City Council of Peachtree City
Minutes of Meeting
March 2, 2006
7:00 p.m.

The City Council of Peachtree City met Thursday, March 2, 2006, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Other Council Members present were: Steve Boone, Stuart Kourajian, Cyndi Plunkett, and Judi Rutherford.

Announcements, Awards, Special Recognitions
Mayor Logsdon proclaimed March 6-10, 2006, as Exceptional Children's Week.

Minutes
Rutherford moved to approve the February 16, 2006, regular meeting minutes as written. Kourajian seconded. The motion carried unanimously.

Monthly Reports
Logsdon noted there was an additional document on the dais – a corrected copy of the Administrative Services report.

Consent Agenda

1. **Consider Budget Amendments for FY 2006**

Rutherford moved to approve the Consent Agenda. Boone seconded. The motion carried unanimously.

New Agenda Items
03-06-01 Public Hearing – Consider Amendments to GC (Special Use Permit) – Big Box
City Attorney Ted Meeker addressed Council. He noted that in 2000 Council had approved an ordinance that prohibited single-tenant structures in excess of 32,000 square feet and multiple tenants in excess of 150,000 square feet. He explained that the former Council and staff had decided, after reviewing the data, to tighten the "big box" ordinance after the lawsuit over the Kedron property was resolved. Because an outright prohibition would be more susceptible to challenge, staff decided to allow the structures as a special exception. The proposed amendments treated the projects similar to rezoning requests and allowed Council to approve or deny a project. Meeker continued that there was an additional document on the dais that was an additional finding to be included with Section 1006.1. It would become the second paragraph of the section. The language was based on information from the consultant, as well as data from staff research.

The Mayor opened the public hearing and called for those who were in favor of, or opposed to, the proposed ordinance to speak.

Phyllis Aguayo asked for a synopsis of the proposed changes. Meeker said that the special permit process would be very strenuous. There was a long list of information that had to be provided with the application. The standards for zoning decisions would apply. Applicants would be asking for a special use permit. Meeker explained that conditional permits were granted if applicants met all the conditions for approval. Unlike a conditional use, Council would be able to turn down a special use permit request, even if the applicants met the conditions of the ordinance, based upon the standards set forth in the ordinance. Aguayo asked if the changes would give the City more strength and the opportunity to consider the requests on a case-by-case basis, and if the courts would uphold those decisions. Meeker explained that, in the event of a challenge, rather than an outright prohibition, big boxes would be allowed if Council decided the project was in the best interest of the citizenry. Aguayo questioned what would happen if a future Council was in favor of big boxes. Meeker said the question was whether the City could prohibit big boxes. The safer alterative was to have a long list of criteria. Aguayo said she would be in favor of any changes that protected the City and could not be used against it. Meeker said the changes allowed Council to say no and allowed the City to defend the decision. Aguayo asked if there was anything in the ordinance about the citizens being against a project. Meeker said residents would be able to express their concerns during the public hearing process. Meeker said the ordinance was like any other City regulation. The question had been whether or not Council could prohibit the structures outright. If approved, the structures would be permitted if Council felt they were in the best interest of the citizens. The process was very strict and had many criteria that had to be satisfied. Aguayo asked if there was any way the ordinance could be written to allow the community to come to a decision. Meeker said the public would be able to participate in the process as a special use permit was a zoning decision under Georgia law, but the public elected the Council to make those decisions. Aguayo said she had confidence in the current Council, but her concern was future Councils. Kourajian said he understood how Aguayo felt, but any future Council could always amend the ordinance if they supported big boxes. As far as the community making the decision, he added that the people in the community who wanted a big box would be the ones who would show up to vote.

Rutherford moved to approve the amendments to the GC General Commercial ordinance (Big Box) with the addition of the paragraph to be added to Section 1006.1, and that the paragraph be made the second paragraph. Meeker said there were two other staff changes that should be included before the motion was seconded. Meeker referred to page 3, the last sentence of (1006.3)(a)(6), and said to put a period after the word "company," and delete the rest of the sentence. Meeker referred to page 16, (1006.5)(f), and said to put a period after the word "grade." Rutherford accepted the changes recommended by Meeker and read the additional finding to be added to the ordinance:

> *The City Council does hereby find that, based upon studies conducted on behalf of the City and by other cities, big box developments, typically over 32,000 square feet for an individual business, and developments with over 150,000 square feet of retail space, can have negative impacts on a community. In particular, such developments can have a negative impact on the scale of retail development in the community, and can also adversely impact existing retail businesses in the City. Additionally, such developments can result in an over-supply of commercial development within the City, thereby shifting the economic focus of the community. Employment opportunities may also be adversely affected by such developments. Finally, such developments are contrary to the City's Comprehensive Plan, as well as the goals and objectives of providing public safety*

services to the City's residents. For the foregoing reasons, the City Council has determined it to be in the best interests of the City to provide that such developments may only be established pursuant to a special use permit, subject to the terms and conditions for the application and approval thereof set for in this Section 1006.

Boone seconded the motion.

Kourajian said the amendments were good, but asked if there were weak spots. Meeker said they had worked on the ordinance with that in mind from the outset, which was why the big boxes were allowed as a special use rather than a conditional use, and were not prohibited outright. The proposed amendments made the procedure similar to the rezoning procedures that Council faced on a regular basis. Any challenge would be the same kind of challenge. The standard was hard for the property owners to meet.

Meeker said any applications would go through the Planning Commission first. Logsdon said the process would also help keep Council from being accused of setting precedent when a request was denied. Meeker said staff took what was in place, took what had been used in other jurisdictions, and added their own thoughts. Kourajian asked if anything taken from other jurisdictions had already been challenged and upheld by the court. Meeker said two jurisdictions were in the courts now. He did not know if they had been appealed, but they were working their way up.

Plunkett asked what had been different for Wal-Mart and Target. Meeker said big boxes were not something Council could prohibit, but the developer would have to go through the process. The previous councils had not had a choice when those projects had come up. Rutherford compared those projects to the recent liquor license approval in Lexington Circle. Under the zoning in place, it was an allowed use. Meeker continued that there was a lot of information in terms of background studies that would be incorporated into the Comprehensive Plan, so the ordinance would be backed up by the Comprehensive Plan.

Kourajian said he was concerned that the wording in the proposed amendments was subjective. He said the development "can" have this effect. He felt the ordinance should be more objective. Meeker said it was good to have some justification of findings by Council. Kourajian asked if the documentation should be referenced in the ordinance. Meeker said the meeting record could reflect the documentation since the information was provided to Council ahead of time. Rutherford said that the changes could be irrelevant in three years because there would be new studies. Kourajian said the changes were good, but he preferred that the wording be objective rather than subjective.

The motion carried unanimously.

03-06-02 Alcohol License – NEW – Taco Mac

John Griffin, the applicant for license representative, addressed Council. He told Council that they planned to open the restaurant in June after the build out was completed and the building looked more like a Taco Mac.

Rutherford moved to approve the alcohol license for Taco Mac. Kourajian seconded. The motion carried unanimously.

Kourajian thanked Griffin for using an empty building rather than going with new construction.

03-06-03 Consider Approval of Stormwater Facility Maintenance Agreement (Park Place at The Avenue)

City Engineer Dave Borkowski explained to Council that the agreement was part of the existing watershed protection ordinance and was required of all new development. The property owner had agreed to maintain all stormwater facilities on their property. The requirement had been in place since 2002 as part of the existing Land Development ordinance, but had not been done.

Plunkett asked why the agreement was not part of the new stormwater utility ordinance. Meeker said the utility would use the agreements, but this was a separate component. The purpose of the agreement was to put the property owners on notice. By getting notice on the front end, the property owners, as well as any subsequent owners, would know their duties and responsibilities. Meeker said Council would see more of these agreements. Rutherford clarified that this agreement was specific to Park Place and the City. Plunkett asked if the City could require an agreement from the Delta Credit Union. Borkowski said Delta Credit Union had been given an agreement. Logsdon asked if Delta Credit Union was too far along to get an agreement. Meeker said Council should see an agreement from them.

Rutherford moved to approve the stormwater facility maintenance agreement with Park Place at The Avenue and to authorize the Mayor to sign the agreement. Plunkett seconded. The motion carried unanimously.

03-06-04 Consider Fire Department Volunteer Stipend Program

Assistant Fire Chief Ed Eiswerth addressed Council. He said the department was asking for $34,000 for a six-month pilot program that would run from April 1 to September 30, 2006 (the end of the fiscal year). Eiswerth continued that the stipend was another tool to recruit volunteers. He continued that the older members of the department that had come up through the volunteer ranks did not want to take part in the program. Many departments in the country called themselves volunteer departments, but offered some kind of pay or stipend to get the members to come to training and respond to calls.

Eiswerth said that volunteerism in the fire service had changed. The days were over for those who volunteered as a community service. The younger volunteers wanted something for their efforts. About one-fourth of the volunteers had said they would not accept a stipend. The younger members would use the money for expenses such as babysitting or gas. Volunteering now cost not only time, but also money. Eiswerth requested $34,000 for the six-month pilot program. The stipend would be a set amount per call or training event based on a volunteer's certification. Each volunteer would be capped at $750 for six months. Eiswerth said they would evaluate the program at the end of the six months to see if there had been an increase in response and training.

Boone asked why the older volunteers were against the proposal. Eiswerth said they volunteered for the community and the camaraderie. Eiswerth said the stipend was just another recruitment tool. The department had an annual awards banquet and gave volunteers a $100 gift certificate every six months. The stipend would help the younger members pay for babysitters and gas.

Plunkett clarified that the volunteers would be paid per event; no matter how long it lasted. Eiswerth said some departments paid by the hour and some paid by the event. It would be easy to track. Plunkett asked if the department would be able to tell if any volunteers were taking advantage of the program. Eiswerth said every volunteer would have a log that had to be initialed by an officer. The logs would be collected at the end of the month, and the department would know who ran calls. He continued that most volunteers ran 48-60% of the calls. Only three members ran 100% of the calls. He predicted that the volunteer response would spike initially then level out. The average now was 1.6 volunteers per call.

Fire Chief Stony Lohr said most of the older volunteers were white-collar professionals who made more money. They were not interested in a few dollars. The younger volunteers were looking for training, experience, and a full-time firefighting job.

Logsdon asked if having good quality volunteers who participated in events would affect the number of professional firefighters that had to be hired. Eiswerth said it would not. There had to be a certain number of firefighters available for events. Rutherford said the more volunteers on call the safer it would be for everyone. She noted that most of the requirements were based on an average size house of 1,700-1,800 square feet. Most houses in the City were larger than the average. She continued that the City had a high standard, and the training was arduous. Eiswerth said that last year the state had adopted the same standards the City had used for six years. Most of the volunteers lived outside of the City, and were only here two-three years before they were hired somewhere else. Boone said the volunteers were also an avenue for new hires. Eiswerth agreed.

Kourajian asked what the long-term goal was and if the stipend would also be capped for a year. Eiswerth said he did not know yet if the stipend would double for those who wanted to do more. Kourajian asked why the money was to come from Council Contingency. Eiswerth said there was not enough in the department's current operating budget to fund the pilot program. Kourajian asked how the program would affect the morale of full-time firefighters. Eiswerth said it was a touchy subject, and was one of the reasons they chose the "per event" payment, which the full-time firefighters supported at this point. He said Roswell, Fayetteville, and other area cities also had volunteer programs that equated to money at the end of the year. Lohr said he started in Lacey, WA, and had been paid $6 per call. Currently, Lacey paid $7 per call now, with an additional stipend after three calls. Lacey also paid for time on-duty at the station -- $30 for five hours and $60 for 24 hours.

Rutherford moved to approve the volunteer stipend program to run from April 1 to the end of the fiscal year as a pilot program, and to take $34,000 to pay for the program from Council Contingency. Boone seconded.

Plunkett asked Financial Services Director Paul Salvatore if it was unusual to spend $32,000 at this point in the year. Salvatore said it depended on Council. He noted that Council had a contingency of several hundred thousand dollars when he first came to work for the City. Over time, Council had become more frugal in allocating the funds, but more than half of the Council Contingency budget would still be available at halfway through the fiscal year. Plunkett asked if that would cover the next six months. Salvatore said that Council Contingency was mainly for discretionary programs. The budget had funds in the PIP contingency and the SPLOST funds.

Logsdon asked Eiswerth if Council could get a report at three months. Eiswerth said they could. Kourajian asked Eiswerth if the program would be worked into the department budget if it were successful. Eiswerth said the program would be moved into the operating budget as a line item for volunteers.

The motion carried unanimously.

__Council/Staff Topics__

Tourism Association Presentation on Current Status

Plunkett introduced Lauren Yawn, the executive director of the Peachtree City Tourism Association (PCTA).

Yawn went over figures on the economic impact of tourism statewide. The Georgia Economic Development Agency (GEDA) considered tourism an industry. The growth in direct tourism expenditures increased 6% from 2003 ($14,523.80) to 2004 ($15,398.62). The growth in tourism jobs from 2003 (209,510) to 2004 (211,790) was 1.1%. The tourism payroll increased 2.7% from 2003 ($5,995.47) to 2004 ($6,116.41), and state and local taxes increased 5.3% from 2003 ($1,145.63) to 2004 ($1,206.49). Visitors to the state were in the following categories – destination overnight, 29.9 million (58.2%); passing through, 10.8 million (23.4%); and destination day, 8.5 million (18.4%). The purpose of travel to the state included visit friends or family, 45%; business, 21%; other, 16%; and entertainment/sightseeing/outdoor recreation, 19%.

Yawn continued that the average tourist spent $95.92 per day. Those who stayed overnight spent $123.34, while those on day trips spent $47.34. Georgia residents spent $79.39 compared to out-of-state visitors who spent $97.67. Tourists visiting for leisure spent $70.42, and tourists visiting for business spent $174.92.

Yawn told Council that tourism was the second largest industry in the state behind timber. She continued that getting into Georgia was convenient and simple. Hartsfield Jackson was the world's busiest and most efficient airport. Eight regional airlines offered commercial passenger service throughout the state. Georgia also had one of the nation's best highway systems. The state had a booming convention business and welcomed one million attendees in 2003 to Atlanta alone.

Yawn pointed out that the metro area took in the lion's share of tourism dollars. She discussed what the PCTA had "in the works." She noted that the City was still a small town and the residents were very community-minded. She had placed a can of Coca-Cola and a bag of peanuts on the dais as an example of "southern things" the PCTA would like to have as a giveaway to people at the Visitors Information Center (VIC). Yawn said she was working on establishing the City's status on the state website and the VIC would be in the 2006 Georgia Travel Guide. The first month the VIC had 11 people come in, and 60 people visited last month. There was a lot of state money available for visitors centers, as well as coop grants. Yawn continued that she was working with DOT to fabricate a VIC sign to be put at the GA 54/74 intersection. State projects included placing 20,000 brochures about the City in the state welcome centers. Yawn showed Council a draft of the brochure. Yawn said she would also like to put up a billboard on Interstate 75

The plans for marketing the City included unifying the activities. She said the marketing materials would be coordinated and there would be presentation folders. Website changes included putting the Amphitheater's menu online. Patrons could order their food and the vendor would have it ready for them when they arrived for the show. Similar services would be available on the website for the Tennis Center.

Yawn said she had received a call from HGTV regarding some of the network's television shows. There were other television shows that would be good avenues to advertise the City. She also wanted to talk to travel writers at various magazines such as *Southern Living*. Yawn planned to have brainstorming sessions with the hoteliers. She said they were very receptive to the PCTA's plans. In the next few months, Yawn hoped to start the "Be a Tourist in Your Own Town" program. The "Make Some Racquet" program concerned unified sponsorships of both venues.

Yawn said she had been coordinating efforts with City Hall. They had shared information and were getting more organized. She was working an internship program with West Georgia. Yawn had also talked with high school students at Fayette County High School and hoped to become more involved with the students.

The Tour de Georgia would bring thousands of people to the state. Yawn announced that Ford had just signed on to replace Dodge as the major sponsor for the event. The PCTA was working with Bikes Unlimited on Tour de Georgia events. Other programs included events and festivals, promotional items, other marketing material, and working with the Southeast Tourism Society.

Yawn said the PCTA was proud of the venues and was working hard to improve them. The Tennis Center had just installed new computer software that should improve service. The Tennis Center planned to sponsor a community blood drive in the near future. There were new sponsors, bids had been placed for tournaments, and a wheelchair tennis tournament was in the works. Approximately 20 new members had signed up during February's membership drive. They were working on partnerships with Comcast and Amli Apartments. Craig Healy had been recently hired.

Plans for the Amphitheater included a 30^{th} anniversary celebration, new sponsors, new marketing materials, and making the website interactive. The first series had been finalized. They were working on the spotlights and refurbishing the casthouse. In addition, they were working on ways to increase traffic during the down times and add more community events. They also wanted to put stickers in sponsors' windows. South Atlanta Lexus had signed on as a major sponsor.

Tennis Center Director Dave Gary said there would be three new tournaments this year. They had bid on two national tournaments and were waiting to hear about them.

Rast gave Council an update on the Comprehensive Plan task force advisory board. He said they were about 75% done with the community assessment. They needed to add charts, tables, and photographs. He said they were also working on the community participation program. Both documents should be done by the end of next month and would be brought to Council after that. Rast said the work was schedule, and there had been a lot of good ideas and community participation. Information on the Comprehensive Plan was available on the website. Rutherford asked if the staff was presenting the information and if the committee was actively involved. Rast said it had been a bit of both. Staff had been gathering a lot of data and doing research, and the advisory board had been hearing the information and discussing it. Rutherford said she had questions on whether the board members were actively involved, but understood it was affected by the current stage in the process. Rast said the board members would be actively participating.

Kourajian asked for an update on the Three Dollar Café. City Manager Bernard McMullen said they were working on the building, but added it would be a miracle if the restaurant were ready to open by March 15.

Plunkett asked about golf cart paths by Aberdeen. She asked how far along those were. McMullen said the paths had been graded. They had been working around the Battery Way area, and would be back to pave those paths.

Kourajian said the Center Green subdivision sign looked good. He asked if the landscaping was complete. Rutherford said it looked done. McMullen said it was.

Kourajian asked if there was an update on the alcohol server permits. Logsdon said there was a meeting scheduled the last week in March. McMullen said all the alcohol license holders would be invited to the meeting. The meeting would be held in the Floy Farr room at the library during a time that would work for the businesses' schedules. Kourajian asked who would facilitate the meeting. McMullen said he would be there, along with Police Chief Jim Murray and Mayor Logsdon. He said they had not discussed who would run the meeting. Kourajian said McMullen should facilitate the meeting. Logsdon said he had received a call from a liquor store owner who asked that the City keep the permits. Kourajian said Council had discussed at one time the possibility of coordinating the permit process with the other municipalities. McMullen said the permit was good anywhere in the City. Kourajian said they should be able to work anywhere in the County. Rutherford agreed and noted that the City's process was the strictest. They should not have to pay twice to work in two places. Kourajian added it was not a moneymaking process.

McMullen reminded Council that there was a joint Council and Planning Commission workshop on Monday, March 6, 7p.m., on development at Lexington Circle and the Urban Design Guidelines.

Plunkett thanked Chief Lohr for sending the e-mail about the smoke from a brush fire on Ebenezer Road. After the e-mail came, she received several phone calls.

Rutherford moved to convene in executive session for threatened or pending litigation. Plunkett seconded. The motion carried unanimously.

Rutherford moved to reconvene in regular session. Kourajian seconded. The motion carried unanimously.

There being no further business to discuss, Kourajian moved to adjourn. Rutherford seconded the motion. Motion carried unanimously. The meeting adjourned at 8:50 p.m.

Pamela Dufresne

Pamela Dufresne, Recording Secretary

Harold K Logsdon

Harold K. Logsdon, Mayor