

City Council of Peachtree City
Meeting Minutes
Thursday, March 16, 2023
6:30 p.m.

The Mayor and Council of Peachtree City met in regular session on Thursday, March 16, 2023. Mayor Kim Learnard called the meeting to order at 6:30 p.m. Council members attending: Frank Destadio, Clinton Holland, Mike King, and Phil Prebor.

Presentations

Library Director Jill Prouty introduced the library's first collection of personal essays, "Hip Pocket: An Anthology of Peachtree City," created by local authors. Prouty explained that the idea for the anthology came about after a writing workshop in 2018, but, with COVID and other obstacles, it took four years to get to publication. All the essays focused in some way on life in Peachtree City, and the cover photo was taken by a Fayette photographer. The book was dedicated to the late MT Allen, who served as Peachtree City Library Director for many years, and her daughter, Tamara Allen Moore, read a poem she wrote in her honor. Prouty presented copies to the contributors and to Council Members. She said the anthology was available on Amazon, adding that they hoped to make it a biennial publication.

Announcements, Awards, Special Recognition

American Legion Post 50 presented the Law Enforcement Officer of the Year award to Peachtree City Police Officer Zachary Pye. The Fire Fighter of the Year, Edward Russman, was not present and would get his award at a later date.

Public Comment

Margaret Ross told Council she and others in the audience were wearing green to remind themselves and Council to continually look for opportunities to save taxpaying citizens greenbacks, or money, for election costs. Her group had done a pre-analysis, which was the first stage of a feasibility study, and in May would request that City Council vote to conduct a study.

Cathy Vaught introduced herself as a veteran and a trained and experienced poll watcher and ballot adjudicator, saying her group felt this was the right time to talk about saving citizens money on municipal elections. She reviewed ways Peachtree City could save money if it ran its own elections and used paper ballots, such as eliminating costs for testing, rental of storage space, gasoline to transport equipment.

Claudia Eisenberg told Council that families were facing higher costs in nearly everything. Thousands were spent to pay a Dominion employee during elections. Paper did not require technical support. Palmetto had always run their own elections, using paper ballots, and she said five Fulton County cities were moving towards running their own elections using paper ballots.

Suzanne Brown said she was an experienced poll watcher, elections worker, and ballot adjudicator. In the most recent City election, she reported that Peachtree City paid \$53,000 in early voting labor costs, but they could have voted just at the Library with double the equipment and staff for a savings of more than \$25,000. She pointed to other polling places that could be consolidated. Brown went on to say that Fayette County must pay to replace or repair equipment worth more than \$500,000 now that the contract with Dominion was over, and they would pass the costs on to Peachtree City. A feasibility study would examine all elections expenses, whether they were paid by the State, the County or the City. They needed to eliminate costs, not just switch who paid for it.

Joseph Smith said the use of voting machines exposed the personal information of voters, which was being stored out of the United States in a cloud environment, which violated State code. They were paying a lot of money to have information stolen, he stated.

Tamara Moore, MT Allen's daughter, said she was speaking about her mom on behalf of her father and her brothers. She recalled going to the original Peachtree City Library with her mother as a child. Her mom then began a career working with the library, with a nearly 40-year career as the head librarian. Moore said her mother died of breast cancer in 2020, and she was there to request that they name the library in her honor. The Fred amphitheater was named after former Mayor Fred Brown, and there were many other tributes to men who played a role during Peachtree City's early days, but Moore noted that her mother shepherded the library through the years to what it was today, and she hoped they would consider this.

Council approved the policy to combine annual golf cart registrations into one three-year period and collect all three annual fees in one payment in the first year, John Dufresne reported, adding that the policy also said the fees collected in advance would be deferred until the appropriate year. Generally accepted accounting principles said a payment made in advance was categorized as deferred income and considered a pre-payment for a service to be performed in the future, with the deferred income reported in that future period. In fiscal years 2017 through February 2023 the City received \$1,496,415 in resident registration fees, Dufresne stated. Of that, \$944,040 were pre-payments for registration in subsequent years and was supposed to be deferred. He said it did not appear that this was reported in the periods it was supposed to be, as there was no transparent internal control to track the money. He concluded that these pre-payments were directed to other accounts for other uses. That was unlawful and could be considered fraud, he said, asking Council to review the policy and make the appropriate changes.

The former City Manager, Keith Larson said, told him at the start of the meetings of the citizens' advisory group on path safety that he did not want any citizen input, and Larson noted that group's final report was not available on the City website. He reminded the Mayor that during her campaign she pledged to restore the citizen recreation committee. That was held up until they hired a new City Manager, which had happened. Larson noted that Robert Curnow, the new City Manager had expressed surprise at the lack of citizen committees or advisory groups. Larson had some suggestions: recreation committee, path traffic safety, and a senior advisory group.

Agenda Changes

King moved to pull item 3 from the Consent Agenda for further discussion. Holland seconded. Motion carried 5-0.

Minutes

February 16, 2023, Regular Meeting Minutes

King moved to approve the February 16, 2023, Regular Meeting Minutes. Holland seconded. Motion carried unanimously.

Consent Agenda

- 1. FY2023 Budget Amendment- Reclassification of Municipal Court Position**
- 2. FY2023 Budget Amendment – CERT Grant**

4. Approval of Contract to Sell Property to Gerresheimer

5. Consider Compact Skid Steer Loader Replacements

Destadio moved to approve Consent Agenda items 1-2 and 4-5. Holland seconded. Motion carried unanimously.

3. Consider Citizen Engagement Tool - Zencity

King said he first saw this in the meeting information packet he received on Friday and did not make much of it, but he had since done a little research. Firstly, he said he wanted to say Zencity was not a Chinese spy company as some citizens had alleged, nor was it Chinese owned; he had found it was owned by an Israeli firm that had investments all over the world, as most companies did, and some were in China.

King stated to Curnow that he was bringing this up not as a trust issue, but as a validation issue. He suggested they just run this for part of the year at a cost of \$29,000 and see what it was worth. If it was good enough to use, they could decide to invest \$64,000 a year in it.

Curnow, the Mayor noted, had been an information technology (IT) specialist for 30 years, and she asked him to shed some light on this. Addressing King's concerns, he explained this was a 12-month contract that went into effect at the time it was signed. Within 90 days of its renewal period, either party could opt to no longer continue the contract. He intended to use it for a year to validate how it worked with the City's data to determine the best use. Zencity offered software options with different uses in different cities, and he intended to look through the portfolio and determine which ones they needed to keep a year from now if they continued the contract.

Could they not do what King suggested? Destadio asked. King asked if they had a sunset for the program if needed? City Attorney Ted Meeker said this was a 12-month agreement; if they did not want to go beyond the initial 12 months, it could be cancelled with 90 days notice.

Was this being used in other cities? Learnard asked Curnow, who said he used it in the city he came from for many years. It was used in more than 300 cities worldwide, including Savannah, Clayton County, Auburn, Peachtree Corners, and South Fulton, adding there were many large metropolitan governments that used it.

One of things that impressed them during the City Manager search process, Destadio remarked, was that Curnow was a cybersecurity expert. He asked Curnow to elaborate on his credentials.

Curnow explained that he had been a certified information systems security professional since 2011 and worked in IT for more than 20 years. He had been an IT director and a systems administrator who implemented security technology in large government agencies. He was a local information security officer and an information security officer in law enforcement applications in the previous city where he worked for 11 years. His IT background went back to 1999 and certified information security was part of that. He had taught information security and computer forensics at the college level.

Destadio mentioned that both he and King found that this company was from Israel. Was that true?

Curnow told him he had not found any ties to China, if that was his concern. This was an Israeli company and was considered the de facto standard for the International City Managers Association

(ICMA). It was a technology that was used in more than 300 government agencies, including law enforcement.

Prebor asked Curnow to elaborate on the goal of this action. Curnow explained that the information ZenCity aggregated was information that was in the wild already on the Internet. Anything posted on social media became publicly available information, he commented, and Zencity listened for keywords relating to Peachtree City and had the ability to bring all that back to a dashboard. Right now, the City's Communications Department was spending hours a week combing through social media to make sure they kept on top of topics that were important to residents. This would bring it back to a single platform that someone could monitor in order to enable the City to deploy its resources efficiently and effectively to meet the needs of residents.

Holland said he spent about three hours looking to see if Zencity had ever had any connection with the Chinese Communist Party and found none. He did find that Microsoft had invested in this company, as they did with 100 other companies of this type all over the world. Just because Microsoft had connections in China did not mean that Zencity's data was being collected and used for nefarious reasons. He said he did not think residents would be as concerned if, instead of Microsoft, Warren Buffet was an investor. Zencity was endorsed by police chiefs and used by many governments. That meant a lot of people had done background looks on Zencity and decided it was a safe company. He also noted that there were other companies that did similar things, but Zencity was considered the top one.

King moved to approve Consent Agenda item 3, Consider Citizen Engagement Tool – Zencity. Prebor seconded. Motion carried unanimously.

Old Agenda items

11-22-02 Request to Continue the Recruitment Sign-On Bonus through August 2023

Areta Galloway of the Human Resources Department said this sign-on bonus was first approved in August 2021 for a year, then extended for six months through February 2023. They were requesting to continue it for an additional six months until August 2023 because it had been a beneficial recruitment tool. Since the program's inception, 83 employees who received the sign-on bonus had been hired, she reported.

Destadio moved to approve Old Agenda item 11-22-02, Request to Continue the Recruitment Sign-On Bonus through August 2023. Prebor seconded. Motion carried unanimously.

02-23-05 Ordinance #1206 & Policy 4-07- City Council Meeting Procedures and Rules

Curnow reminded Council that he brought this item forward at their last meeting. It regarded who could add items to City Council meeting agendas. Since that meeting, at Council's request, staff had done more research.

City Clerk Yasmin Julio explained that the ordinance contained two sections related to this: the code and the policy. The code said that any person might request to have an item placed on the agenda. It did not limit this to residents; it could be anyone--business owners, developers and so on. All they had to do was submit their item in writing to the City Clerk's office by 5 p.m. on the Friday prior to the Council meeting. But this conflicted with another ordinance that required the agenda and packet be completed by 5 p.m. on Friday, which left no leeway for staff to put the packet together and still

accept agenda items up to that time. There also was a policy stating that public items to be included on the agenda had to be submitted by 5 p.m. on the Friday prior to the meeting.

Staff contacted 30 cities and counties to see how they regulated who could put items on the agenda and did not find any that allowed a person to place an item on the agenda without some type of vetting process, such as approval by staff or placement by the Mayor or elected member. Some cities had ordinances; others had policies, Julio stated.

Fayette County said a citizen could present a proposal when all other available remedies for their particular situation had been exhausted. That typically meant they had first reached out to staff or a commissioner to resolve the issue. The citizen must complete a request and forward it to the Administration department, and the County Administrator would decide whether or not to place it on the agenda. The County's policy also noted that nothing prevented a citizen from discussing a specific request or making comments during the Public Comments portion of a regularly scheduled Board of Commissioners meeting.

In Fayetteville, placement of agenda items was discussed in an ordinance where it stated that the City Manager created the agenda for the meetings. Anyone who wanted an item on the agenda would submit that request to the City Manager.

Julio said she would not discuss all 30 of the jurisdictions they contacted, but she did present a spread sheet showing the protocol in a few. Some places required the approval of multiple Council Members. In South Fulton and Fairburn, though, just one Council Member or the Mayor could add an item. In Fairburn, any person could request to be on the agenda, but the City Administrator had to approve it. Staff could add agenda items in those cities. In both cities, this was by ordinance, not policy.

Brookhaven and Milton required support from two Council Members in order to add agenda items, and the Mayor was allowed to add items, as could Staff. Brookhaven required the Mayor's approval for staff to add items. No other persons could request to add agenda items. This was regulated by ordinance in both cities.

Suwanee and Sandy Springs allowed Council Members to add agenda items, as well as the Mayor and staff. No other person could add items in Suwanee, while Sandy Springs required support from the Council Member from that person's district. Julio noted that Peachtree City's Council was elected at-large, not by districts, which meant that citizens could go to any Council Member for assistance.

Julio noted that she also worked in the Public Communications department, and they kept abreast of what people were talking about online. She remarked that many online commenters had claimed removing the policy of allowing any person to add agenda items was a violation of their First Amendment rights. City staff had received training provided by the Georgia Municipal Association to ensure that they did not infringe on anyone's First Amendment rights. She played a clip from the training session with attorney Ken Jarrard, a specialist in the First Amendment, that explained protections for free speech.

Jarrard said First Amendment rights boiled down to four areas, each with its own structure as to the degree of limitations the government could impose. The law created four types of fora, which Jarrard explained was the plural of forum.

The most Constitutionally sacrosanct was the traditional public forum. Courts had recognized that there were traditionally places where people had assembled to speak in public, such as parks, sidewalks, rights-of-way, the front lawn of the courthouse. Those were the areas where the courts took the most care to ensure that government did not do anything to limit speech. Any content-based restriction on speech there would receive strict scrutiny, which was a term denoting the highest level of Constitutional review. The government could intervene only if they could show a narrowly tailored regulation that served significant government interest and that they provided alternative channels of communication. Jarrard summed it up by saying if government attempted to regulate speech in a traditional public forum, 99 times out of 100, it would fail in the courts.

A designated public forum, he explained, was a place the government had designated as a place to speak. As an example, he said Peachtree City could make its Council Chambers open to anyone who wanted to come in and speak. However, the City could not restrict the content of those speeches or who used the room.

A limited public forum was similar to a designated public forum, but the public property was limited to use by certain groups or dedicated solely to the discussion of certain subjects. An example was the public comment section at every City Council meeting. The public was not allowed to just shout out comments during a meeting, but the Council had opened up a section of their meeting for public comment when citizens could talk about almost anything for the time allotted them. In a limited public forum, the government had a right to dictate content, but could not limit the viewpoint.

The final category was non-public forums. Jarrard noted that governments usually owned a lot of property, but that did not mean citizens had the right to show up and begin speaking. Government-owned property could be a non-public forum.

Julio stopped the video there, saying she just wanted to make sure there was some education on the types of fora. She reminded Council that the current ordinance said anyone could have something placed on the agenda by that 5 p.m. Friday deadline. But, as they had just seen, City Council meetings were a limited public forum, and Council could regulate the content. Under the current ordinance, any person, not just any resident, could have an item added to the agenda. Even though Staff had no information on topic, they technically had to add it. The recommendation was not only to change the time that items must be submitted, but to institute a vetting process.

The proposed amended ordinance allowed City staff, with the approval of the City Manager, Mayor, or any Council Member, to submit an item for inclusion on the agenda by filing a request with the City Clerk by noon on Thursday. That would provide staff with enough time to see what was going on the agenda. Julio reminded Council that the policy and ordinance went together, and the policy would be updated to reflect this. The change in language would remove the mention of public requests by Friday at 5 p.m. from the policy and also remove an outdated mention of submissions to the IT department since the City Clerk's office now put the agenda together.

The policy changes were to ensure that the content of the information being proposed for addition to the agenda was content relating to Peachtree City. They would know that because the information would be submitted to the Mayor or at least one Council Member to ensure that someone had some knowledge about the item beforehand. She showed the ordinance and the policy that was being proposed, highlighting the changes, primarily that agenda items had to be submitted to the City Clerk's Office by noon on the Thursday preceding the meeting.

King asked why an item proposed by a citizen had to go on the agenda for the next meeting? Could it not go two weeks or more later? That would still give any person the right to add an agenda item, although King said he would prefer to see it limited to any resident. He said he did not like the extra step of the Mayor or a Council Member having to request the item be added, noting that he was elected by the people, and if someone wanted an item on the agenda, it would go. He was not making a request of anyone.

Also, he noted that it was infrequent that a citizen asked for something to be placed on the agenda, saying he could recall that it had happened only once this year and that was the night that this item also made its first appearance on the agenda. King stated that timing was atrocious. He said he looked back and, before Suzanne Brown made her presentation at the last meeting, the last citizen to place an item on the agenda was Bill Posey talking about the drop boxes at the Peachtree City Post Office. The infrequency of these requests did not warrant changing the ordinance and policy, he continued.

He remarked that a citizen had a right to redress, and, although he understood the purpose of the proposed changes, it took away from the fact that a person in the United States would not be guaranteed the right to approach the government that was closest to him.

Julio acknowledged they could wait a week or two to put the item on the agenda, but that did not dictate content. The items placed by citizen would have to be added, even if they had nothing to do with Mayor and Council. There was an unlimited possibility of who could come in and what they could talk about.

What if it said, "any resident of Peachtree City" instead of "any person?" King asked. What about business owners? Julio asked. Property owners or developers? Churches? King replied they could put a comma after residents and add whoever they liked as long as they were associated with Peachtree City. As an example, he cited the non-residents who served on the board of the Convention and Visitors Bureau (CVB). They were appointed because they had a business interest in Peachtree City. King said he was just trying to keep open a way for residents and business owners to bring items before Council for a decision. They would still have to convince Council it was worth doing. He said that is what the country was founded on, not government telling him what he could and could not do.

It was staff's job to present information to Council in a more concise manner, Julio said. A lot of commas was not something you would typically see in a policy. What they had done was draft a proposal that would allow all those individuals behind those commas to find a solution to move an item forward.

She noted that King had also mentioned this had not been an issue in the past. She disagreed, noting that in her two years with the City, she had seen denials by the City Manager that essentially were in violation of this policy. Under the new City Manager, there had been people asking to have items on the agenda that were previously denied. King said he did not know anything about that.

Prebor commented that if someone came to those on Council and could not get even one of them to agree that it should be on the agenda, then maybe it should not be. What if someone proposed making Peachtree City a sanctuary city with tents on Drake Field? What if someone wanted to offer clean needles to heroin addicts? He would not support those proposals. King said he would not either. Then why would they let somebody make an hour- or two-hour presentation to Council about it?

There were issues where these requests were valid, such as with the drop boxes, Prebor acknowledged, or Law Enforcement or Fire Fighter of the Year. Backyard hens? Learnard suggested, and Prebor said that was possible. He was not interested in defunding the police, but wanted to hear more about saving money with paper ballots. But, he went, all they needed was one person on Council to support it. They were not going to vote, just gather information.

Even though they did not support defunding the police, King stated, American citizens had the right to voice their opinions. They could limit the presentations, he said. How? Prebor asked, and Julio noted that the policy did not currently limit how much time was allotted for a presentation. Prebor added that although King said he was not aware of any issues, he was aware of a few over his seven years on Council, and the City Clerk had referred to a few others that were denied by the former City Manager. Did they want to put the new City Manager in that position? All they needed was one Council Member to agree, and it would be on the agenda. If they could not get even one, was the request worthwhile? Prebor wondered.

Destadio said he agreed with King at the last meeting when he asked them to pause and look more closely at this proposal and noted they all believed in freedom of information. When King stopped them at the last meeting, Destadio said it reminded him of when they used to have a first read, then a second read of any new ordinances or amendments. On the first read, Council made comments, then sent it back to Staff for revisions before the final vote at the next meeting. This also gave them a chance to get input from citizens. He wanted to go back to that process and get input from citizens.

He said he could foresee citizens coming forward to get issues previously denied on the agenda and added he agreed with Prebor's stance that one of them should approve adding an item from a citizen to the agenda. He was concerned that if a Council Member requested an agenda item, it could be denied, but Julio said that was not the case. All Council Members could put items on the agenda themselves. But if a citizen could not get one person out of five to agree, then it was probably not something they wanted to hear, Destadio remarked.

A citizen, even a business or property owner who might not live in Peachtree City, should have the right to put something on the agenda, Holland commented. But, he did not want someone from New York City to come and talk about defunding the police. He did not want to waste his time, even if they rejected it. He wanted "any person" changed to any resident or any property owner, and they would have the right to come before Council.

And give a presentation on defunding the police, Prebor added.

They could, Holland replied, because they were a citizen. Maybe they could hear these requests at a workshop, he suggested, where there could be a lot of back and forth before it came on the agenda.

He also thought staff needed time to put information together for Council, so perhaps these requests should not automatically go on the next agenda. It could be two weeks or in three months; he just wanted Staff to be able to research the topic and give them information.

Julio said she wanted to point out that the proposed amendment said the citizen could request to the Mayor or Council that an item be placed on the agenda for an upcoming meeting. The Mayor or Council Member could determine which meeting. They could be having conversations with the person who requested it, but the item would not come to staff until they were ready for it to be on the agenda. It also said inclusion was not guaranteed. Once the resident or business owner had reached out to them, and they had time to discuss it, maybe even with other Council Members, at that time it could be submitted to the City Clerk's office. She noted there was no requirement for it having to be on the next agenda.

Prebor said he needed to think more on the workshop idea. Learnard said they did workshops that were open to the public, and they wanted input from the public. Julio pointed out that workshops had formal agendas, too.

Learnard went on to say they had a representative form of government, and they all wanted to hear from their constituents. All members paid attention to and answered their emails.

Was there a time limit on how long someone could make a presentation? Prebor asked. Learnard reminded him they were talking about putting items on the meeting agenda. How should that mechanism work? Should any person in a city of 38,400 people be able to send Curnow an email and say they wanted an item to be on the agenda? Or were they there to field those requests and make sure this was something germane that needed to be discussed? She called for a motion.

Destadio said he would like to see it go to the old way with a first read and a second read. The Mayor said that process was on the agenda for discussion later. The ordinance that was proposed was before them. Did they want to make a motion on it? Learnard asked.

Destadio moved they table it, and Holland seconded.

Learnard asked how many more weeks were they going to make staff jump through hoops? They had multi-million dollar projects to work on, she said, and they had given this a month already. She asked if they understood how many hours City staff had gone through to get the information they had just been given? To bring in an attorney to explain it to all of them? It was time to make a decision, she stated.

King asked Destadio and Holland to withdraw their motion and second. Holland said he did, but Destadio had a comment. They had heard different suggestions of how to look at this from four

Council Members, so he thought it merited further consideration. However, he did withdraw his motion.

Prebor said he would like to table this and keep looking at it. Learnard commented they had already given it a month.

King moved to deny Old Agenda item 02-23-05, Ordinance #1206 & Policy 4-07- City Council Meeting Procedures and Rules. Motion died for lack of a second.

Holland moved to table Old Agenda item 02-23-05, Ordinance #1206 & Policy 4-07- City Council Meeting Procedures and Rules, for one month. Prebor seconded. Motion passed 3-2, with Destadio, Holland, and Prebor voting in favor, and King and Learnard opposed.

Learnard told Curnow she was sorry.

02-02-23CA1 Design of State Route 54/74 Upgrades

City Engineer Dave Borkowski requested that Council authorize an expenditure of up to \$16,000 for rock coring drilling and analysis for the proposed enhanced sign support structures at SR 54/74. Council approved at its February meeting the additional geotechnical work required for the foundations, and they hit rock when drilling. The consultants proposed drilling in the rock during construction, but the Georgia Department of Transportation (GDOT) did not approve that and was requiring rock coring and analysis during design.

Borkowski said the final amount would probably be less than the \$16,000, maybe around \$10,000, but he had rather get the higher amount approved so he didn't have to come back to Council again. The funding was available through project 7 of the Special Purpose Local Option Sales Tax (SPLOST).

King moved to approve Old Agenda item 02-02-23CA1, Design of State Route 54/74 Upgrades. Destadio seconded. Motion carried 4-1, with Holland voting in opposition.

New Agenda items

03-23-01 TIP Paving Intergovernmental Agreement

Borkowski said he was asking Council to authorize the Mayor to sign an intergovernmental agreement with Fayette County for the design and resurfacing of several roads in Peachtree City. Federal funding took a while, he remarked, saying they started on this group of roads in 2019. GDOT and the Atlanta Regional Commission had approved funding, and Fayette County was the facilitator of the funds. The City's portion of the match would be \$486,717.10, which was available through SPLOST.

The roads were Kelly Drive, Huddleston, McIntosh, and Ebenezer. Borkowski said only roads of a certain classification met the requirements for Federal funding, and this was a good opportunity to leverage those funds.

Holland noted they would be doing Huddleston Road, where a sewer installation project was being discussed. Would there be coordination between the two projects? He did not think they wanted to resurface the road, then tear it up again for sewer. Borkowski said they would coordinate to see that did not happen.

Prebor, saying he owned property on Huddleston, wanted to confirm that this was concerning only the paving, not the sewer.

Holland moved to approve New Agenda item 03-23-01, TIP Paving Intergovernmental Agreement. Prebor seconded. Motion carried unanimously.

03-23-02 Consider Bid for Pedestrian Beacon – N. Peachtree Pkwy/Kedron Boat Dock

Borkowski recommended that Council award a construction contract to SOL Construction in the amount of \$285,000 for the installation of a pedestrian hybrid beacon on North Peachtree Parkway at the Kedron Boat Dock. This went out to bid in January. Four contractors attended the meeting, and three submitted bids, with SOL submitting the low bid of \$285,000.

Borkowski pointed out this provided a good example of the inflation they had experienced with construction projects, saying almost the same installation on Crosstown Drive cost \$107,000 a couple of years ago. He said funding was available through the impact fee fund. They had reviewed the contractor's references and bid documents and found them acceptable.

Holland commented that this was a needed project and asked how long it would take? Borkowski said they were probably looking at 12 to 14 weeks to get the support structures for the signal after the shop drawing were approved, which would probably take about a month.

How long would the project take in total? Holland asked. Once everything was ready to go, construction should not take more than 90 days, Borkowski replied.

Prebor moved to approve New Agenda item 03-23-02, Bid for Pedestrian Beacon – N. Peachtree Pkwy/Kedron Boat Dock. King seconded. Motion carried unanimously.

Public Hearings

None

Council/Staff Topics

1. Unified Development Ordinance Kick-Off Presentation

Planning and Development Director Robin Cailloux introduced consultants from Goodwyn Mills Cawood (GMC), Glenn Coyne and Kalanos Jackson to discuss the Unified Development Ordinance (UDO) project.

Coyne said GMC was an employee-owned company of 500 people headquartered in Alabama, with about 60 employees in Georgia. They did everything from landscape architecture to engineering. Both he and Jackson were in the planning area and had a lot of experience with code work. He listed some of the communities they had worked with, assuring Council they had experience with communities similar to Peachtree City, that were fast-growing with a lot of unique aspects.

There would be several layers of involvement, Coyne stated. They had already started working with City staff. Each Council Member would be asked to appoint two representatives to a steering committee that would meet every other month throughout the process. There would be open house meetings for the public to express their views, and updates would be posted on the City website. The Planning Commission would get a review, then the UDO would go to City Council for approval.

GMC would meet with City staff every other week, Coyne explained, and they would work together to draft revisions to the code sections. The steering committee would meet at least three times, and there would be two public meetings where citizens could come out and see what was going on with the code updates. He wanted to make sure it was understood that there were plenty of opportunities for input, and no one would slide any ordinances in under the door. Because this was a change to the code, a formal public hearing was required at the end.

A lot of communities had gone through this process, which was designed to make the code more user-friendly and in a logical order. He noted that it was a good ideal to revisit the code from time to time, and they would bring in some best practices they had seen in other places. Their main job was to go through the code and remove any conflicts, Coyne stated. They probably would need to incorporate new State laws dealing with zoning and planning, and they would ensure that the code was written to implement the Comprehensive Plan.

By user-friendly, Coyne said they meant that they would not hide code in the table of contents. Each code section would have a number and a numeric reference. They also would employ a lot of cross-referencing. There would not be a lot of jargon; it was the City's code and people should be able to go online and look at it and understand it, Coyne added. There would be lots of charts and graphs, too.

What they were doing was preparing an updated and organized code for the City. They would update administrative procedures mentioned in the code where needed. For instance, there were many requirements for paper documents. That would be updated. They would also consider what made Peachtree City unique. GMC wanted to hear from the public and from Council about issues with the code that needed to be improved.

What they were not doing was changing any zonings or land use or opening new areas for development. No land uses would be changed. They were not advocating any particular ideology or political policy. They were just updating the code.

They hoped to be finished by February of next year, Coyne stated. The process would start with document reviews; issues would be identified over the summer. Drafts would be written in November and December, and the final adoption by Council should be in February 2024.

The steering committee would meet before the public workshops, he noted, and they would work their way through the steering committee meetings, then the workshops, then public hearings.

Destadio stated he was on the Planning Commission for 11 years and felt he knew the City pretty well. He was pleased about this project when he first heard about it because he thought the several design standards imposed in areas throughout the city should be consolidated. Then there was talk of architectural standards being included, but Destadio said he was pleased to see that was not part of the update. Were they not considering architectural standards?

Cailloux said sometimes they were called design standards and sometimes architectural standards. They would listen to the public, but she said she would be shocked to hear that a majority of the public wanted architectural standards. She said she would not presume to know what the public would say,

but she would be surprised if, for instance, there was an opinion that Peachtree City should look like Helen, Georgia.

Destadio told her he was not talking about those kinds of standards, but at one time she had mentioned including Jefferson Browne in the proposal. Was that firm included? Cailloux said it was not involved with the UDO, but was working on the design standards for the corridor overlay. Was there still an overlay district? Destadio asked, and Cailloux said the SR 54 Overlay District would still be in effect.

Destadio said he wished he could be involved in this other than on the review panel. Of course he would be involved, the Mayor remarked. They all would be through those meetings. Destadio said it would not be the way he wanted to be.

Cailloux thanked Coyne and Jackson for coming. She said she had forms she would put on a table in the meeting room so citizens could fill them out with things they thought the UDO committee should know about in advance. She told Council to remember they were looking for their two appointees to the steering committee.

Holland asked if changes would be tracked on the document? They would, Coyne replied. It would be re-ordered, but they would provide a table that showed where the information used to be and where it was now.

2. 1st and 2nd Ordinance Readings

Destadio said he had already talked about this, so he would not belabor the point, but he wanted to go back to having a first and second read on the ordinances. Did he need to make a motion?

City Attorney Ted Meeker said he could not recall an ordinance recently that had not gone through some sort of discussion process. During Council/Staff Topics, staff would present ordinances to Council for discussion and would bring them back for a vote in the future.

The City of Newnan's charter, Meeker reported, required two readings of ordinances before they could be approved. If there was a unanimous vote at the first reading, Council could opt to waive the second reading. Did Destadio want them to have the ordinance presented, get feedback and come back for a vote or did he want an ordinance change to require two readings?

Destadio said he wanted a first and second read until Council decided it was a simple enough change that a vote was not required. So, he was looking for an ordinance change to require first and second readings? Meeker asked. Yes, said Destadio, and Meeker confirmed that there would be a waiver if Council's vote was unanimous at the first read. Destadio agreed.

Learnard said now she was confused about what Destadio was asking and asked if he wanted an ordinance change to require first and second readings? He said yes. That was how Newnan did it, Meeker said, noting that a recent annexation vote there was 4-2, so it had to come back for a second vote. If a vote was unanimous, they could waive the second reading as part of the motion.

Destadio said that some ordinances required just a simple change, and the City Manager talked to them about it in their weekly meetings. There was no need to bring those back and forth, Destadio commented, and Meeker said that was something for Council to decide.

But ordinance changes had to come before Council for a vote? Learnard inquired, and Meeker said they absolutely did.

Destadio was looking for a true ordinance amendment to Council procedures in chapter two of their code that would make this provision, said Meeker. Yes, Destadio said.

3. Policy 8-14 Public Comment Guidelines

Destadio said he believed they all wanted to listen to citizens. He recalled how often the Planterra Ridge families and their young children appeared during the public comments, not knowing that the City was working to remedy their traffic problems. He proposed increasing the time limit for individual public comments from two minutes to three minutes and doing away with the 20-minute cap on public comments. That, he acknowledged, would put some responsibility on the individuals speaking so as not to repeat comments. It could mean the Mayor would have to ask the commenters if they had something different to say. He also suggested that a Council Member could call a point of order and ask the same thing.

Prebor said he agreed with three minutes, but how would they control it? If it was a hot topic, Council already were aware of what the issues were. Maybe the Mayor could ask how many people were going to talk about traffic? Were there any comments making other points?

When they opened the public comments, it was open, Meeker pointed out. People had the right to speak for that time period even if they were repeating what others had said. Destadio said he understood. Meeker added that was the difference in a public hearing, like in a zoning context, and a true public comments scenario.

Destadio said he did not see why the Mayor could not tell someone that if they were going to repeat what had already been said, could they yield their time to the next speaker? She could ask, Meeker replied, but the speaker could decline and take their three minutes.

They had some options, Meeker said. This policy was adopted in 2006 and had not been touched since. He recalled just twice where there had been more speakers than time: 10 speakers, two minutes equaled 20 minutes. There had been two occasions where they had less than the full allotment of time. The chair could always decide to extend the 20 minutes to however long it took to allow everyone to speak. The Council could also make a motion to do that. Or they could change the policy, he noted.

Prebor asked if they set it at three minutes per person, saw that there were more speakers than that would allow, could they reduce it to two minutes? Meeker said if it was set at three minutes apiece, he would not deviate from that unless there were more speakers than the time would allow.

King proposed they allow three minutes per speaker for a total of 30 minutes. Council could vote to extend it if there were more speakers.

Holland said that was fine if there were no repeats, but Meeker and Destadio both said if citizens were given the right to speak, then they could speak. If they were repeating other comments, Council would just have to listen.

Destadio said he could agree with three minutes each for a total of 30 minutes.

Learnard said out of respect for the fact that this was the business meeting of the Council of Peachtree City, they should put public comments at the end of the agenda. Fayetteville and a lot of cities had it at the end of the agenda, she noted. That way, they could get through with their business, then spend whatever time needed to listen to residents.

The Mayor ran the meeting, King observed, so that would be her option.

Prebor said he thought there should be follow-up, and Learnard said if someone had a good idea, any one of them could follow through. She mentioned that nine years ago, she was all about backyard hens, but there was never an ordinance proposed about it. Prebor said he would just like to see follow-through, and Learnard agreed that sometimes it was necessary, but commented that they were loading staff up with duties, and they were already busy.

Meeker noted that there were Council/Staff topics at the end of every meeting. If someone brought up backyard hens, one of the Council Members could say then that they would like to see what an ordinance would look like. Prebor said he understood.

When there were hot topics, a lot of people who wanted to talk showed up, Holland observed, and three minutes might not be enough. What about four minutes? He would leave it at the discretion of the Mayor.

If they had that sort of topic, King remarked, it was already an agenda item, and Council could already extend the time to extend the public comments at a public hearing.

Meeker urged them to set time limits and leave them. Inevitably, he said, if you allowed one person three minutes and another got four, there would be an argument about how Council was censoring or not giving a full opportunity to speak based on their viewpoint. Next thing you knew, he remarked, he was in Federal Court on a 1983 case.

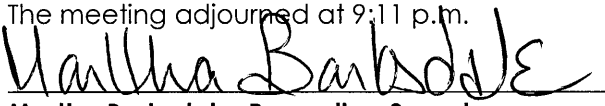
Learnard said three minutes, 30 minutes total. Council agreed, and Meeker said he would work with staff on a policy.

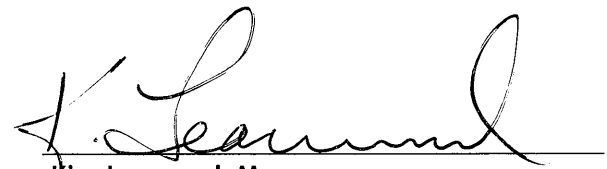
King moved to adjourn to executive session at 8:42 p.m. to discuss real estate and pending or threatened litigation. Prebor seconded. Motion carried unanimously.

Prebor moved to reconvene in regular session at 9:11 p.m. Holland seconded. Motion carried unanimously.

There being no further business, King moved to adjourn the meeting. Prebor seconded. Motion carried unanimously.

The meeting adjourned at 9:11 p.m.


Martha Barksdale, Recording Secretary


Kim Learnard, Mayor