

City Council of Peachtree City
Meeting Minutes
February 20, 2014
7:00 p.m.

The Mayor and Council of Peachtree City met on Thursday, February 20, 2014, at City Hall. Mayor Vanessa Fleisch called the meeting to order at 7:00 p.m. Other Council Members attending: Terry Ernst, Eric Imker, Mike King, and Kim Learnard.

Announcements, Awards, Special Recognition

Mayor Fleisch proclaimed March as DeMolay Month in Peachtree City. Blake McElroy, incoming Master Councilor for the chapter, gave a brief overview of the organization.

Public Comment

Steve Brown, chairman of the Fayette County Board of Commissioners, said there had been a meeting with all the mayors to discuss issues, and one of the issues was the bad shape of the paving on SR 54 and SR 74. The momentum was picking up again after the ice storm, and he asked Council and staff to send any photos of bad spots in the paving on SR 54 and SR 74 to County Engineer Phil Mallon. The photos would accompany a joint letter from the County and municipalities to be sent to the Georgia Department of Transportation (GDOT). Brown told Fleisch the draft of the letter should be ready by February 24. Brown said he should also have some materials ready within a week regarding the efforts at SR 74 and I-85.

10-Minute Talk

Kenneth Koon, founder of the Armed Forces Mission, showed a video clip of the family of Sergeant First Class Josh Bowden at Hartsfield-Jackson Airport, where Bowden's remains had to be transferred to another plane. Koon said no one stood alone at the Atlanta airport because of a program called "Fallen Brave." Koon continued that, from 2005 through 2011, 49,000 veterans died by their own hands. The numbers increased 20% per year since 2011, averaging 22 veterans per day who commit suicide. After serving in the active Reserves, Koon said he realized more needed to be done, and Armed Forces Mission was formed. The organization's focus was on the 12,000 veterans who lived in Fayette County and 8,000 to 9,000 in Coweta County. The members of the organization went where they could to save those they could save. Koon explained there was physiological change that took place in the frontal cortex of veterans who had been in combat. His organization held a two-day suicide prevention training course open to all people to gain the training and skills to intervene, not only with veterans, but with anyone contemplating suicide. Another program sponsored by the Armed Forces Mission was The Courageous Project, which addressed the "moral injury" suffered by veterans, which dealt with issues of the soul and heart.

Agenda Changes

Learnard moved to remove item "6. Consider Board of Ethics Ordinance Revision/ Board of Ethics Selection" from the Consent Agenda for further discussion and put it at the end of New Agenda Items. Ernst seconded. Motion carried unanimously.

Minutes

February 6, 2014, Regular Meeting Minutes

King moved to approve the February 6, 2014, regular meeting minutes as submitted. Ernst seconded. Motion carried unanimously.

Monthly Reports

Fleisch noted there were additional reports on the dais. There were no comments on the Monthly Reports.

Consent Agenda

1. Consider Alcohol License – NEW – Zoe's Kitchen, 2777 Highway 54 West
2. Consider Title Changes for Two Positions in Fire Department
3. Consider Bid for Court Resurfacing – Court Makers, Inc.
4. Consider Bid for Battery Boat Dock Replacement – Great Lakes & Land Company
5. Consider Resolution Authorizing Submittal of GATEway Grant Application for SR 54/SR 74 Landscape Enhancement Project
6. Consider Board of Ethics Ordinance Revision/ Board of Ethics Selection
7. Consider Utility Marking/"White Lining" Ordinance
8. Consider Clarification of Positions Approved in Public Services Division
9. Consider Addition of Crew Leader in Buildings & Grounds & Reallocation of Expenses from Fire Department to Public Services
10. Consider Eliminating the Contracts/Outsourcing Manager Position in Public Works and Replace with Grounds Maintenance Supervisor Position in Buildings & Grounds Department within the Public Services Division Effective March 14, 2014
11. Consider Resolution of Support for HB877 Personal Transportation Vehicles
12. Consider Agreement with Fayette County Development Authority for Fayette Visioning Project

Fleisch noted there were several additional documents on the dais – staff memos for Consent Agenda items 8 – 12.

King moved to approve Consent Agenda items 1 – 5 and 7 – 12. Learnard seconded. Motion carried unanimously.

Old Agenda Items

- 02-14-03 Consider Signal Application for SR 54 W/ Line Creek DR Intersection
02-14-05 Consider Request to Allow Private Road Connection across City Property from The Overlook Retail Development to Planterra Way

Fleisch noted there was an additional document on the dais – a memo from City Manager Jim Pennington. Fleisch explained that, after Pennington and staff met with GDOT on February 19, staff had recommended in the memo to continue the agenda items until after the City's traffic study of the entire corridor was completed.

Pennington said GDOT did not want to look at just this segment of SR 54 by itself, since it was part of the bigger picture of the entire corridor. Any proposed changes needed to be examined in the transportation study. He continued that GDOT was not opposed to a traffic light at Line Creek Drive or the development, but GDOT's concern was traffic flow. They preferred to wait to for the traffic study and the installation of the \$133,000 signal timing system in the spring. He asked Council to continue the agenda items indefinitely.

Fleisch opened the floor for public comment, setting the time limit of 15 minutes for each side of the issue.

Steve Gleason thanked Pennington for his report, saying he agreed it was premature to proceed with the small parts without looking at the whole area. He was not opposed to the shopping center, but he could not see sacrificing intersections that served subdivisions for the concept that the project would be good for the City as a whole. He avoided the intersection of SR

54/Planterra Way between 4:00 p.m. – 6:00 p.m. If he had to go somewhere, he exited the subdivision through Kelly Drive. The congestion problem needed to be solved first.

Phil Mahler signed in, but chose to wait for the agenda items to come back before commenting.

Caren Russell thanked Pennington, agreeing that GDOT needed to look at the whole picture without sacrificing Planterra Ridge and Cardiff Park. Russell noted that she had been working with the developer since 2007, and this was the first incarnation that had a cut-through to Planterra Way. An access road to MacDuff Crossing had always been in the plan until the current proposal. Russell said she had spoken with Jim Lowe, the developer for The Overlook, recently, and he had not let the tenants know about a possible connection to MacDuff or of a compromise the residents had suggested a few years ago, which was a right-in only from Planterra Way to the shopping center. The only reason Planterra Way was there was as an access for the citizens of one of the largest subdivisions in the City. She said it was a safety issue with people backing out of their driveways and children playing. The residents could not get out from 4:00 – 6:00 p.m. anyway, and a two-way road into the development would make it worse. She wanted Council to be aware the tenants did not know of any other alternatives.

Fleisch noted the data gathering had begun for the City's traffic study, adding it would be three months before there was anything to look at. Pennington said that was the reason he asked for the continuation "to be determined." Pennington said GDOT would work with the City and its consultants as the study was being done, with the hope it would expedite their review. However, Pennington said that was no guarantee.

Imker moved to continue agenda items 02-14-03 and 02-14-05 indefinitely. King seconded. Motion carried unanimously.

New Agenda Items

02-14-11 Consider Award of Contract for Playground Resurfacing

Pennington said staff was ready to move forward with the resurfacing of the All Children's Playground. Three bids were returned, and the low bid was \$63,658. Staff was ready to move forward.

King moved to approve the bid from Bliss Products and Services, Inc., for \$63,658 to resurface the playground. Imker seconded. Motion carried unanimously.

02-14-12 Consider Purchase of Variable Message Sign Trailer

Police Chief H.C. "Skip" Clark asked Council to approve the purchase of an additional message board. Three quotes were received, and the lowest was from American Signals for \$13,100. Funding would be from a Traffic Enforcement Network (TEN) grant (\$6,500) and from State Forfeiture Funds (\$6,600). Estimated maintenance costs were \$1,000 – \$2,500 over the next five years.

Learnard moved to approve purchase of the American Signals CMS-GP465T Advantage Full Matrix Variable Message Sign Trailer for \$13,100. Ernst seconded. Motion carried unanimously.

Consent Agenda 6. Consider Board of Ethics Ordinance Revision/ Board of Ethics Selection

Learnard said there had been an Ethics Ordinance on the books for over 10 years, which called for a board of 10 residents appointed by City Council. Each Council Member appointed two names for the board. The 10-member board elected a chairman, who chaired any hearings

that were held, and the remaining nine names were placed in hat from which six names were drawn. Four were then impaneled to serve on a board hearing a case, and the remaining two members selected served as alternates.

Learnard continued that, in 2012, a citizen filed an ethics complaint against then-Mayor Don Haddix. Council discovered there were some problems with the Ethics Ordinance at that time. One of the 10 members had moved away. Only three of the 10 board members had participated in the annual training held in January 2012. The accused was at liberty to enlist the paid services of any attorney of his choosing. Also, two of the names drawn for the ethics hearing were the members appointed by the accused. Keeping up with the members, scheduling annual training, and having the City Clerk serve as the recording secretary and provide administrative services to the board during a hearing put a strain on limited City resources. She continued that practically speaking, it was also difficult to carry out.

Learnard said it was important for ethical decisions not only to have an element of no bias, but also reflect the culture and fabric of the community. The challenge was how to enact an ethics ordinance that had both factors and worked.

On January 29, 2013, Learnard continued that the Ethics Board met and discussed the ordinances from other jurisdictions. The revised ordinance under consideration had been modeled after the John's Creek ordinance. Learnard said it was an optimal model. The proposed ordinance allowed ethics complaints to be filed up to six months after an event versus the current 90 days. It limited taxpayer expense for a defense attorney, keeping it in line with what the Georgia Interlocal Risk Management Agency (GIRMA) paid by referring to the City's indemnification resolution. The proposed ordinance also called for an impartial hearing officer rather than a board of ethics to hear the complaint. Recommendations of the hearing officer would then go to City Council (minus the accused) for action rather than action taken by the ethics board. It integrated the ethics hearing framework with the value judgment of the City's elected body.

Learnard added there were many ways to activate an ethics ordinance, but she believed the proposed ordinance was a good hybrid that was workable and usable and would not unduly tax staff.

Learnard moved to approve the revised Board of Ethics Ordinance. Ernst seconded. Motion carried unanimously.

Council/Staff Topics

Pennington said there had also been a clean-up of Lake Peachtree to go along with the lowering of the lake to allow homeowners to perform maintenance. The Lake Peachtree Association had asked for permission to use a four-wheeler with a trailer in the lake to assist with the clean-up that had started. Pennington would give them permission to proceed unless Council had any problems. They were working to improve the City.

Pennington said a list of Council's goals had been put together into a document, and copies would be sent to Council. He hoped to have a workshop in March to deal with some of the issues, and staff was moving ahead on the items. He would try to give an update each month.

Fleisch asked when the Battery Way boat dock would come down. Rorie said it should start as soon as the storm clean-up was finished. The work would be done internally, and he expected to start toward the end of March.

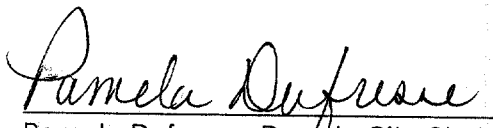
Pennington noted that the improvements in City Hall were being done by City personnel, and they were doing a fantastic job. Some of that work, including the improvements to Council Chambers, would have to wait until the storm clean-up was finished also. The work was a little behind schedule, but they were moving ahead.

Fleisch thanked the City employees again for the work done to keep the City safe during the bad weather. Ernst also thanked the employees, noting they stepped up to the plate to get things done. King also complimented the employees for their great service, saying the City had no problems compared to others in metro Atlanta. Public Works was still busy moving pines, and the Recycling Center had been open 24 hours a day taking in all the debris.

Learnard moved to convene in executive session to discuss pending or threatened litigation at 7:45 p.m. King seconded. Motion carried unanimously.

Imker moved to reconvene in regular session at 8:08 p.m. Learnard seconded. Motion carried unanimously.

There being no further business, Learnard moved to adjourn the meeting. Ernst seconded. Motion carried unanimously. The meeting adjourned at 8:09 p.m.


Pamela Dufresne, Deputy City Clerk


Vanessa Fleisch, Mayor