

City Council of Peachtree City

Minutes of Meeting

March 15, 2001

7:00 p.m.

The City Council of Peachtree City met in a regular session, Thursday, March 15, 2001, at 7:00 p.m. in the City Hall Council Chambers. Mayor Robert L. Lenox led those attending in the pledge of allegiance. Other Council members present were: Carol Fritz, Steve Rapson, Dan Tennant and Annie McMenamin.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Mayor Lenox administered the Oath of Office to Steve Rapson.

Mayor Lenox presented the Employee of the Month Award to Vicki Roman.

Mayor Lenox presented a 15-year Service Pin to Bobby Thompson.

Mayor Lenox recognized Nancy Neff for service on the Fayette County Board of Health.

Mayor Lenox presented a Proclamation for Library Week.

Mayor Lenox presented a Proclamation for Girl Scouts Week.

MINUTES

McMenamin made a motion to approve the February 15, 2001, minutes as submitted. Fritz seconded the motion. Motion carried unanimously.

McMenamin made a motion to approve the minutes of the March 6, 2001, Special Called Meeting to select a new Councilmember, as submitted. Fritz seconded the motion. Motion carried unanimously.

MONTHLY REPORTS – Approved

CONSENT AGENDA

(None)

OLD AGENDA ITEMS

01-01-10 - Discussion – Charter Revisions

Lenox made a motion to move this agenda item to the end of the agenda for the convenience of those who have interest in other specific items on the agenda. Fritz seconded. Motion carried unanimously.

NEW AGENDA ITEMS

03-01-04 - Public Hearing – Alcohol License – Harry's In a Hurry VI, 258 City Circle

Fritz stated for the record that she personally knew Vince and Barb Curasi, and that Mr. Curasi was the Manager of Harry's In a Hurry VI.

At the applicant's request, McMenamin made a motion to approve an alcohol license for Harry's In a Hurry VI, and to appoint Mr. John Latham as the Licensee and Ms. Ginger Lovett as the License Representative. Tennant seconded the motion. Motion carried unanimously.

03-01-05 – Variance – 201 Planceer Place

Mayor Lenox read the rules for conducting Public Hearings and set a time limit of ten minutes for each side to present their case.

Mr. Craig M. May, owner of the house at 201 Planceer Place, addressed Council and explained that he desired to add a master suite to his home, but that in order to obtain a building permit he had been required to submit a variance request due to the fact that the proposed addition would encroach into the setback along Planceer Place a distance of 10 feet.

Developmental Services Director Jim Williams addressed Council and stated that he and May had looked at several alternatives, but that none looked as good as this plan. He said the room addition would be a relatively minor encroachment and would make a major improvement to the architectural appearance of the house from the street. Therefore, staff recommended approval.

Lenox then called the Public Hearing to a close so that Council could discuss the matter.

McMenamin stated that she lived on Planceer Place, but her house was at the complete opposite end of the street. She said that, while she felt this would add value to this particular home and probably to the proximity of the neighbors, she did not feel it would have any impact on her end of the street, but that she would certainly refrain from commenting or voting if the City Attorney or any Councilmember thought this would be a conflict.

City Attorney Rick Lindsey confirmed that McMenamin's home was on the other side of the neighborhood (which was a fairly large neighborhood), and that her vote would not have any impact on the Ethics Ordinance.

Rapson said he had stopped by to look at the property and had spoken to Mr. May. Mr. May advised Rapson that the neighbors had agreed that the addition would not have an adverse impact and made a motion to approve the variance. McMenamin seconded the motion. Motion carried unanimously.

03-01-06 – WASA Watershed Assessment

City Manager Jim Basinger addressed Council, and stated that at the last meeting Council had tasked him with the job of coordinating the development of a “scope of services” for a technical review of WASA’s Watershed Assessment that would be performed by a professor of an institution of higher learning that had the necessary expertise.

Basinger said further that his plan was to have Mr. Dennis Chase of the Line Creek Association and Mr. Larry Turner, General Manager of the Peachtree City Water and

Sewerage System, work with him on developing the scope of services. However, he said Council had received a letter from WASA Chairman John Gronner, which stated that the authority did not desire to be involved in the assessment. Additionally, the City Attorney had provided an opinion on the matter in which he felt it was inappropriate for the City to challenge EPD on this matter by obtaining this technical review.

Basinger explained that as a result of these two letters, this subject had been placed on the agenda for further discussion by Council.

Lenox said he had been involved in this process and thought that the Water and Sewerage Authority had a particular purpose for which they were doing an excellent job of fulfilling. He said the Authority was subject to EPD’s rules and requirements, which they had followed to the letter. Lenox felt it would not be appropriate for the City to intervene between the Authority and the EPD at this point. However, at the same time he thought everyone had legitimate, varying levels of concern as to whether there was a problem with Line Creek, and if so, how could the City define it and what should be done about it. Lenox said the watershed assessment was not an inexpensive item – the budget was about \$135,000 for the Water and Sewer Authority. On the other hand, it was not really an assessment that spoke specifically to the overall general health of the creek because it was done for a specific purpose. Lenox said the question was could Line Creek absorb a certain daily load and was it acceptable in terms of a sewer permit. Lenox said this left the long-standing question about how the City should resolve the matter. Lenox said he felt the City’s best hope to define the scope of the problem and how to resolve it was the very significant grant applied for by a UGA Professor that would enable a long-term, true study of Line Creek to take place. In response to Rapson’s inquiry, Fritz confirmed that the grant for the study was approximately \$900,000.

Dennis Chase, President of the Line Creek Association, addressed Council and stated that, after the City Manager advised him in a meeting on March 5th that the City Council had reconsidered their decision about a peer review of the watershed assessment issues, he asked for additional help with the preparation of the issues. A number of engineers provided assistance and offered various points for consideration. The report was provided for Council’s consideration and is attached and made a part of this official record.

Rapson commented that the City could not ignore the legal ramifications of the fact that WASA was set up as a separate legal entity, and as long as EPD guidelines were being followed, he felt the City’s position should be neutral. Rapson commented further that he thought it would

be wonderful if the UGA Professor received the grant because Line Creek was a big question mark for everyone, and that environmentally, the watershed and basin assessments would probably be the biggest issues for all the counties in Georgia and would be an ongoing issue for the next two or three years.

Fritz clarified that there were two grants currently applied for, but that neither would specifically address what was wrong with Line Creek.

Peachtree City Water and Sewerage Authority General Manager Larry Turner addressed Council and referred to a discussion at the Annual City Council Retreat a couple of years ago regarding the possibility of Tyrone, Fayette County, Coweta County, and Peachtree City conducting one watershed assessment; however, due to the time frame that the Authority was under at that time, this had not been a possibility.

Turner said a watershed assessment was actually a *snapshot* in time of what was found during that sampling period based upon certain procedures and protocol. Turner said further that streams change, that it might show something different than other studies that used different protocol and procedures five years previous and it might be different five years in the future. One of the commitments the Authority made regarding Watershed assessment was that the Authority would go back three years – at a minimum – and sample at all the sampling points from the original study and use the same protocol and procedures quarterly so that a determination could be made about what was happening in Line Creek and Flat Creek.

Turner said that the Georgia EPD was delegated by the U.S. Environmental Protection Agency, the NPDES permit and enforcement, and that the Authority was regulated by that agency. Turner said the Authority was in the process of permitting a plant expansion and that the Authority followed the NPDES procedures. He said the NPDES had approved the watershed assessment with minor requests – one of which was to do more sampling, which the Authority had agreed to do.

To conclude, Turner said the appropriate place for citizens to voice their concerns, discuss costs, facility plans and projections was when the Authority received its final permit from the EPD because there would be public hearings on the permit application and on the environmental information that was being prepared.

In answer to Fritz's inquiry, Turner confirmed that the public hearings would probably be scheduled within the next four to six months.

Fritz said that during the next four to six months she would like to have the Line Creek Association go ahead with the peer review, then address the review at the public hearings as Turner had suggested.

Lenox said he would support that idea because many of the studies done at the ARC level or the State government level were not done by City and County governments, they were done by citizen groups who had their own particular agenda. However, he felt it would be inappropriate for the City to financially or otherwise back that action because it would put the

City in conflict with the State government by whom we were all regulated and with the City's own Water and Sewerage Authority who had a difficult job at best. Lenox said he agreed with the City Attorney's opinion on the matter.

McMenamin said the opinion of the City Attorney and the autonomous nature of the Water and Sewerage Authority was the important thing to her at this point.

Lenox said no action was required on this matter at this point, and that this concluded the discussion. He said if the item required further discussion, it could be brought back up at any

point in the future. Lenox said that the process was very defined and there would be many points for further interaction.

03-01-07 - Appointments to the Development Authority

Basinger addressed Council and stated that the selection committee was composed of Mayor Lenox, Councilmember Tennant and himself and that they had interviewed six applicants for the vacancies on the Development Authority. He said it was the recommendation of the committee that Mr. Bob Truitt and Mr. Tate Godfrey be reappointed to serve a term from 4/7/01 through 4/6/07. Basinger said the committee further recommended that Mr. Brian Palmitessa be appointed to serve a term from 4/7/01 through 4/6/07.

Tennant opened the discussion and reviewed the process for conducting interviews for Commission and Authority vacancies. Tennant explained that the reason he had wanted to become a member of the selection committee was because, as the City neared build out (residentially speaking), a good Development Authority would be needed to bring in clean industry. The other reason was that several months ago he had been asked to present the issue of term limits before Council to discuss limiting terms just as the Council, as elected officials, were limited to terms. He said it was his view then and now that the City should limit the terms for appointees. However, Council had discussed the issue and had all agreed that they had the right to set terms limits by virtue of Council's appointments. He said although the selection committee had been respectful of each other, they did have some disagreement. Further, that while the three who were chosen were, in fact, a compromise so that Mr. Palmitessa (who would bring new energy, enthusiasm and ideas to the table) could be recommended, Dr. Brooks was left out. Tennant said the key issue was term limits. He said although he did not know Mr. Truitt personally, he had met him during the interview process, that he seemed like a fine man with a fine reputation and that the City owed a lot to Truitt for serving 20 years on the Authority. However, 20 years was a long time and 26 years (if he were reappointed) was too long. Therefore, Tennant said despite the fact that he was actually on the committee that made the original recommendation, he made a motion to appoint Dr. Brooks, Mr. Godfrey, and Mr. Palmitessa be appointed to the Development Authority.

Lenox said before the motion was seconded he would like Council to take action on the appointments individually and add a few comments.

The City Attorney reminded the Mayor that Parliamentary Procedure required that a second to the motion be made, or Tennant could yield to Lenox's comments because Tennant had a

motion on the floor. Tennant requested that the motion be left.

McMenamin said she also believed strongly in term limits, and that it was very difficult for her because Mr. Truitt had employed her for approximately eight years during Truitt's early terms on the Development Authority. She said he had been a tremendous asset in bringing good industry into the City and had worked diligently, but that she felt 20 years was a long time. McMenamin seconded Tennant's motion to appoint Dr. Brooks, Mr. Godfrey, and Mr. Palmitessa.

The City Attorney advised that Council could now have discussion, and then ask for changes to the motion.

Rapson stated that his wife, Kristi Rapson, was the Director of the Amphitheater and reported directly to the Development Authority, and in that regard, Mr. Truitt was actually Mrs. Rapson's primary contact in terms of the management and operations of the Authority and for those reasons he felt it would be appropriate to abstain from voting.

Lenox commented that he believed it was the responsibility of the selection committee and the City Council to interview the applicants for any given position and choose the applicant or applicants that, in their opinion, would provide the best service and results to the City of Peachtree City. He said when they discussed this during the course of the selection committee's meeting, three of the four committee members had no problem whatsoever agreeing. Lenox said it was no reflection on Mr. Palmitessa, who was an excellent applicant. However, Bob Truitt had served 20 years on the Development Authority, during which time the City had been the most successful industrial recruiters (probably) in the State of Georgia, developed a fine industrial park, rebuilt the Amphitheater, built the Tennis Center (which had become noted as the finest tennis center in the country), and that much of that had been accomplished partly through the efforts of Mr. Truitt. Lenox said Mr. Godfrey had been the Director of Industrial Land Sales for Pathway Community for several years and prior to that had been involved in Chambers of Commerce in other places in the State and was one of the best industrial recruiters and industrial land sales person that he had ever seen. Lenox said further that Dr. Brooks was a City Council member for 11 years and had contributed more to the community than most anyone he knew. Lenox said his argument at the time was that it was his responsibility to choose who he considered to be the best three candidates in this instance out of those applicants who presented themselves and it was clearly those three. He said he gave some credibility to term limits in what he considered to be political positions. However, the Development Authority was not a political body, it was a business organization whose job was to bring in good industries, which they had done very well. In addition, their job was to run the Amphitheater, which they had done extremely well. Their job was also to build a tennis center that had a national reputation and they had done that incredibly well. He said those three people were all part and parcel of these accomplishments and those were the people he wanted appointed. Lenox said Tennant wanted compromise, and that they had come to a specific agreement after an hour and a half even though three of the four people on the selection committee disagreed that Mr. Palmitessa should be substituted for Dr. Brooks. Lenox said Mr. Palmitessa would be a good member of the Development Authority and that had been an acceptable compromise. He said now Council wanted to open this matter up for discussion, and he was happy to do that.

Tennant commented that he did not advocate change for the sake of change, that he advocated change when it allowed for others to become involved in the community without forsaking service and effectiveness. He said he believed Dr. Brooks brought a lot to the table, was delighted that Mr. Palmitessa would be given an opportunity to serve, and concurred with Lenox's assessment about Mr. Godfrey. He said he had had a genuine change of heart and that it was an important six-year decision. He said that six years from now the City would be completely built out residentially, and the City would have to depend on the Development Authority to bring forth a good strong industrial tax base for us, and he thought the three candidates he had proposed would do that, but that he felt it was simply time to give others a chance.

Lenox said the next six years would see the finishing of the industrial park and felt it was his job to find the candidates who could ensure the greatest success in six years because after the next six years there would not be much left in terms of developing the industrial park. He said he liked Mr. Palmitessa and thought he was well qualified, but felt he had to give the edge to someone with 20 years experience. Lenox said the reason he agreed to the compromise in the end was because he thought Bob Truitt was the best candidate for the position because of his experience. Lenox commented further that Dr. Brooks had done a wonderful job and had contributed greatly to Council, but he had not been an active participant in the industrial recruiting and the process thereof. He said it was really important to him to have all the experience the City could get on the Development Authority during this last six years to replicate the success that had been obtained to-date. Lenox said further that no one disagreed about how important the industrial park was in terms of the tax base, local jobs, jobs for our children, and the contributions the park made to the economy. He said for these reasons he felt he had a responsibility to go with proven performance.

Fritz commented that Council had discussed the issue of term limits since she had become a Councilmember, and she agreed that Council should do all they could over the next six years because it was so critical, but that she would like to look past the six years. She said that a lot of the members had been on the Development Authority for 20 years or more and thought the Authority had a good solid foundation, but that she thought some other people should have an opportunity to serve. Fritz said the selection process had raised some concerns for her and felt Council should revisit the process for an Authority position since that was a position appointed by Council. She said she thought Council should be the ones discussing the appointments and selecting applicants. She said she supported Tennant and McMenamin and wanted some other people to become involved to acquire the experience needed before those with the experience left the Authority.

Lenox made the point that the two long-serving members on the Authority were Tom Farr and Jim Fulton whose terms would be up in two years and that neither planned to reapply. Lenox said one concern was that if that happened, there would only be new people on the Authority and that Mr. Truitt would have provided some continuity of leadership during that transition.

McMenamin said another point was that the Development Authority (being the sole source for industrial development in Peachtree City) had changed somewhat because of the existence of

the Fayette County Development Authority. Therefore, there was a much larger base of support and aggressive resources for the development of industrial property, and since Peachtree City had the majority of property in the industrial market, the City would receive most of the resources that came into Fayette County.

Lenox said that the only thing the City received from the existence of the County Development Authority was Chris Clark, the Director. Other than Clark's addition to the team, nothing had really changed functionally in terms of what happened when the City got an industrial prospect.

He said it was driven by the people in Peachtree City – not only by the members of the Development Authority – but by anyone that Council needed to call on (on an ad hoc basis).

Tennant brought up the fact that Development Authority member, Scott Bradshaw, was relatively new, but had been a valuable asset to the Authority and felt this decision allowed for a good mix of those with a lot of experience, those that wanted to get involved, and those that would bridge the gap.

Hearing no other comments, Lenox asked for all those in favor. Motion carried three to one with Lenox opposing and Rapson abstaining.

03-01-08 – Golf Cart Safety Equipment

Fire Chief Stony Lohr addressed Council and stated that, in accordance with Council's request, staff had completed a comprehensive report on golf cart accidents and injuries that had been coordinated with numerous agencies and companies at the local, regional and federal level. Lohr summarized the report, which is attached and made a part of this official record.

Lohr concluded by stating that the National Golf Car Manufacturers Association (NGCMA) had strenuously opposed the use of seat belts in golf carts since 1996 based on safety, liability and marketing reasons. Lohr said there was a consensus of engineers, scientists, manufacturers, dealers and regulators that the use of seat belts in golf carts was inappropriate and would cause more harm than benefit at speeds not exceeding 20 miles per hour. Lohr said staff recommended that Peachtree City encourage the use of helmets for young children who ride on golf carts and that it continue to promote public safety education regarding the use of golf carts, and that Peachtree City not mandate the use of seatbelts in golf carts having a maximum speed of 20 miles per hour or less.

After some discussion, Rapson commented that the City needed to encourage what he felt was mainly common sense and thought it was a parental responsibility.

Fritz recommended that Council support Lohr's recommendations and no further action was required.

03-01-09 – Discussion – Filing Fee Refund

Lenox opened the matter for discussion and stated that the question was whether Council should refund all or any part of the filing fees for the recent Council vacancy. All applicants were required to pay a \$180 qualifying fee, which was the statutory requirement to qualify for the office of Councilmember or Mayor for a standard four-year term.

Tennant made a motion to refund the prorated amount of \$144 to each of the candidates, including Mr. Rapson. McMenamin seconded the motion. Motion carried 4-0 with Rapson abstaining.

Lenox made a motion to take a five-minutes recess. Tennant seconded the motion. Motion carried unanimously.

01-01-10 - Discussion – Charter Revisions

Lenox reconvened the meeting for an ongoing discussion of charter revisions.

City Attorney Rick Lindsey addressed Council and stated that, as McMenamin had suggested, he had sent a letter with a draft of the proposed changes to the City Charter to all of Peachtree City's former Mayors and requested that they review the draft. He said all the Mayors had responded and had been supportive of the revision process.

Lindsey reviewed the former Mayors' comments and the proposed changes with Council. After some discussion regarding each proposed change, Lindsey suggested that he incorporate the changes discussed and that the next step would be to obtain citizen input. Lindsey further suggested that citizens could review the proposed changes at City Hall and the Library prior to a public hearing. Lindsey advised that he would provide a copy of the proposed changes for Council's review prior to the 2001 Annual City Council Retreat.

Council/Staff Topics

Basinger addressed Council and requested volunteers to serve on the selection committees for the Airport Authority, the Library, and the Fayette County Board of Health vacancies.

McMenamin and Lenox volunteered to serve on the selection committee for the Airport Authority vacancy.

Rapson and Tennant volunteered to serve on the selection committee for the Library Commission vacancies.

Fritz and McMenamin volunteered to serve on the selection committee for the Fayette County Board of Health vacancy.

Executive Session

There were no executive session topics to discuss.

Lenox made a motion to adjourn the meeting. Fritz seconded. Motion carried unanimously and the meeting adjourned at 9:45 p.m.

ATTEST: _____
Robert L. Lenox

Jim Basinger, City Clerk

March 15, 2001

Good Evening Mr. Mayor and Council,

I am Mr. Dennis Chase, President of the Line Creek Association of Fayette County.

After my March 5th meeting with Mr. Jim Bassinger he informed me council was reconsidering their decision about a peer review of the watershed assessment issues. To assist me in preparation of these issues before you tonight I looked for some additional help. Assistance was provided by engineers who reviewed the documents on this issue and offered several points for consideration.

First, is there a real need for expansion beyond the existing permit for 4.9 million gallons per day. The Water and Sewerage Authority's (Authority) final flow projections have some questionable numbers which we can't validate. We plan to pursue this in greater detail.

Assuming that the expansion permitting process proceeds as is currently programmed, several issues develop. Is the actual increase in total treatment capacity to 5.5 MGD an overall increase 0.6 MGD? (This question revolves around the projected 1.5 MGD increase at the Rockaway facility and a reduction of 0.9 MGD with the closing of the Flat Creek facility. A net of 0.6 MGD) The cost of 0.6 MGD, according to the Facility Master Plan will exceed \$8 million. This equates to a \$13.40 per gallon cost for the new capacity. Historically, cities have developed increased capacity at a much lower cost per gallon.

Second, the above costs will be added to a relatively high customer sewer rate which currently exists in this city. I acknowledge the Authority's June 2, 2000, public information release which contains

a table of other wastewater treatment facilities in counties in our area. However, the Peachtree City rates are, in fact, high. We believe that the comparison should be between similar size cities rather than comparing counties from some of the most expensive systems in the state.

Third, one of the reasons frequently offered for closing the Flat Creek facility is the high cost of operations on a per gallon basis. However, since this facility treats primarily industrial sewage, one could or should question its consideration as related to higher costs. Since treating industrial sewage is recognized as being more costly than treating household wastes.

Fourth, many of the projected costs to accomplish this \$8 million project are listed in Table 4.4 from the Facilities Master Plan. Contractor Overhead & profit is stated as 25%, --- Contingency allowance at 15% --- while Engineering is also at 15%. This in fact represents a total of 55% of the total costs of this 8 million dollar project. With only 45% allocated to capital improvements. On this point we simply wonder why, but we do know full well who will absorb the costs. Will it be the customer?

I recognize and understand the reason we here to consider the question of a peer review of the Watershed Assessment is in response to correspondence from the Water and Sewerage Authority. Chairman Gronner of the Peachtree City Water and Sewerage Authority submitted a letter expressing concerns that peer review may delay Environmental Protection Division's (EPD's) approval of the Authority's permit request to increase the discharged into Line Creek from 4.9 to 6.0 million gallons per day.

However, it is my professional opinion, based on over 26 years as Biologist for the US Fish and Wildlife Service that when considering an action impacting the environment it is better to move with care having taken all reasonable precautions rather than to move quickly and adopt the simplest or most expeditious solution. It is regrettable, as I believe you are fully aware, the State of Georgia's requirements for protection of our watersheds, aquifers, and streams are minimal at best. They do not provide the level of protection we know is necessary for our watershed and the level of protection, Peachtree City provides in other environmental considerations and for which we are justly very proud. It is the Line Creek Association's position and belief that we have the right to expect every protection available. Further, you as elected officials, have that same right, but should be willing to go further to ensure that every possible action is considered to protect our environment. In this case, we are not asking you to take sides in the argument over the quality of the water assessment, rather we are asking you to participate as elected officials and request an unbiased review of the that document and related documents as they consider Line Creek's water quality.

Unfortunately, Mr. Gronner's letter of February 22, 2001, omits any reference to the fact that the Peachtree City Water Committee was established specifically to considered actions in the city that impact water quality. Prior to the Water Committee taking actions as a body and the Water and Sewerage Authority's sponsorship of the Watershed Assessment, the Water Committee asked me to assist them in designing an overall study to evaluate Peachtree City's water quality issues. I had begun that effort in earnest when I was notified by a Water Committee representative that the Authority's General Manger, Mr. Larry Turner, was going to do a water quality study as a part of

their request for a permit from EPD to increase the discharge rate into Line Creek from 4.9 to 6.0 million gallons per day. From Mr. Turner's perspective, the city would obtain all necessary information required without putting more money into a water study. The Water Quality Committee agreed and my work ceased. However, once the Authority began its work it was only with the consideration of the "MINIMUM" requirements of Georgia Environmental Protection Division for water supply protection and would not include any analysis or evaluation of our water beyond EPD's requirements. Ladies and Gentlemen we are now left with a Water Assessment that is incomplete and therefore inadequate for the needs of Peachtree City and Fayette County Citizens today and, in my opinion, the future.

Mr. Gronner's letter makes an interesting statement. The letter's last sentence state's, "In fact, we believe that there is a risk involved in challenging EPD's protocol and procedures, which is what you are basically doing." From the Line Creek Association's perspective the city's request for a peer review does not in any way represent a judgement of the water assessment; within the context of EPD's requirements rather it is represents a request for an opinion as to whether the documents in the water assessment demonstrate that the Authority met their commitment to the city regarding a broad range of questions/concerns to a study of Peachtree City water quality issues as requested by the Water Committee. Further, I would suggest that the Water and Sewerage Authority's expression of apprehension that we should not be "challenging" a State agency's method of doing business is not reflective of Fayette citizens and county governments regarding State of Georgia and ARC governmental directives. I site for example the positions taken and questions raised regarding ARC's Regional Transportation plan and the Governor Barnes education program just to mention a few.

If we as citizens don't question these issues, then who does? It is in asking the hard questions that we insure the effectiveness of our government. Intentionally avoiding these issues, as suggested in Mr. Gronner's letter, does not serve the needs of Fayette County citizens.

When it comes to the environment, we don't have the opportunity for an instant replay to correct an incorrect call. We must live with the consequences of our actions. Our request tonight is to accomplish a peer review of the water assessment study in order to **reduce to a minimum** the possibility any action or actions having an adverse impact of our watershed, aquifers and streams, rather than **accepting the minimum protection** provided by EPD for our scarce and vital water resources.

I know that the questions I presented tonight are difficult and troubling. You may also find it difficult or troubling to raise questions or concerns with the Authority or with the State. However, we believe you must ask the hard questions so you can assure the citizens of Peachtree City that all of us have worked hard to make sure the Watershed Assessment meets and protects the needs of all of us.

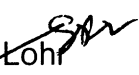
Thank you Mr. Mayor and Council. I am available if you have any questions.

CITY OF PEACHTREE CITY

INTER-OFFICE MEMORANDUM

TO: Mayor Lenox and Members of Council

VIA: City Manager, ATTN: Mr. Jim Basinger

FROM: 
Stony Lohr
Fire Chief

DATE: March 8th, 2001

SUBJECT: Golf Cart Injuries

ISSUE: Citizen Bill Aleshire recommended that Council impose a mandatory requirement to use seat belts on golf carts. This request is based upon his observation of parents holding children while concurrently driving a golf cart, and children riding in carts while unrestrained. Dr. Brooks and Mayor Lenox asked staff to research golf cart injuries.

The information below has been gleaned by manually searching the Peachtree City records for CY2000, and from group memory of serious accidents in Peachtree City over the past ten (10) years. Additionally, we contacted agencies and departments at County, Regional, State, and Federal levels, an Expert Witness on golf (cart) accidents, three local golf cart dealers, Club Car, the second largest manufacturer of golf carts in the United States, and the National Golf Car Manufacturers Association (NGCMA).

The following agencies and department have specifically stated that they do not have any golf cart related injury information: Fayette Community Hospital, Georgia Association of Hospitals, Georgia Region IV EMS, Georgia Department of Human Resources, Georgia Department of Community Affairs, Georgia Department of Public Safety, Georgia Department of Transportation, Georgia Consumer Affairs Office, Georgia Governor's Office of Highway Safety, and the National Highway Transportation Safety Administration (NHTSA).

Other than Peachtree City local records, the only available information is from four databases maintained by the National Injury Information Clearing House of the U.S. Consumer Product Safety Commission.

Peachtree City Golf Cart Injury Data:

- a. We have not had any fatalities related to golf cart accidents.
- b. In 2001 we are aware of injuries from 2 golf cart accidents. The first was a "walk in" after a teenager rolled a cart. The second involved a 2-year old child that sustained serious head injuries from falling off the cart and possibly being run over.

c. In 2000 we are aware of ten (10) golf cart accidents. Three involved minor injuries to a 2 year old and two 13 year old children.

d. From 1991 through 1999, we are aware of a total nine (9) serious golf cart accidents. Five involved juveniles; four of these involved older children and teenagers.

e. Of the accidents in Peachtree City, four (4) would probably have resulted in deaths or more serious injuries if the cart occupants had been wearing seat belts.

f. A summary of Peachtree City golf cart accidents is at Enclosure 1.

National Golf Cart Injury Data:

a. The only juvenile fatality since 1997 was a 16-year old boy in Ohio in 2000 who drowned because he was unable to unfasten his seat belt after his cart slid into a pond. The greatest number of juvenile fatalities occurred in 1997, when there were five. The children involved were ages 10, 11, 11, 13 and 19. Four of them involved a cart rollover and one of these was in a canal.

b. A summary of golf cart injuries and deaths for 1991 through 2000 is at Enclosure 2.

The National Golf Car Manufacturers Association (NGCMA) has strenuously opposed the use of seat belts in golf carts since 1996 based on safety, liability and marketing reasons. There is a consensus of engineers, scientists, manufacturers, dealers and regulators that use of seat belts in golf carts is inappropriate and will cause more harm than benefit at speeds not exceeding 20 mph.

Club Car reported that it is not aware of any optional safety mechanisms for golf carts except seat belts. It will not install seat belts in any of its golf carts unless it is equipped with a fully enclosed passenger compartment, and then will only install self-retracting seat belts. Of three local golf cart dealers, the only safety option available is seat belts. They are available upon request from one dealer. They are available upon request and with a strongly worded release from liability from a second dealer. The third dealer will not install them under any circumstances because of liability.

Club Car recommends that no person under the age of 16 operate a golf cart, recommends not using baby seats in golf carts, and recommends that a person not operate a golf cart while holding a child on his or her lap.

Club Car reported that virtually all of the accidents that it has investigated where a person fell from a golf cart involved a person who was not properly seated.

RECOMMENDATION: Staff recommends that (1) Peachtree City encourage the use of helmets for young children who ride on golf carts and that it continue to promote public safety education regarding the use of golf carts; and (2) that Peachtree City not mandate the use of seatbelts in golf carts having a maximum speed of 20 mph or less.

Peachtree City
Golf Cart Accident and Injury Summary- March 8, 2001

YEAR	MONTH	LOCATION	DESCRIPTION
1991	X	X	CHILD FALLS OFF BUMPER; CART RUNS OVER HEAD
1993	X	BEHIND LAKEWOOD SUBDIVISION	TEENAGE GIRLS TRAVELING DOWNHILL AT HIGH SPEED; HIT TREE; THROUGH WINDSHIELD
1995	X	PEACHTREE PKWY	CAR VS GOLF CART (ADULT); MULTI-TRAUMA
1995	X	3 PONDS	VISITING GRANDPARENTS BACK CART DOWN HILL INTO POND WITH GRANDCHILDREN
1996	X	OFF RAINTREE BEND	YOUNG TEENAGER ROLLED CART; FRACTURED FEMURS
1997	X	LAKE PEACHTREE	ADULT DUI DRIVER DRIVES INTO LAKE PEACHTREE
1998	X	HWY 54 @ROBINSON ROAD	MVA, PASSENGER CAR VS GOLF CART XING HWY (ADULT; MULTI-TRAUMA)
1998	X	PATH BEHIND SHAKERAG HILL	TEENAGER TRAVELING AT HIGH SPEED DOWN HILL; MISSES TURN; HIT TREE;MEDEVAC
1999	X	BRAELINN SHOPPING CENTER	CAR VS CART (ADULT); MULTI-TRAUMA
2000	MAR	HWY 54 PEDESTRIAN BRIDGE	NO INJURY
2000	JUN	HUDDLESTON ROAD	2 YEAR OLD FELL OUT OF CART. FACIAL ABRASIONS
2000	JUL	BEHIND 505 LAKEWOOD	NO INJURIES (4 PATIENTS)
2000	JUL	CROSSINGS EAST TUNNEL	13 YEAR OLD WITH MINOR KNEE ABRASION
2000	JUL	NORTH PEACHTREE PARKWAY @ TINSLEY MILL	MEDICAL CONDITION; NO INJURY
2000	AUG	CROSSTOWN @ROCKSPRAY POND	BIKE VS GOLF CART; 13 YEAR OLD WITH ABRASIONS AND SORE SHOULDER
2000	SEP	102 WISDOM ROAD	NO INJURIES
2000	SEP	WINDGATE ROAD @PARKWAY	NO INJURIES
2000	DEC	NORTHLAKE DRIVE@HWY 54	19 YEAR OLD; NO INJURIES
2000	DEC	HWY 74 PEDESTRIAN BRIDGE	NO INJURIES
2001	FEB	STATION 82	WALK IN. TEENAGER WITH MULTIPLE ABRASIONS AFTER ROLLING GOLF CART
2001	FEB	LORING LANE	2 YEAR OLD FELL OFF CART AND POSSIBLY RUN OVER

National
Golf Cart Accident and Injury Summary-March 8, 2001

YEAR	REPORTED INJURIES	REPORTED JUVENILE INJURIES	REPORTED SERIOUS JUVENILE INJURIES	REPORTED ROLLOVER INJURIES	REPORTED DEATHS	REPORTED JUVENILE DEATHS	REPORTED ROLLOVER DEATHS	ESTIMATED TOTAL NATIONAL INJURIES
2000	208	78	3	8	5	1	1	8764
1999	203	80	4	11	15	0	8	9249
1998	182	71	3	6	7	0	2	7887
1997	169	77	2	7	7	5	5	8304
1996	161	41	3	8	3	0	0	6148
1995	145	46	2	8	12	1	5	6500
1994	140	40	4	3	12	1	6	5873
1993	131	36	2	4	3	2	0	5617
1992	122	26	5	5	9	1	5	
1991	124	35	3	8	13	1	2	
TOTAL	1585	530	31	68	86	12	34	58342

NOTES

1. THE AVERAGE OF THE ESTIMATED ANNUAL NATIONAL INJURIES FOR THIS TIME SPAN IS 7,293
2. THE REPORTED NUMBER OF INJURIES FOR CY2000 IS NOT YET COMPLETE.
ADDITIONAL REPORTS ARE EXPECTED IN THE NEXT 30-45 DAYS.
3. THE STATISTICIANS IN THE NATIONAL INJURY INFORMATION CLEARINGHOUSE REPORT THAT THEY DO NOT CONSIDER THE INCREASE IN ESTIMATED NUMBERS OVER THE TIME SPAN TO BE STATISTICALLY SIGNIFICANT.
THERE IS A PLUS OR MINUS 29% CONFIDENCE INTERVAL.