

City Council of Peachtree City
Minutes of Meeting
March 1, 2007
7:00 p.m.

The City Council of Peachtree City met Thursday, March 1, 2007, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Other Council Members present: Steve Boone, Stuart Kourajian, Cyndi Plunkett, and Judi Rutherford.

Announcements, Awards, Special Recognitions

Mayor Logsdon read a proclamation for DeMolay Week. David Murphy of Public Works and Chad Matheny from the Fire Department were recognized for 10 years of service.

Public Comment

There was no Public Comment.

Minutes

Plunkett moved to approve the February 6, 2007, workshop minutes and February 15, 2007, regular meeting minutes as written. Kourajian seconded. The motion carried 4-0-1 (Rutherford).

Monthly Reports

There were no comments regarding the Monthly Reports.

Consent Agenda

1. Consider Budget Amendment

Rutherford moved to approve the budget amendment on the Consent Agenda. Kourajian seconded. The motion carried unanimously.

Old Agenda Items

02-07-04 Citizen Request to Address Council Regarding Selection Process for Job Opening

Melvin Ewing addressed Council regarding the stormwater manager position for which he applied, but had not been selected. (A copy of Ewing's packet that he presented to Council is included in the official meeting file.) Ewing noted that the position was nationally advertised for nearly one year and was filled January 8, 2007, by another staff member. He continued that he believed the job selection process for the stormwater management position had been flawed. He questioned why he had not been granted an interview and noted that he was a professional engineer with nearly 30 years of experience, had put together the stormwater management plan for the City of Macon, had provided services for the City on civil engineering projects, had served as the Water and Sewerage Authority chairman, and had served on the City's Stormwater Committee. Ewing continued that he had worked on development projects currently under review by the City. The staff knew him well. He had been paid 100% for all services he had provided the City and, as far as he knew, was in good standing with the City. He said he sincerely believed any statements he had made to be correct and accurate.

Ewing said he challenged the selection process because the candidates interviewed included a former Planning Commission chairman who also served on the Stormwater Committee, a Macon applicant who had not filled out an application, and a City employee with only a high school education. The advertised job qualifications had been disregarded. He met the minimum

requirements. There was no applicant rating system and no paper trail documenting the City's recommendation of the selected applicant. The person selected for the position had not been the most qualified, in his opinion. Ewing said he had been assured by the Public Information Officer that he had received everything he had asked for. He had reviewed the selected applicant's application and questioned how closely the applicant met the specifications in the areas of professional certification and engineering management experience relative to stormwater.

Ewing said that he had asked for the Equal Employment Opportunity Commission (EEOC) reporting survey the City was required to complete every two years. He was told there were 253 full-time employees. In 2005, the City had no black professionals on staff. He believed the process had been unfair and filed a formal protest. He requested the process be re-evaluated. Ewing referred to a City project that he had bid on as a consultant. He was the low bidder and had not been selected. He protested the bid, laid out his reasons, and the decision was reversed. He designed the Wynnmeade connector road that connected Wynnmeade subdivision to MacDuff Parkway, which was in the flood plain and had terrible soils. Ewing reiterated his points as questions, then asked Council to grant him an interview for the hopefully reconsidered position.

Logsdon told Ewing that Council could not take any action that night, but would look at the information he submitted. He asked City Manager Bernard McMullen if staff had any comment. McMullen said no.

Rutherford asked City Attorney Ted Meeker if this discussion should be held in executive session since it was a personnel matter. Meeker said they did not have to. Council had told Ewing staff was satisfied with the sanctity of the hiring process for the position. Council could place the discussion on another agenda since Ewing had made his presentation. Council requested that Ewing's information packet be scanned in and sent to them.

New Agenda Items

03-07-01 Alcohol License – NEW – Johnny's New York Style Pizza

Chris Noah, the applicant, addressed Council. He planned to open April 16 and would have the same menu as other Johnny's in the area. He also owned Johnny's in Sandy Springs and Newnan.

Rutherford moved to approve the alcohol license for Johnny's Pizza. Boone seconded. The motion carried unanimously.

03-07-02 Public Hearing – Consider Rezoning, Newgate Road, GC to LUR

Logsdon noted there was an additional document on the dais – a copy of the draft LUR ordinance with the corrected legal description. Gene Weatherup, Weatherup Construction Company, addressed Council concerning the request to rezone a 5.618-acre tract of land on Newgate Road from GC General Commercial to LUR Limited Use Residential in order to build a 21-unit townhome development. He said he did not have much to add from the previous meeting (November 6, 2006, request to lift multi-family housing moratorium). The homes would be very energy efficient and would meet the green building standards. The only new thing, if approved by the City, would be the use of cistern systems underneath the driveways to collect the rainwater from the roofs and air conditioners. The water would be held in detention tanks and used on the lawns. It would also collect the water during heavy rainstorms and keep it from running into the detention ponds, then into the creeks.

No one spoke for or against the rezoning request.

City Planner David Rast said the plan had been reviewed several times by the Planning Commission. The parcel was located at the end of Newgate Road and was pre-cleared and graded several years ago. There was a fairly substantial growth of second and third growth pines and hardwoods. He said the Planning Commission had fully endorsed what Weatherup planned to do. The site plan had also continued to improve throughout the process. One of the items the Planning Commission really liked was that the amount of guest parking had decreased, and some of the space had been turned into golf cart spaces. There would also be golf cart recharging stations and nice amenity areas.

Rast continued that staff and the Planning Commission had stressed preserving the new trees on the tract, and Weatherup had agreed to do so. The project would not be visible from SR 74. Rast said there was a substantial embankment with the development below it. Weatherup could have added several more units and had a more typical development. The elevations were very nice. The Planning Commission had been concerned that the buildings only had a front façade, and architectural treatments were added on all four sides.

Rast said staff recommended approval with the number of units proposed, and the Planning Commission approved the rezoning unanimously with the seven conditions recommended by staff and listed in the staff position paper. Weatherup was in agreement with the conditions.

Rutherford asked Rast if staff was fine with reusing the stormwater for the lawn. Rast said that Weatherup was trying to do a lot of innovative things with the property. It would be an example that could be used to show what could be done.

Plunkett said she liked the conditions. She asked what would happen if the project did not go through for some reason. Rast said the elevations and the site plan would be codified in the rezoning. The zoning remained with the property. Another developer would have to go back through the rezoning process with any changes. Plunkett asked if another development would have to be substantially similar to the concept or if it could be any 21 townhomes. Rutherford said the LUR was very specific. Rast said they had not looked at floor plans, but had elevations. Plunkett asked how big the townhomes would be. Weatherup said the units would be approximately 3,200 square feet. The townhouses would be basically the same with six different front and rear elevations, which would look like six very large homes. Rutherford said that they wanted to ensure that any other developer could do only what had been approved. Weatherup said he understood another developer would have to go back through staff. He understood the concerns.

Plunkett asked if there could be a condition added on the minimum square footage. Weatherup said the engineer and architect had designed buildings with 24 feet clear on the inside width and 50 feet clear from front to rear, which was approximately 1,200 square feet. The townhomes would be three stories high, with a garage and the option for a garage for golf carts. Council added two more conditions – that each unit be a minimum of 3,000 square feet and that the project be developed in substantial compliance with the conceptual plan.

Rutherford moved to approve the rezoning request subject to the conditions listed and that each unit be a minimum of 3,000 square feet and that the project be developed in substantial compliance with the conceptual plan. Plunkett seconded. The motion carried unanimously.

Rutherford asked Weatherup when the project would start. Weatherup said it would start as soon as possible, possibly the first of June. Construction should take seven months.

03-07-03 Public Hearing – Consider Rezoning, Haynes Tract, Carriage Lane, ER to LUR

Logsdon noted there was an additional document on the dais – a letter from the applicant's attorney dated March 1, 2007, requesting the hearing be postponed for two weeks.

Rutherford moved that Agenda Item 03-07-03 Public Hearing – Consider Rezoning, Haynes Tract, Carriage Lane, ER to LUR, be continued to March 15 at the applicant's request. Boone seconded. The motion carried unanimously.

03-07-04 Consider Approval of a City Flag

Public Information Officer/Deputy City Clerk Betsy Tyler said that Mayor Logsdon had asked staff to research the possibility and cost of a City flag with the logo on it, which would be flown at the City Hall Plaza. Three vendors provided quotes for a five-foot x eight-foot nylon outdoor flag, with the full color logo on a white background. The five-foot x eight-foot size was selected since a larger size would require multiple panels. The quantity of five flags was based on the fact that the City went through two outdoor flags per year for the U.S. and state flags. Atlas Flags provided the lowest price – \$775 for five flags (\$155 each). The flags could also be used as a banner or backdrop. There was funding available in the Public Information budget under the printing and binding line item, which was also used for marketing.

Boone moved to accept the proposal for a City flag, five-feet x eight-feet at the rate of \$155 per flag not to exceed \$775, and the funding would come from the Public Information budget. Kourajian seconded.

Kourajian asked if additional flags could be ordered one at a time, or if it would be better to order at least five. Tyler said it would be better to order five since the cost would go up to order just one. Rutherford asked how much it would cost for 10 flags. Administrative Services Director/City Clerk Jane Miller said the savings was not significant. Tyler said it would have been no more than \$10 per flag.

The motion carried unanimously.

Kourajian asked how long it would take to get the flags. Tyler said she hoped to have them within two weeks, and that they should be up in time for the Tour de Georgia. Rutherford said to make sure a flag went to Savannah for the Georgia Municipal Association training in the summer.

03-07-05 Consider Ordinance Amendment for False Fire Alarm Penalties

Logsdon noted there was an additional item on the dais – a copy of the proposed amendment with more specific wording. Assistant Fire Marshal Dave Williamson said there had been an administrative oversight when the ordinance was adopted. According to the ordinance, a business could be cited if it had more than three false alarms in a calendar year. He noted that one business

had two false alarms at the end of 2006, and more in early 2007, but could not be cited due to the wording. Rutherford clarified that the change covered a 12-month period instead of a calendar year.

Rutherford moved to approve the amendment to the false fire alarm ordinance. Kourajian seconded. The motion carried unanimously.

03-07-06 Consider Website Agreement with Peachtree City Airport Authority

Logsdon noted there was an additional document on the dais – the proposed intergovernmental agreement. Tyler introduced Barry Griffith, the assistant airport director. Tyler said the City website had been redone. It was envisioned that there would be a comprehensive look on the City's component units, so people would know the site was somewhat related to the City, but would allow slight differences among the entities. The homepage from the Police Department website was shown on the screen. Each department maintained their own pages. Tyler continued that staff wanted to make this available to the City's component units, which included the Peachtree City Airport Authority (PCAA). The PCAA currently paid for and maintained its own website, which they had problems updating. There was also a lot of duplicated information. The only real hard cost was the design of the graphic at the top of the page, which would include photos and the entity's logo. The agreement would allow the PCAA to maintain the space, allowed the City to train them, and had the PCAA paying for any hard costs associated with the website.

Rutherford moved to approve the PCAA website agreement. Kourajian seconded. The motion carried unanimously.

03-07-07 Consider MacDuff Parkway Landscaping Bid Recommendation

Rast said 31 contractors had been contacted. Eighteen contractors attended the pre-bid meeting, and 11 bids were received. Eight complied with all the specifications. The recommendation was to award the bid to North Georgia Land Services, Inc., for \$201,101.64. Rast continued that the bid structure required the contractor to maintain the plant material in the median for two full years after the City accepted the project. There was also a guarantee on all median plant materials. Public Works would not be responsible for the maintenance for two years.

Boone asked if the landscaping included perennials or annuals. Rast said no annuals would be planted due to the watering requirements. There would be trees, shrubs, and ground cover in the median and right-of-way.

Plunkett said she wanted the area to look nice, but questioned the cost. Rutherford noted that the cost included the maintenance for two years, which was critical. Rast said the landscaping started at the access drive to the commercial area and extended to the MacDuff/Gatehouse intersection. It also included added plantings to the median area maintained by John Wieland Homes & Neighborhoods.

Plunkett noted that people ran over the median area when pulling out of the apartment complex and the access road. She expressed concern that the plantings needed to work well with the traffic pattern.

The agenda item was put aside so Rast could retrieve a copy of the landscape plan.

03-07-08 Consider Traffic Signal Request SR 74/Wisdom Road

City Engineer Dave Borkowski reported that the DOT's Thomaston District Office informed the City that the intersection met the warrants for a traffic signal. The DOT sent the City the signal request form, which was the first step in the process. The signed form would be sent to Thomaston, then to Atlanta. Once Atlanta approved the request, it would be sent back to the City for design and construction.

Rutherford asked if the City would be paying for the signal. Borkowski said the City would pay for the signal installation and electricity, and the DOT would maintain it.

Kourajian asked if the money budgeted for the signal was still accurate. Borkowski said the budgeted amount should cover the costs. He did not anticipate any additional lane requirements. McMullen added that staff first had to get the signal designed and bid out.

Rutherford asked what would happen if the City chose not to proceed with the signal. McMullen said City had to proceed if the signal was permitted. Rutherford asked if the light had to go in now that the intersection met the warrants. Meeker said that Council had asked the question, so the answer was that there would be an issue with liability if the City chose not to proceed with the signal.

Kourajian noted there were several businesses that would benefit from the signal and asked if any would be contributing to the cost. Borkowski said he believed there was some developer funding. McMullen said the approval of the Delta Credit Union included paying for an additional traffic analysis, but not for the signal. McMullen continued that, to his knowledge, the businesses had not agreed to contribute to a signal. Plunkett said there was always a first time. Rutherford noted the signal was on the SPLOST list.

Boone moved to go ahead with the request for the signal on SR 74 and Wisdom Road and to authorize the Mayor to sign the paperwork. Kourajian seconded.

Plunkett asked if Target participated in the cost of the signals at Georgian Park and Peachtree Parkway. Meeker said that paying for the signals had been part of the site plan approval for the Target Center and the original area.

The motion carried unanimously.

03-07-09 Consider Surplus of Two Pick-up Trucks and Sale to Airport Authority

Public Services Director Tom Corbett asked Council to declare as surplus two pick-up trucks currently used by Public Works and to allow the PCAA to purchase the surplus trucks. He continued that during the bid process for the next agenda item, 03-07-10 Consider Truck Bids, they had also asked for trade-in values. The highest trade-in values were \$1,800 for one truck and \$2,000 for the second truck. The PCAA had asked to purchase the vehicles for \$3,800, the maximum amount offered by the bidders for trade-in. Corbett said the City already had an agreement in place to maintain vehicles for the PCAA, so the City would continue to maintain the two trucks.

Rutherford asked if putting the trucks on the government auction site had been considered. Corbett said he did not know. Rutherford said she had no problem with selling the trucks to the PCAA, but preferred that any item surplussed be placed on the website in the future in an attempt to get the best return possible. Meeker said the concept of putting the vehicles on the government site had been considered, but the request had come in from the PCAA.

Rutherford moved to declare surplus the two pick-up trucks currently used Public Works and allow the PCAA to purchase the two vehicles, the 1997 Ford and the 1995 Ford, for \$3,800 total. Boone seconded. The motion carried unanimously.

03-07-10 Consider Truck Bids

Corbett noted that the truck bid included two replacement F-250s for Public Works, one F-250 for Recreation, and one F-350 dump truck for the Stormwater Utility. Funds were available.

Rutherford asked why there were only two bids. Assistant Finance Director Janet Camburn said that many Ford dealers were solicited, but they did not always get a good response. Corbett said there were eight dealers that had responded to past bids, and they had been sent notice of the bid.

Rutherford moved to accept the four low bids for the four vehicles described in the memo, and that the low bid for each vehicle be taken. The funds were budgeted. Finance Director Paul Salvatore noted that there had been a change. The City would pay cash for the vehicles, rather than financing them. Plunkett seconded.

Kourajian asked why there was a difference in the truck prices for the three F-250s. Corbett said if there had been separate bids, all three F-350s would have had slightly different specifications and prices.

The motion carried unanimously.

03-07-07 Consider MacDuff Parkway Landscaping Bid Recommendation

Rast showed Council the landscape plan, which started 200 feet from SR 54. Everything from the access road to SR 54 was to be landscaped by the commercial developer. The median would be a continuation of the street trees, and most of the intersections would have curbs and guttering. He continued that there was no good soil in the median. They had asked the contractors to bid on removing the top six inches of soil and molding and crowning the medians. The plan included augmenting the shrubs in the median in the Wieland area. The noticeable difference would be in the Gatehouse/Wynnmeade area. The understory trees would be two-inch caliper. There would be close to 300 trees and several hundred shrubs planted, which was fairly significant. The portion of the median maintained by Wieland had been sodded and had held up well.

Brian Lowery, A Abby Lawncare, asked if the only criterion was the pure bottom line. He noted they were a local company. Rast said that, essentially, the lowest responsive bidder was selected, and references were checked. The recommendation was the lowest bidder if the references checked out. Plunkett added that the City had to take the lowest bidder unless there was a valid reason not to. McMullen said they also had to have bid bonds.

Mike Leedy, also of A Abby Lawncare, asked Council to seriously consider the 60-day time limit on the bid. He noted the traffic on MacDuff Parkway, and said the roads were not wide enough for the workers and the traffic. The quicker the job was done, the better. Rast said most of the calls they had gotten were about the time frame. Initially, the bid had 45 days. Rast said he would have preferred a local contractor had the job. There were several bids that were within a few thousand dollars of each other. There would be more opportunities to bid on other landscaping jobs. Lowery asked, if the requirements changed due to the intersection issues, if the project would then have to go out to bid again. Rast said they would probably amend the drawings. McMullen said it could also be taken care of with a change order.

Rutherford moved to award the bid for the MacDuff Parkway landscaping not to exceed \$201,101.64 with North Georgia Land Services. Kourajian seconded. The motion carried unanimously.

Plunkett asked when the project would start. Rast said it would be a week or two after the bid was accepted. The company was ready to go.

Council/Staff Topics

Update on Great American Clean-up

Corbett noted that the Great American Clean-up was an annual event sponsored by Keep America Beautiful. It was a free-form event, and the City had a period of three months in which to hold its event. He continued that Tyler was to send out 150 letters to community organizations. The April 7 date was selected since the Tour de Georgia was the following week. Participating groups would have a number of projects to choose from. Litter clean-up would be encouraged and information would be posted on the website. If the April 7 date was inconvenient for any group, they could do something another day, keep records of the activity, and could still be part of the event. Rutherford suggested that letters also be sent to the schools, since an ecology class or science class might want to participate, as well as a school group that might clean up the school area. Logsdon said he would like to see all 90 miles of cart path adopted and hoped the campaign would work toward that end. Rutherford said it might be an opportunity to tie some of the groups into a longer term than just that day. She added that she had received several e-mails from people concerned about the litter problem, and she asked that they also receive information. She noted that the City had a very high volunteer spirit, and events like this appealed to everyone, especially schools, scout groups and home schoolers. Different people could get involved.

Plunkett asked for an update on the CSX multi-use bridge. Borkowski said they had gotten the topo from the consultant, which needed to be reviewed and adjusted. He was not happy with the layout. Rast added they were still waiting for the categorical exclusion, which was an environmental approval. Rutherford said she was concerned that, when everything was installed, the path dumped the cart traffic right out in the area of the entrance to Best Buy. The cars would not be able to see the carts due to the bridge construction. It appeared to be a huge safety issue. Rast said staff would look at that. Plunkett asked if there was anything Council could do to speed up the process. Rast said it was not just a problem for the City, but all across the metro area. The way the guidelines were written, nothing could be done without DOT approval.

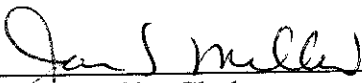
Boone asked if there was an update on Huddleston Pond. McMullen said the Retreat would be a good format for that discussion, and it would be added to the agenda.

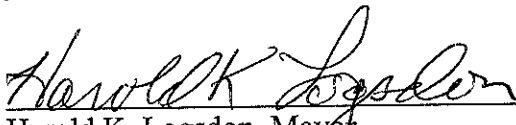
McMullen noted there was a workshop scheduled for March 6 on proposed changes to the sign ordinance. He continued that Rast had not been able to talk to the business owners yet, so the workshop on that topic would be delayed. Rutherford said she would like to discuss contracting out maintenance services at a future workshop prior to budget time, possibly in April.

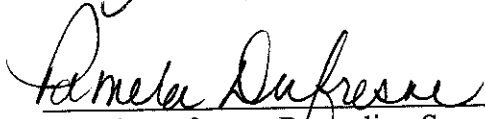
Rutherford moved to convene in executive session for threatened or pending litigation and personnel. Boone seconded. The motion carried unanimously.

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

There being no further business to discuss, Plunkett moved to adjourn. Boone seconded the motion. The motion carried unanimously. The meeting adjourned at 9:37 p.m.


Jane Miller, City Clerk


Harold K. Logsdon, Mayor


Pamela Dufresne, Recording Secretary