doug Hennen, and Pamela Alteri of Trane recognized Peachtree City as an Energy Efficiency Leader in Municipal Government. Logsdon presented the Government Finance Officer Association Distinguished Budget Award to Financial Services Director Paul Salvatore and Assistant Finance Director Janet Camburn. Logsdon recognized the J.C. Booth Middle School 8th Grade Boys and Girls Basketball Teams and the Wrestling Team for winning the County Middle School Championships.

Public Comment

There was no public comment.

Agenda Changes

Plunkett made a motion to move Agenda Item 03-09-09 Presentation by the Development Authority of Peachtree City, to be heard after item 03-09-12. Sturbaum seconded. Motion carried unanimously.

Consent Agenda

1. Consider Approval of Revisions to PCTA Bylaws and Articles of Incorporation
2. Consider Appointments to Development Authority of Peachtree City – David Conner, Nancy Connerat (alternate)
3. Consider Stormwater Agreements
4. Consider Cancellation of the Guarantee Portion of the Energy Savings Agreement
5. Consider Amendment to T-Mobile Tower Lease Agreement (Equipment Addition) – City Hall
6. Consider Request to Surplus Goods
7. Consider NCR Economic Development Grant - FCDA

Boone moved to approve the Consent Agenda. Plunkett asked to pull Item 4 Consider Cancellation of the Guarantee Portion of the Energy Savings Agreement, off the Consent Agenda. Boone amended his motion to approve Consent Agenda Items 1-3 and 5-7. Sturbaum seconded. Motion carried unanimously.

CA-4 Cancellation of the Guarantee Portion of the Energy Savings Agreement

Plunkett said she would like some clarification on the item. City Manager Bernard McMullen explained that, in the performance contract with Trane, the City was guaranteed a certain level of savings. If the City had not met the savings goal, Trane would be responsible for issuing a check for the difference. The City had exceeded the amount, so there was not really a need to continue

paying Trane to monitor and report on the savings. Plunkett asked if this was an additional savings, and McMullen confirmed this.

Plunkett moved to approve canceling the guarantee portion of the energy savings agreement. Sturbaum seconded. Motion carried unanimously.

Old Agenda Items

03-09-01 Public Hearing – Consider Rezoning 3.7.001 acres, GI to LUR, Southpark International Industrial Park

03-09-02 Consider Annexation and rezoning of 379.594 acres within Wilksmoor Village to accommodate a 475-lot single-family detached subdivision

Haddix made a motion to continue both items to the April 2, 2009, City Council meeting. Sturbaum seconded. Motion carried unanimously.

New Agenda Items

03-09-10 Public Hearing – Consider Variance to MNGWPD Buffer Restrictions, 178 Interlochen Drive

City Planner David Rast introduced the subject, saying the request was for a variance to the buffer requirements under the Metropolitan North Georgia Water Planning District (MNGWPD) ordinance the City had adopted the previous year. Rast said the lot in question was the first lot entering the northern loop of Interlochen Drive, across from the Lake Kedron boat dock area. The undeveloped lot was bordered on both sides by streams flowing into Lake Kedron, and a spring at the foot of the property near Interlochen Drive. When the property was platted, the City had the state-mandated 25-foot buffer from the stream bank. Since that time, the City had enacted the MNGWPD requirements, which created 50-foot undisturbed buffers and an additional 25-foot no impervious buffer on top of that. The imposition of these new buffers took a significant portion of the lot and restricted any driveway access from Interlochen Drive.

Rast then introduced the applicant, Mike Rossetti, of Ravin Homes. Sturbaum asked Rossetti how he would control the water flow on the lot. Rossetti said the water from behind the lot would divert around the lot to the streams, but the water from the site would flow toward the low point, the spring. Rossetti thought there were some exemptions in the ordinance that allowed municipalities to work within the buffers on stormwater structures, and he asked that the Engineering Department investigate that possibility. Rossetti said installing a structure to move the water from the site and the spring would improve things.

Logsdon asked about the site across the street, and Rossetti thought it was either owned by the city or the county, noting that it was not a potential home site because water drained through the property to the lake. Rossetti said there were some issues, but no problems working on the lot. However, the newer restrictions eliminated 55% of the lot and basically made it unbuildable.

Haddix stated he had a concern about how cutting into the lot, with the natural springs and streams in such proximity, could cause future water problems within the house. Rossetti said they had encountered similar situations in Planterra Ridge and Morallion Hills and had addressed

the issues. The first floor of the house would be above curb level, and he felt the basement would be safe because, based on how the house was situated on the site, the lot would drain very effectively.

Haddix asked if Rossetti had data from an expert in wetlands regarding the impact on the springs and natural water flow. Rossetti said the drainage was not atypical of lots they had built on in the past. He said Braelinn Village was much lower lying and much more level, and had presented greater challenges. He noted the culvert leading to the flume had been completely clogged, and the spring did not activate until the City came in and cleared the drain. Rossetti reiterated that the spring sat eight or nine feet below the basement, and there were not going to be any drainage issues.

Boone asked for clarification on Rossetti's request of Engineering. Rossetti said the City had latitude to go into these types of buffers to fix drainage structures, and he was asking them to look at that allowance for him to go in and improve the drainage structure that existed on the lot. Rossetti said Ravin Homes had purchased the lot in the 1990s that had been legally developed at the time according to the guidelines in place, but the guidelines had changed in 2008, making the lot worthless and unbuildable to them.

Plunkett asked, if the spring had appeared under the old ordinances, whether Ravin would still have needed a variance to the ordinance. City Engineer Dave Borkowski confirmed that and said if there was no latitude within the ordinance for improvements to the structure, Rossetti would have to go to the state for permission to modify the drainage.

Plunkett noted there had been other drainage issues with Interlochen, so she felt somewhat uneasy at granting variances in that area. She said the only way to protect the City would be to impose a surface water easement for the City and require indemnification of the City as the project moved forward.

No one from the public spoke in opposition or in favor of the request.

Rast said staff was recommending approval with four conditions:

1. There shall be no clearing or grading within the 25-foot undisturbed buffer as measured from wrested vegetation and required by the state. Clearing and grading within the next 25 feet shall be kept to a minimum and approved by the City Engineer prior to any land disturbance.
2. The Applicant shall provide spot elevations along the curb in front of the property as well as the invert of the existing flume underneath Interlochen Drive. This information shall be provided to the City Engineer prior to submittal of the Building Permit application to determine what the Finished Floor Elevation (FFE) of the lowest level of the home shall be.
3. Granting the variance as requested shall in no way hold the City liable for any flood damage to the subject tract, both pre- and post-development.

4. A copy of the variance approval letter (with conditions) must be recorded as a permanent record at the Fayette County Courthouse.

Logsdon closed the public hearing and noted there were a couple of letters supporting the variance request.

Haddix asked if the third condition could be passed along to the future homeowner. City Attorney Ted Meeker said that, if the requirement were to be added to the title and recorded with the deed, it would continue to pass from owner to owner.

Logsdon felt Plunkett's suggested condition should not be difficult to implement. Plunkett noted that a variance approval letter, even if recorded, was not part of the deed. Meeker said it would serve as notice, but attaching an easement as part of the deed would actually make it binding. Meeker suggested the wording for the surface water flow easement and indemnification/hold harmless in favor of the City to be added to condition number four.

Rossetti indicated both adjacent homeowners had provided letters supporting the request, and he had provided them with information on the site plans. He added that the water drained toward the lake rather than toward any adjacent property. He said the culvert was important to the lot.

Haddix said he was less concerned with flooding than with groundwater, which did not respect drainage and elevation.

Boone said he felt the request of Engineering was reasonable. Plunkett asked how that would be added to the motion. Meeker said staff had agreed to look at the issue, but it was a separate issue from the variance request and any conditions of approval.

Plunkett asked if the Stormwater Utility would be responsible for the cost of any changes to the culvert or to the maintenance. Borkowski said the cost would be borne by the property owners, and the City would just need to keep the flume and pipe clean.

Plunkett moved to approve the variance with the conditions presented plus a fifth condition, that a surface-water flow easement be granted for any water coming from City property and that indemnification be provided to the City. Sturbaum seconded. Motion carried unanimously.

Before proceeding to the next agenda item, Meeker asked Council to reconsider the two old agenda items due to an error in the dates. Plunkett moved to consider Agenda Items 03-09-01 and 03-09-02. Sturbaum seconded. Motion carried unanimously.

03-09-01 Public Hearing – Consider Rezoning, 37.001 acres, GI to LUR, Southpark International Industrial Park

Meeker indicated this item needed to be postponed until the April 16, 2009, meeting, rather than the April 2 meeting. Plunkett moved to continue the item until the April 16 agenda. Boone seconded. The motion carried unanimously.

03-09-02 Public Hearing – Consider annexation and rezoning of 379.594 acres within Wilksmoor Village to accommodate a 475-lot single-family detached subdivision. The Applicant is John Wieland Homes and Neighborhoods

Meeker said the applicant had requested that this item be continued indefinitely. Boone moved to continue the item indefinitely. Haddix seconded. Motion carried unanimously.

03-09-11 Consider Alternate Operations of Clover Reach and Pebblepocket Pools

Leisure Services Director Randy Gaddo addressed Council and said USA Pools had submitted a proposal after the City had announced that the Clover Reach pool would be closed and the Pebble Pocket pool was also being considered for closure.

Under the terms of the proposal, USA Pools would upgrade both pools to a saline chlorination system, reimburse the City for utilities, offer a full menu of fee-based classes, activities, services, and enter into a revenue sharing arrangement with the City. The proposal would also eliminate the City's costs in providing lifeguards and pool chemicals, with an estimated cost savings of \$34,000.

Gaddo said USA Pools was proposing 50/50 split of proceeds for the first 200 swim lessons, noting that they had had averaged 320 swim lesson students in previous years. Gaddo also expressed concerns about closing the pools, noting that it could make the facilities targets for vandalism and illicit activities, degrading the surrounding neighborhoods, and that it could allow the equipment to lapse into disrepair.

John Williams, president of USA Pools, and Priscilla Peak, the manager for Peachtree City, were present to answer any questions.

Plunkett asked how the proposal would work with the swimming times offered for Camp McIntosh. Gaddo said Camp McIntosh would be using the Glenloch pool. Plunkett said that it looked like there would be times that Kedron would be the only pool open for public swimming. Peak said that Glenloch would still have afternoon swim hours. She said in the past there had been times the camp had used the Glenloch pool exclusively, but last year they had rotated the campers in groups and the pool kept open to the public. She said the rotating schedule had been more manageable for the camp counselors and had left the pool open for public use as well. Plunkett felt that, by taking two pools out of the public swim availability, Glenloch should be kept available as much as possible.

Sturbaum said this would be a good opportunity to show the benefits of the salination system, and noted it helped to reduce operating costs while providing revenue potential for two facilities. He said he was in favor of the proposal.

Sturbaum moved to approve the agreement with USA Pools for the operation of the Clover Reach and Pebble Pocket pools. Haddix seconded. Motion carried unanimously.

03-09-12 Consider Amendment to Ordinance, Section 804 – Cart Path Design Standards

Plunkett moved to approve the ordinance amendment. Sturbaum seconded. Motion carried unanimously. Logsdon noted that the ordinance amendment established wider greenbelt standards in new neighborhoods for paths that would be located between two residential lots.

03-09-09 Presentation by Development Authority of Peachtree City (DAPC)

Todd Strickland, Chairman of the DAPC, gave a presentation (included in the Official Meeting File) on the Authority's activities and goals. Highlights from the previous year included the DAPC assisting with the Atlanta Christian College recruitment, publication of *The Guide* magazine supporting local businesses, holding business retention meetings, retrofitting the "Suburbs" presentation, working with a Georgia Tech class focused on Braelinn Village, holding a Braelinn business outreach meeting, working toward the Peachtree Crossing Kroger retrofit efforts, and adding four new DAPC members and alternate.

Strickland then listed the DAPC's current partners, including the City Council, the Peachtree City Tourism Association, the Planning Commission and Planning staff, Fayette County Development Authority, Fayette County Chamber of Commerce, and Georgia Tech.

The DAPC members had formed several subcommittees to focus on Business Recruitment, Business Retention, Development and Redevelopment, Marketing and Public Relations, and Community Education and Awareness.

Strickland noted that the DAPC had \$77,200 in cash reserves at the start of FY 2009, and an estimated \$51,000 in economic development expenditures for the year. He then introduced the other members, Tom Hamall, Mark Hollums, Jay Herzog, Grey Durham, Tyler Duffy, David Conner, and alternate Nancy Connerat.

Logsdon complimented Strickland on a good report, noting the DAPC had come a long way. He said the strategic partners needed to include the Peachtree City Airport Authority, which was a key element to the industrial park. Strickland said the list noted current partners, but agreed that the Airport Authority was an important partner for them to pursue.

Boone asked if there had been feedback on *The Guide* supplement. Hamall said 12,500 units had been delivered to all the residences in the City. The over-runs were placed at City Hall, the Library, and the Visitors Center. The DAPC was also using them in the meetings in the shopping centers, and they had received response from businesses saying they had seen customers from the publication.

Haddix also complimented the group on the changes over the past year, saying they had done a fantastic job.

Sturbaum said the previous year, Council had discussed having a different style of thinking about economic development, and he felt the DAPC's new focus showed that creativity. Boone recommended sharing the presentation with the Fayette County Development Authority and the Fayette County Chamber of Commerce.

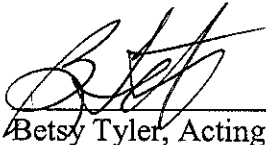
Strickland also commended the efforts of Assistant Finance Director Janet Camburn in assisting the Authority. Plunkett thanked the group, especially those who had served longer through some of the problem years.

Council/Staff Topics

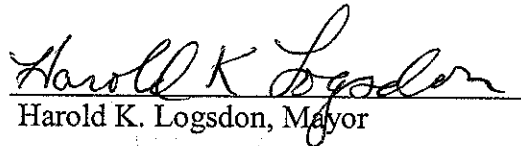
Plunkett asked about the status of the light at Wisdom Road/SR 74. McMullen said the City had forwarded an offer letter to CSX to acquire the necessary right-of-way, and staff would bring the contract to Council for approval when CSX responded. Plunkett asked if there was an estimate for completing installation. McMullen said the poles were on site and the contract had been awarded, so the project was ready to move forward as soon as the necessary property was acquired.

Boone said he understood Huddleston Pond was very full and, in a reversal from the ongoing concerns about it refilling, the City was now receiving complaints about it being too full. Borkowski confirmed this but noted the new dam and outflow were working as designed.

Sturbaum made a motion to adjourn the meeting. Boone seconded. The motion carried unanimously. The meeting adjourned at 8:50 p.m.



Betsy Tyler, Acting City Clerk



Harold K. Logsdon, Mayor