



**CITY COUNCIL OF PEACHTREE CITY
REGULAR MEETING AGENDA
FEBRUARY 18, 2021
6:30 p.m.**

**Peachtree City
Mayor & City Council**
Vanessa Fleisch, Mayor
Phil Prebor – Post 1
Mike King – Post 2
Kevin Madden – Post 3
Terry Ernst – Mayor Pro Tem
Post 4

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- I. Call to Order**
 - II. Pledge of Allegiance**
 - III. Announcements, Awards, Special Recognition**
 - IV. Public Comment**
 - V. Agenda Changes**
 - VI. Minutes**
 - February 2, 2021 – Workshop Minutes
 - February 4, 2021 – Regular Meeting Minutes
 - VII. Consent Agenda**
 - 1. Proposed Amendment to Sec. 6-51-Permitted Location for Special Events at which Alcoholic Beverages are Served or Sold
 - VIII. Old Agenda Items**
 - IX. New Agenda Items**
 - 02-21-04 Purchase of Custom Rescue Engine (O'Connor)
 - 02-21-05 Appeal by Principle Outdoors, LLC Regarding the Denial of Sign Permits (Cailloux/Meeker)
 - 02-21-06 Public Hearing -Text Amendment to the GR, General Residential, Zoning District (Cailloux)
 - 02-21-07 Public Hearing – Text Amendment to Zoning Ordinance Article XIII, Amendments (Cailloux)
 - X. Council/Staff Topics**
 - 1. 2021 Citizen Satisfaction Survey Results (Julio)
 - XI. Executive Session**
 - XII. Adjourn**

**City Council of Peachtree City
Meeting Minutes
Tuesday, February 2, 2021
6:30 p.m.**

The City Council of Peachtree City met in workshop session on Tuesday, February 2, 2021. In the absence of Mayor Vanessa Fleisch, Mayor Pro Tem Terry Ernst called the meeting to order at 6:30 p.m. Others attending: Mike King, Kevin Madden, and Phil Prebor.

City Engineer Dave Borkowski introduced Alan Davis with the Georgia Department of Transportation (GDOT) to give an overview of the connected vehicle program (CV1K), which was an emerging technology. Davis said it involved vehicles talking to infrastructure, infrastructure talking to vehicles, and vehicles talking to vehicles via a protected spectrum, dedicated for this purpose by the Federal Communications Commission (FCC) since 1999. As an example of how it worked, Davis said a car four cars in front of yours could slam on its brakes and the technology in your vehicle would pick up on that. Vehicles would all be equipped with this technology in a few years.

In 2017, GDOT, as part of a national push, started bringing this technology to intersections in Atlanta, with great success. They planned to expand it throughout the region. ARC then created the CV1K program with federal aid with the goal of outfitting more than 1,000 intersections in the region. There would be a roadside unit (RSU) radio at each of those intersections to send messages between the infrastructure and suitably equipped vehicles and also receive them from vehicles. For instance, if an airbag was deployed, that message would be sent out, and first responders could be dispatched to the incident.

The program was federally put forward with a local match. Currently, 600 intersections have been equipped with this technology, Davis continued. Cobb and Gwinnett counties, along with the City of Johns Creek were among the jurisdictions participating.

Davis said he wanted to give Council an idea of what it could mean to Peachtree City. GDOT was the administrative sponsor, which meant they did the paperwork. ARC provided regional oversight. The cost share was 80/20, with 80% being federal aid, and 20% being local match. The average cost to equip an intersection was about \$8,300 total, making the match for a local agency about \$1,600 per intersection.

What they would do was install an RSU at a traffic signal. Vehicles would have the same type of radio, either installed after-market or factory-installed. Automakers were making plans to incorporate them in future model years.

Initially, the public safety fleet was an ideal target. When an emergency vehicle was in response mode, it could send a message to a traffic signal asking for a green light. A related function was called transit signal priority. A bus that was running behind schedule, for instance, could send a message asking to get through a signal a little faster. The ATL in Atlanta had used this on one of their busiest routes. The system could also alert vehicles to the presence of pedestrians in crosswalks.

How could Peachtree City get involved, if Council desired? First, it would require the 20% match. While the goal this year was 1,000 intersections, the ARC had targeted funding for future years, so this was something Council could consider. GDOT was continuing to invest on a statewide level because it believed in its potential for safety and mobility. GDOT was one of the leaders in the country in initiating this program, and its partnership with the ARC was a great success story, Davis went on.

The next step would be a simple agreement between GDOT and the City to enable the authorization of federal aid. GDOT would work with the City to determine where and how they wanted the devices deployed. They were looking at roughly 10 months from the time they got notice to proceed until the intersection was released to the City. Right now, there was a delay in the lead time on equipment, but that should become more efficient.

Davis said he felt that in terms of schedule and cost, this was a pretty good deal. It was a quick way to introduce something that would drive the future and geared towards personal safety and mobility. He gave Council both his and the ARC's Maria Roell's email addresses. He said it had been fascinating to see how they were rolling this out in the region and were excited to see local governments come on board.

Roell added that Peachtree City did not have to join in immediately, but could be involved in the planning work.

King asked what would be the additional cost of purchasing a vehicle with this new equipment? Davis noted that in 2015, the National Highway Traffic Safety Administration (NHTSA) said they would mandate this in new vehicles. That regulation had stalled, but was still on the books. This would just be another safety feature. Davis said he didn't know exactly what the cost would be, but manufacturers of the equipment said it was about \$30 for a chip that went into the vehicle's onboard computer. The after-market version was about \$800.

Could this be viewed as a way of controlling traffic through speed? King asked.

Ernst mentioned some of the safety features in cars now, and said this was just another.

People bought new cars every eight or nine years, King reflected, so it would take awhile to get to 100% participation.

Davis said there was probably a critical mass where 30% of the fleet equaled maximum safety. Also, he continued, the automakers were interested in an app called red light violation warning. If you were approaching an intersection and had a green light, and the radio picked up a car on a side street that was going too fast to stop, they wanted to install a system that would alert the driver of the danger. Some automakers were looking at stopping the vehicle, where others were leaning towards a warning. The agency would be handing the information to the automakers, who would decide what should be done with it.

City Manager Jon Rorie noted that it was easy to see the benefit of traffic preemption for public safety and the awareness when making right turns for pedestrian safety, but how would this benefit the average person? He said he had a 2019 vehicle, so he would have to upgrade to take advantage of it anyhow. What would it do for him?

Davis said he saw the vehicle to vehicle side of it as the major advantage.

Rorie wanted to know if GDOT could communicate with the signals, such as controlling the timing, and Davis said they could, but would not do it without approval from the local governments. There was a high ceiling of potential for what could be done. The traffic signals were timed for a certain speed, and it would be useful to communicate what that speed was. For example, the optimal speed on SR 54 might be 45 mph, but the way traffic was queued up, it might be that 42 mph was the speed needed to hit every green light. That was one way this technology could communicate useful information.

Rorie asked Police Lt. Chris Hyatt his opinion. He said it was beneficial to get any type of real time data, but it was a tossup as to who it benefited more, the citizens or the responders. Rorie pondered what if the only value was the benefit of green lights to emergency responders? Borkowski said they were looking at 11 intersections—every signal on SR 54. He did not recall how many signals there were on SR 74.

If the number was 100, King noted, they were talking about \$166,000. Of course, not all would be in Peachtree City. He said that, to him, that would be a very cheap price to get quicker response for emergency vehicles or some semblance of crash avoidance.

For those 11 signals, Borkowski said the City's share would be just under \$19,000. It was \$1,000 for the equipment for each vehicle. That's where the cost would be, Rorie mused, not at the intersections. Davis interjected that both ARC and GDOT were eager to support fleet projects. Roell said they did not have a concrete program as of yet, but would like to help on that front. GDOT had a federal grant for 1,000 radios for vehicles, and 120 of them had been claimed.

The total cost for 11 intersections, including the federal cost, would be about \$100,000, Borkowski said. Davis noted that every 20 cents that the City spent would get them 80 cents of federal aid. Roell said the City would pay GDOT their share, then get the federal money.

Rorie noted that the federal money was being routed through the ARC to fund 1,000 of these intersections. Fayette County sent the ARC about \$100,000 a year. They would get \$80,000 if they put up \$20,000 to get advanced technology that could be expanded in the future and also for a fleet management program that had 1,000 radios with 120 claimed. The worst case scenario for Peachtree City would be \$120,000 if they had to buy all the radios for their fleet. This system was expandable and could be modified to do different things. Fire Chief Joe O'Connor said fire truck manufacturers were starting to incorporate this technology into their vehicles, so as they bought trucks in the future, they wouldn't have to keep buying radios.

Ernst asked if the units were transferable from one vehicle to another? Not if they were built in on a new truck, Davis said, but the ones they were working with were transferable.

Would all vehicle manufacturers use the same wavelength? King wondered. He didn't want to spend this money, then have to spend more to replace the system because it was not compatible with anyone else.

Davis said they had two radios. One was called dedicated short range communications and the other was cellular vehicle-to-everything (cellular v2-x). They were both in the project because some fleets wanted one, some the other. Eventually, the market would pick one, and they believed they had a project for whatever eventuality that was. The radio was dedicated from a spectrum perspective with the FCC.

Prebor asked when the decision would be made between the two? Davis replied that it had been an ongoing thing. There was a global component, but all signs pointed to cellular v2-x. Is that what Peachtree City should get? Prebor asked. Davis said he would hedge his bets and get both since they were only \$300 a radio with the local match.

Madden said he was concerned about the life expectancy. Davis said the first ones were turned on in 2018; only two had died, and those were from software issues. They had seen no mechanical

failures. The RSUs were in an environmentally secure box. He estimated their lifespan at five to seven years. Lightning could get them, or, more likely, obsolescence.

Madden confirmed that the system could alert a driver that a pedestrian was in a crosswalk. Davis said that was correct, and there were multiple ways that could work. It would depend on the automaker or what the driver wanted. Automakers would be cautious about what they put in a vehicle to cause it to stop for a pedestrian. But, he went on, they were 20 years into this technology, so he believed we were about to see a proliferation through the market.

Madden said he believed this would be \$120,000 well-spent if it meant accidents could be avoided.

Ernst said they were talking about just 26 square miles in Peachtree City. It was a high price. Was the juice worth the squeeze?

Did we want to be penny-wise and pound foolish? Rorie asked.

King said they needed to read up and study on this before they took action.

Rorie said staff would gather more data and take it one step at a time. They could install the traffic signals without getting the radios for the vehicles, he noted.

Ernst thanked everyone for their time and closed the workshop at 7:12 p.m.

Martha Barksdale, Recording Secretary

Terry Ernst, Mayor Pro Tem

**City Council of Peachtree City
Meeting Minutes
Thursday, February 4, 2021
6:30 p.m.**

The Mayor and Council of Peachtree City met in regular session on Thursday, February 4, 2021. Mayor Vanessa Fleisch called the meeting to order at 6:30 p.m. Others attending: Terry Ernst, Mike King, Kevin Madden, and Phil Prebor.

Public Comment

There were no public comments.

Agenda Changes

There were no changes to the agenda.

Minutes

King moved to approve the January 21, 2021, regular meeting minutes and the January 21, 2021 executive session minutes. Ernst seconded. Motion carried 4-0, with Madden abstaining due to his absence from the meeting.

New Agenda Items

02-21-01 Public Hearing - Variance to Impervious Buffer Requirements at 704 Four Winds Pointe

Fleisch opened the public hearing.

City Engineer Dave Borkowski said this was a variance request for the 50-foot no impervious surface restriction around certain bodies of water. He showed the property's location next to Lake Kedron, which was a County reservoir. The applicant wanted to build a pool, and Borkowski presented a survey of the property that showed that the no impervious setback came to within less than a foot of the back of the house. There was a 50-foot front setback. These two setbacks rendered 71% of the lot as undevelopable. The applicant wanted to build a 480 square-foot gunite pool directly in back of the home with a retaining wall behind it. This would all be in the no impervious area. They would offset this by building a rain garden of almost the same size as the pool to treat runoff. A rain garden was a depressed area that stormwater runoff flowed into and filtered into the ground before leaving the site.

Staff had reviewed the request against the variance criteria in the ordinance and had outlined each one in the Council meeting packet. If Council approved the variance, staff recommended they attach a condition requiring the rain garden be constructed according to Blue Book standards.

Eric Brooks of Innovative Pools said he would be building the pool. The applicants were the Mortells. He said when they first designed the pool, they had no idea there was a sewer easement, but they designed the pool to fit between the easement and the house. There was a deck there now that would be removed. The elevation of the pool would be the same as the home, requiring the retaining wall in the back.

The homeowner, Dave Mortell, related that he and his wife had been in Peachtree City around 20 years and in this house for eight. They had always planned to build a pool in the back. He said the retaining wall should help solve an erosion problem on the property by funneling the runoff to the rain garden.

Fleisch noted that his driveway was sloped, and Mortell said it was not as bad as some in the area, but yes, it was. The back of the house could not be seen from the cul-de-sac, Fleisch remarked, and Mortell agreed.

His wife said she had grown up in northern Japan, in a town about the size of Peachtree City. She loved living here, and Peachtree City was her home. She was hospitalized as a child with a spine condition, and, five years ago, a doctor suggested she try swimming as a form of therapy. That was one reason they wanted to build a pool.

No one else wished to speak, and Fleisch closed the public hearing.

How did the neighbors feel about this? King inquired. Brooks said they had submitted letters of support from them.

Ernst acknowledged that the pool would be in a secluded spot, probably not visible from the neighboring homes.

Prebor said he liked that the plan mitigated the runoff.

Madden asked what was now on the spot where the rain garden would be? Borkowski said "just yard." Madden asked him to explain how a rain garden filtered water. Borkowski replied that it filtered water more than ordinary ground did because it contained a gravel/soil amendment mixture that allowed rainwater to percolate in the ground more than just a normal yard. The mitigation measure went along with the intent of the no impervious setback, he remarked. It was wise to keep impervious surfaces away from the water in order to slow the rainwater down and let it filter through the buffers before reaching the body of water you were trying to protect. Madden confirmed that the rain garden would be about the same size of the pool.

Prebor asked why there were two buffers on the property? The undisturbed buffer, Borkowski stated, was meant to be left natural and serve as a filter to offset the impervious areas further from that by getting the runoff to fan out. Both lines were mandated by the State, he told Prebor.

Madden moved to approve New Agenda item 02-21-01, variance to impervious buffer requirements at 704 Four Winds Pointe with the recommended condition of the rain garden. Prebor seconded. Motion carried unanimously.

02-21-02 Public Hearing - Annexation of 46 Acres on Redwine Road and Rezoning to R-12, Single Family Residential, and AR, Agricultural Reserve

Fleisch opened the public hearing.

Planning and Development Director Robin Cailloux indicated the location of this property at the southern edge of the City, across the road from the Starr's Mill school complex and near the Wilshire commercial complex. It was 46 total acres, and the applicant had requested annexation under the 100% method. This area was identified for annexation in the 2014 Growth Boundary Study. Cailloux pointed out other nearby areas that were not in the City, including Brechin Park, The Chimneys, and Millpond Manor

The property was currently zoned Agricultural Residential (AR) in the County. The request for zoning, if annexed, was to keep about seven acres as Agricultural Reserve (AR) and zone the remaining 39 acres to single-family residential with 12,000 square foot lots (R-12). The County did not object to this annexation. R-12 was the same zoning category as neighboring Wilshire Estates and Foreston Place. They would be preserving environmentally sensitive areas and watershed areas, as well as providing a 50-foot landscape buffer along Redwine Road, a 25-foot buffer along another perimeter, and a 75-foot buffer transitional buffer along the side. Peachtree City required a transitional buffer between non-residential and residential. The burden of providing that buffer was usually placed on the non-

residential, but, since that non-residential was in the City now, the applicants had voluntarily added the transitional buffer to their property.

Staff looked at a variety of policies when considering an annexation. The Land Use Policy concerned the village concept and the step-down in density policy. For the first, if you considered the Wilshire Village commercial area as a village center, nearest to that center should be offices and higher-density residential. That did not apply in this case. However, the property was located right on the City boundary, so when these two policies were overlaid, it was more appropriate for a lower-density residential subdivision. Wilshire Estates had 2.55 dwelling units per acre, while Foreston Place had 1.81. This proposal called for 1.91 units per acre.

The City had a policy of providing 25% of preserved and open space; this development would provide 28%.

This development would have 74 lots, so it was appropriate to have just one exit. The rule of thumb, Cailloux pointed out, was to have one exit for every 100 lots. The exit would be aligned with Nesmith Court. The Fayette County Board of Education had requested that it not be aligned with Panther Path.

The applicant had proposed creating a path connection from the internal subdivision streets to Foreston Place along the city-owned greenbelt. This would tie into the County's path system that served the school complex. Cailloux said the City was in negotiation with the property owner to the south to add a southern path connection which would create a much broader network completion. It would open up The Gates and Brechin Park to the schools. Right now, none of those subdivisions had a direct path to the schools. It would also help Wilshire Estates residents.

County water was available to this property, and City sewer was available. A lift station had been constructed to serve that entire basin. The Water and Sewerage Authority (WASA) expected there would be a cost-share, to be determined by WASA. Public safety would be provided by City providers if the land was annexed. A 2018 capacity study showed that the Starr's Mill cluster was under capacity.

This annexation would not create any new jobs since it was residential. After development, the County's tax base would increase by about \$61,000; the City's by \$93,000. County fire and EMS costs of \$3,200 would be eliminated because they would no longer be providing services.

Staff had seven recommendations to be included if Council approved the annexation. Cailloux said they just put into writing what the applicant had agreed to, such as the 50-foot buffers and the northern path connection, but also added the southern path connection request.

James Nicholson of Freedom Land Holdings, the applicant, introduced Steve Moore of Moore Bass Consulting, who was present virtually. He showed an aerial view of the property, indicating the portion that was part of the annexation, but not part of the rezoning request. He mentioned that the lot sizes were compatible with surrounding neighborhoods. About 28% of the site would be left as open space. He displayed a layout of the roads and open space.

Jeff Lindsey Communities would be the builder, Moore continued, displaying renderings of the types of homes that would be constructed, which he described as a farmhouse/craftsman style.

Moore said he wanted to talk about the City's recommended conditions for annexation and how they applied to this property. The first called for a 50-foot buffer along Redwine Road, while condition No. 2 was for a 25-foot buffer along the western and northern property line. Condition No. 3 called for the 75-foot transitional buffer adjacent to the Office-Industrial (O-I) zoned properties. Those would all be met.

Moore wanted to talk more about condition No. 5, which required a multi-use path between the internal road network and the southern property line. He said he was glad to hear the City was trying to acquire the easement. They would be happy to build the connection if the City obtained the easement. He was concerned with the wording of the condition, however.

Condition 6 discussed the path to the northern property line, while condition No. 7 cited the creation of a development agreement between the developer and the City to build that trail within the City's property. They had no problem with that, he noted. He went back to say they agreed with the fourth condition, which stated that the buffers required in Nos. 2 and 3 would be maintained by the homeowners association (HOA). All open space in the community would be HOA maintained.

They were fine with all the conditions, Moore stated, adding he would like to see No. 5 reworded to say "if the City was successful in obtaining the easement" or words to that effect. He did not want the applicant responsible for something he had no ability to complete.

No one wished to speak in favor of the annexation, and the Mayor asked if anyone was present to speak against it.

Phillip Adams of the Mountbrook subdivision said he had lived in that area for more than 20 years. Traffic along Redwine Road had increased substantially in that time. It was hazardous to enter or exit their neighborhood, especially during peak school traffic times. They added cart path access to the high school in the last couple of years, and several hundred carts used it daily. The teens driving those carts drove over the speed limit and often did not stop at stop signs. He asked Council to conduct a traffic safety study in the area before adding a development of this size to the area.

Jason Heim of Mountbrook read a letter from the Mountbrook HOA. He stated it was a challenge to turn left out of the subdivision. He said he understood why people would want to move to Peachtree City, but hoped this would get further review because of the traffic.

No one else wished to speak, and Fleisch closed the public hearing.

King said he had driven by the property and enjoyed the views of the farm. He acknowledged that the owner of the property had a right to benefit from its sale. He would have to agree with the annexation with that in mind.

Madden wanted to know if there was a path on the southern portion of the property that went past Mountbrook? Cailloux said the County had constructed a path on its side of Redwine Road. Both paths would connect to the tunnel the County was proposing, he continued, and that would eliminate the dangerous crossing of Redwine Road.

Madden added that he agreed with King about property rights, noting they were one of the particular concerns of America's Founding Fathers.

Prebor asked Cailloux about the progress on getting the easement for the second path. She said they had met with the owner and were getting surveys now. It was a matter of agreeing on a price.

City Manager Jon Rorie said he wanted to discuss the buildout of the path system in this area. In June 2019 Peachtree City and Fayette County entered into an agreement for the purpose of constructing a tunnel and path. The resulting construction would yield a path connection from Quarters Road all the way to Panther Path on the south side of Redwine. Another tunnel at Redwine and Robinson roads would go under Redwine, giving access to Peachtree City's 100-mile path network. He said he believed there would be some value to looking at creating other connections on this end of town. Not all the connections would be convenient, but the network was meant to be a meandering system.

Rorie told Moore he did not see a need to change the language in the condition. They would basically be providing a way to access the development. Cailloux pointed out that it said "to the property line," not to extend beyond his property.

Rorie noted that they had been working on the path network expansion for several years, and it just would take time. He told Adams, who had mentioned teens not stopping at the stop signs, that they had installed humps at Battery Way to control speeds. That was something that could be installed on the path before Nesmith. It was a County path, though. Peachtree City had no control.

Ernst wanted to know if there was a way to exit to Wilshire, and Cailloux said if there were homes back there, so no exit could be created without condemning a home to create a road connection. The same situation existed on the north end. No easements were preserved in that area.

By annexing this land into the City, Ernst pointed out, they would have control over how it was developed. If it was not annexed, the land would be developed according to the County's standards. Bringing it into the City would give them a say. He said again that he wished there was another exit.

Fleisch noted that they took a lot of time in 2014 to look at growth boundaries. For a planned city, she remarked, they had been doing a lot of ad hoc annexations. She noted that Peachtree City had to notify the County if they wanted to annex something, but did the County have to notify them of development on their borders? Cailloux said they did not, but recently had been doing so.

On SR 54, for example, Fleisch said they had the assisted living facility as well as the Ankle and Foot Clinic. The assisted living was having to pump their septic tank repeatedly and came to the City with an emergency request for annexation so they could access sewer. The borders were being defined by septic failures. It had happened on the south side, too. The growth boundary study helped them plan for the future. That is how Stein Mart and the Publix property was annexed. They had Peachtree City addresses, but did not pay Peachtree City taxes or have City services before annexation. Sedgewick and Mountbrook were not in the City. The post offices assigned addresses. These annexations were a way to fill in the gaps along the borders as well as adding connectivity in the path system. There was a plan for the path network that sat for years with no work on it.

Rorie said recent additions to the path network had greatly improved connectivity. They had made a lot of progress on the south side.

Fleisch asked who would respond to this area now if there was an emergency requiring an ambulance? Rorie said it would be Fayette County Station 5 on SR 85, about four miles away. Peachtree City's Station 85 was about 1.5 miles away. Those fewer miles could make a difference in saving a life. Setting growth boundaries helped you plan for providing services along the City's fringes.

Fleisch said they cleaned up the boundaries along three sides of the City where it was applicable, and Rorie pointed out where they had done annexations on a map. He noted that they had offered to bring in Shiloh Mobile Home Park, but they declined.

King moved to approve New Agenda item 02-21-02, annexation of 46 acres on Redwine Road and Rezoning to R-12, Single Family Residential, and AR, Agricultural Reserve, with the seven conditions as specified. Prebor seconded. Motion carried unanimously.

02-21-03 Purchase Axon Enterprises Police Video Equipment

Assistant Police Chief Matt Myers said they had used a company called Coban Technologies for vehicle cameras for the last 12 years and for body cameras for the last six years. They were acquired about two years ago by a fleet management company called Safe Fleet. Some issues had arisen since then, leading the City to look to other vendors. There had been problems with video storage. If a vehicle camera required any kind of service, it had to be removed and sent to Texas, resulting in lengthy down times. A lot of this was due to recent technology changes the company had made, such as moving from Windows to Linux.

He explained that all the department's video was stored locally on storage arrays, which were hard drives owned and maintained by the City. There was one at the Police Department and a redundancy site elsewhere. This required a significant investment by the City on an ongoing basis. They had to spend about \$85,000 every two years to meet record retention requirements, in addition to other costs related to maintaining and updating the data.

They were looking at Axon Enterprises Inc. as a solution, Myers stated. He said they were well-known as a taser company; in fact, the company used to be called Taser, but changed the name when they started branching out. Peachtree City currently had a taser contract with them. Tonight he was requesting they use Axon for their video technology as well. By going with Axon, they would no longer be required to maintain videos on-site. After officers had recorded their video, it would upload with on-board technology to the cloud and be managed off-site by Axon. Peachtree City would not have to manage it, maintain a climate-controlled room for storage, or pay someone to maintain it. Video would still have to be retained for 30 months, but it would be stored remotely on the cloud.

There were several other technology improvements, Myers continued. If there was a problem with a camera, they could unscrew it and replace it with another and be back in service in a few minutes. Axon would provide additional cameras for this. Axon also offered outstanding officer safety and liability management tools, he remarked. If an officer drew their pistol or taser, the body camera would automatically activate. Car cameras would also activate, as well as the body cameras of any other officers on the scene. The technology also supported improved battery life so they could buffer video throughout a shift. That meant they could pre-record the 30 seconds prior to the pistol being drawn. Axon's body cameras were more difficult to dislodge. The body cameras have 4G and 5G enabled technology, which let them communicate wirelessly. This meant others, via a web application, could see live video from an officer's body camera. There was built-in redaction technology that would make it easier to redact video. Sharing video would be easier, too.

He said Axon was looking ahead and building on the technology with things such as integrating cameras with the dispatch system or automatically scanning for stolen license plates. They had technology to automatically transcribe audio. Myers commented that it was a company with a very broad offering.

The funding was already allocated with \$82,000 in the Capital Improvement Program (CIP) for fleet camera replacements, \$102,000 from the Special Purpose Local Option Sales Tax (SPLOST), and about \$12,000 from the Police Department 2021 budget. This totaled about \$197,000 to completely swap the agency of every body camera and every fleet camera to Axon during fiscal year 2021. The cost would be almost identical to what Coban would charge.

Madden asked about redundancy. Myers said they had several redundancies and that they were probably the premier provider of video storage. It was far more secure than the City department could ever be.

Madden moved to approve New Agenda item 02-21-03, purchase of Axon Enterprises police video equipment. King seconded. Motion carried unanimously.

Council/Staff Topics

Proposed Amendment to Traffic Ordinance for Commercially Owned/Operated Play Vehicles

Rorie said he had asked the Police Department and the City Clerk's office to examine the traffic ordinance for commercially owned/operated play vehicles but it was, as he termed it, "clunky." He wanted Council to be aware that explaining these regulations was not the easiest thing to do.

Myers explained that Rorie had asked him to look at how they could regulate the use of commercial electric scooters and commercial bicycles. In August, Council adopted an ordinance provision that regulated the use of rental electric scooters on the multi-use paths, but that unintentionally excluded any regulation of them on areas outside of the paths. The current language placed in 78-95, which covered prohibited uses, said commercially-operated electric play vehicles could not be operated on the paths. That was accomplished, but left a gap as to what was happening on public streets and in other areas. Myers said he went to 78-96.1, currently titled "Motorized Play Vehicles—Authorizations, Prohibitions, and Disclosure Requirements." That ordinance already had some restrictions on using motorized play vehicles on public streets. The easiest solution appeared to be to add electric play vehicles to that ordinance as well as commercially owned and operated bicycles and electric bicycles.

To clean up the other issue with the bicycles, Myers went on, they would have to look back to 78-95, which was where the current language existed saying commercially owned and operated electric play vehicles were prohibited. They would simply add "commercially owned and operated bicycles and electric bicycles" to that sentence.

Rorie advised Council that this was just a pre-read for them to think about and provide him with feedback.

Did that mean a bike shop could not rent bikes? Prebor asked, and Myers replied that would be a consequence. Prebor said he did not like that and wondered what was the intent of these changes? What was the problem they were trying to solve?

The issue, Rorie told him, was that these rentals were left all over the place. It had been a problem everywhere these scooters had been rolled out. Rorie said it was fine if you wanted to purchase an electric scooter and ride it yourself along the paths that citizens had paid for. Prior to the amendment in August, electric scooters were banned. However, he did not think they wanted to leave the door open for someone to create a rental kiosk for people to ride scooters around the lake or around town, then leave them wherever. That was the cleanest piece: taxpayers had paid for it and he didn't want to commercialize the park system. He added that he did not want to be in the position of regulating a Peachtree City business that wanted to rent bicycles. It just came down to allowing an asset owned and operated by the public to be converted to private use. Would they react or pre-act to changing circumstances? Rorie said he felt the greater they pre-acted, the less they would have to react. They needed to have this conversation now on behalf of the community because if they waited, they soon would be getting the emails asking about initiating a program of scooter rentals. How could they respond? He wanted them to consider the problem and possible solutions. Doing nothing was an option. They could just deal with the electric scooters to prevent them laying all over the place and exclude bicycles.

Prebor said he believed they all agreed that they did not want scooters laying all around town, but someone might open up a scooter business, and people could rent scooters and get a look at the city and decide they might want to live here. They could do that with a rented bicycle or a golf cart, too.

King said the City could impose conditions on scooter rental businesses such as having the individual who rented a scooter sign a contract saying they were responsible for it.

Madden asked what the timeline was on this? Rorie said there was none; he just wanted them to think about it.

Prebor asked if he was on a bike could he ride it on any street? Myers said he could. What about a scooter? Myers said if you personally owned it, you could ride it anywhere. If it was commercially owned and operated, it was prohibited on the paths.

Proposed Text Amendment to Zoning Ordinance Article XIII, Amendments

Cailloux said this article regulated when the Planning Commission held public hearings. The zoning ordinance was adopted in 1977, and the Planning Commission was created in 1980 and still operated in the same way it did when it was established 40 years ago. One of the biggest changes since then was the introduction of the Internet, which altered how the public received information. There were many Internet sources for information, she continued; some were legitimate, while others were just echo chambers. At the local government level, it was a struggle to get out accurate information and engage citizens in helpful and nuanced discussions. They were experimenting with social media, but the jury was still out on how that was going. Cailloux said social media had definitely altered people's behavior, both online and in person. It also meant that misinformation or incomplete information could spread rapidly. Some people had become so numb to this that they did not think twice about verbally assaulting City staff or citizen volunteers.

There continued to be misunderstanding by the public of the Planning Commission's role, she stated. Because they held public hearings and voted, many people thought the Planning Commission was the decision maker. It did not matter how often they specified that they were voting to recommend an action to City Council or how many times the chairman explained that they were not the deciding body. She said the misconception was understandable because of the way the system was set up, with a public hearing and a vote. The average person could easily think that a final decision had been made.

Also, over the last four or five years, the Georgia Supreme Court had put zoning public hearings on a quasi-judicial level. Everything said or introduced during a public hearing was now considered evidence and could be used for or against the City, whether it was true or not. This was putting a lot of liability on citizen volunteers to regulate the discussion.

When you considered all these factors, Cailloux said, it might be time to look at this 40-year-old system to see if it was achieving what they wanted it to achieve. She said she revisited the goals and purpose of the Planning Commission's public hearings. The Georgia Zoning Procedures law required only one hearing, why did Peachtree City hold two? Although nothing was specifically stated in the ordinance, she believed it was because they valued public participation. Sometimes people could not attend both meetings. Also, the time between public hearings was valuable to clear up issues that might have arisen during the first public hearing.

But did they both have to be public hearings? Couldn't they have respectful, nuanced discussions outside the rigid formality of a public hearing? Cailloux said she believed they could better serve residents and City volunteers by converting the Planning Commission public hearing to a workshop format. This would leave the one and only public hearing and actual vote to the people who made the decision—the City Council. She was asking for Council's permission to bring forward a text amendment that would address this change.

Rorie recalled rezoning requests to develop property at the end of the airport runway. He received multiple emails, phone calls, and messages asking if people could meet with Council members, but his

answer was "no" because a zoning hearing was a quasi-judicial proceeding. He thought it would be possible in a more informal process. Any citizen should be able to share their thoughts, but the rigidity of a public hearing was a concern.

If they had to make a zoning decision, that was the time for a public hearing. But a discussion on roads and paths and so on might be better discussed at a workshop, where there could be a free exchange of ideas. A Planning Commission workshop would be a great place for that to take place. Some things, like a recent variance request for a sign, did not go before the Planning Commission. But things like colors, architectural standards, landscaping plans, were best suited to a workshop format. Once again, no decision was required immediately, but Rorie said he wanted them to look at it.

Prebor commented that a workshop format helped everyone by allowing for feedback. Rorie added that they had talked to the Chair and Vice Chair of the Planning Commission and got a favorable reaction.

Proposed Amendment to Section 6-51-Permitted Location for Special Events at which Alcoholic Beverages are Served/Sold

City Clerk Yasmin Julio said this amendment would not affect restaurants, only permitted locations holding special events. The Recreation Department could rent out its facilities for special events that often required permits for alcohol sales. Currently, the code created liability for the City as the owners of the permitted location; Drake Field was an example. The first change they were asking for was that any City-owned property designated as a permitted location be exempt from liability. The liability would instead be on the person who had applied for the alcohol permit.

She went on to say that the City had to apply to itself on an annual basis for a permit for alcohol sales at these events, and they would like to avoid that process. The Recreation Department had several locations that it rented out. They were asking Council to designate seven locations as permanent locations and not require annual applications. Those seven were Drake Field, The Gathering Place, Frederick Brown Jr. Amphitheater, Peachtree City Dog Park, William Davis BMX Track, McIntosh Place, and Shakerag Knoll. Shakerag Knoll could be permitted for beer and wine sales only since it was near a school, and State law prohibited the sale of distilled spirits within a certain distance. Julio encouraged input from Council. There had been a question about including Line Creek, but it was held by a trust and were not interested in being part of this process.

There being no further business, Ernst moved to adjourn. Prebor seconded. Motion carried unanimously. The meeting adjourned at 8:15 p.m.

Martha Barksdale, Recording Secretary

Vanessa Fleisch, Mayor

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: Jonathan N. Rorie, City Manager 

FROM: Yasmin Julio, City Clerk/Administrative Coordinator 

DATE: February 12, 2021

SUBJECT: Ordinance Amendment to Sec. 6-51 Permitted Locations for Special Events
February 18, 2021, City Council Meeting

Recommendation:

Adopt amendment to Sec. 6-51 permitted locations for Special Events at which Alcoholic Beverages are served or sold.

Discussion:

Currently these seven city-owned facilities are utilized to rent for events which serve food and alcohol. This amendment will reduce the city's liability for events held at these facilities and remove an unnecessary annual registration requirement for qualifying locations owned by the city.

Discussion:

There is no budgetary impact.

AN ORDINANCE TO AMEND CHAPTER 6, ALCOHOLIC BEVERAGE ORDINANCE OF THE CITY OF PEACHTREE CITY, ARTICLE I. – IN GENERAL, DEFINITIONS; ARTICLE II. – LICENSING; AND ARTICLE III, OPERATING REGULATIONS AND RESPONSIBILITIES, AS AMENDED, TO PROVIDE DESIGNATED PERMITTED LOCATIONS, TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEACHTREE CITY, GEORGIA, THAT:

Section 1. Article II. – Licensing, Division 1. – Generally, of the Alcohol Ordinance of the City of Peachtree City, Georgia, is to be amended and codified as follows:

Sec. 6-51-Permitted location for special events at which alcoholic beverages are served or sold.

Sec. 6-51.(j) The "permitted location" licensee shall be responsible for any violation of this chapter which occurs at the "permitted location" whether by the licensee's employees or agents, a caterer or their employees or agents, or a lessee or invitee of the licensee, their lessee or invitees or any of their employees or agents except at designated city-owned "permitted locations" provided within this section, at which time the "special event alcohol permittee" as set forth in section 6-52 shall be responsible for any violation of this chapter which occurs at the city-owned "permitted location".

Sec. 6-51.(l) The following city-owned facilities shall be recognized as "permitted locations" and shall not require an annual qualifying location permit:

- (1) Drake Field
- (2) Shakerag Knoll (Malt & Wine only)
- (3) The Gathering Place (Senior Center)
- (4) Frederick Brown Jr. Amphitheater
- (5) Peachtree City Dog Park
- (6) William Davis BMX Track
- (7) McIntosh Place

Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and

phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. All ordinances or resolutions, or parts thereof, which conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

DONE, RATIFIED and PASSED, by the City Council of the City of Peachtree City, Georgia on the 18 day of February, 2021, in regular session assembled.

ATTEST:

Yasmin Julio, City Clerk

Vanessa Fleisch, Mayor

Phillip E. Prebor, Councilman

REVIEWED:

Theodore P. Meeker, III, City Attorney

Mike King, Councilman

Kevin Madden, Councilman

Terry Ernst, Mayor Pro Tem

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council Members

VIA: Jonathan N. Rorie, City Manager *JR*
Paul Salvatore, Director of Financial Services *PS*
Angela Egan, Purchasing Agent *are*

FROM: Joe O'Connor, Fire Chief *JO*

DATE: February 2, 2021

SUBJECT: Authorization to Purchase Custom Rescue Engine
February 18, 2021 City Council Agenda

RECOMMENDATION:

To purchase one Heavy Duty Custom Pumper from Sutphen, Inc. of Dublin Ohio for \$649,984.57 declaring the department's current 2006 reserve engine surplus.

DISCUSSION:

A working group of members of the Fire Department undertook an extensive side-by-side comparison of custom fire apparatus in order to evaluate which manufacturer's product would best meet the fire protection needs of the citizens of Peachtree City. The Sutphen engine was deemed superior by a majority of committee members in all categories evaluated when compared to products from Pierce, Fierro, KME, E-One and Crimson. The categories evaluated included handling, cab entry and hose loading height, strength of chassis and quality of workmanship. Public Works maintenance personnel, who will ultimately work on the vehicle, found the Sutphen superior to others evaluated and were impressed by the quality of construction and access to a fleet of six qualified maintenance technicians each with a stockpile of parts available in the Atlanta metro area to address any warranty issues.

A national bid process was conducted by the Houston-Galveston Area Council's cooperative purchasing program HGACBuy. Through this cooperative agreement, Sutphen (and many other Fire Apparatus Manufacturers) offered their best lowest pricing for a base model, custom fire engine as well as locked in itemized pricing for a host of optional features. Using this purchase cooperative's resources, additions and subtractions from the base model resulted in a bid price of \$ 649,984.57 and guaranteed delivery 390-480 days from the receipt of the order.

Budget Impact:

The 2021 Capital Improvement Program budgeted \$ 650,000 for this replacement apparatus with an additional \$25,000 for equipment.

SUMNER | MEEKER
LLC
ATTORNEYS AT LAW

THEODORE P. MEEKER, III

14 EAST BROAD STREET
NEWNAN, GEORGIA 30263

TELEPHONE 770-251-1750
FACSIMILE 770-251-1770

TO: City Council
Peachtree City, Georgia

FROM: Theodore P. Meeker, III
City Attorney 

DATE: February 11, 2021

RE: Appeal by Principle Outdoor, LLC

On October 7, 2020, Principle Outdoor, LLC filed three (3) sign permit applications with the Planning & Development Department. Affidavit of Robin Cailloux, ¶ 3. On October 16, 2020, the Planning & Development Department sent notice to Principle Outdoor, LLC via email indicating that the permits were denied. Affidavit of Robin Cailloux, ¶ 4. According to city records, the emails left the City's servers. Affidavit of Yasmin Julio, ¶ 3. Information submitted by Principle Outdoor, LLC indicates that the emails were not received.

There are two grounds upon which the permits should be denied. First, the signs exceed the maximum height of signs set forth in Section 66-13 of the Peachtree City Code of Ordinances. Secondly, the signs are prohibited under Section 66-5 based on the type of signs proposed.

Case law is clear that the city's sign ordinance must provide for a review of sign permit applications within a certain time period. The ordinance does so, but requires that the notice be sent by certified mail or delivered via personal service. The notice to Principle Outdoor, LLC, as noted, was sent via email. The city's position is that the failure to send the notice via certified mail or personal service is not dispositive of this appeal, and that Council should vote to uphold the denial of such permits.

On January 22, 2021, formal notice was sent to Principle Outdoor, LLC via certified mail. That notice denied the permits. In addition, taking into account the arguments raised by Principle Outdoors, LLC, the notice also revoked any permits that were arguably issued by failing to send the original notice via certified mail or personal service. This appeal was timely filed by Principle Outdoor, LLC in response to that notice.

This appeal is filed under Section 66-7(h). Council has thirty (30) days from the date of the hearing to issue a written decision either affirming the decision to deny the issuance of the permits or to overrule the such decision and grant the permits. Such written decision must be

City Council
Peachtree City, Georgia
February 11, 2021
Page Two

sent to Principle Outdoor, LLC via certified mail or, in the alternative, it may delivered via personal service. Should the Council vote to affirm the decision of the City to deny the permits, Principle Outdoor, LLC will have the right to appeal that decision via Petition for Writ of Certiorari to the Superior Court of Fayette County. That process typically requires a bond to be posted by the applicant. Given that there are no sums owed by Principle Outdoor, LLC, any such decision to affirm the denial of the permits should include a waiver of any bond being required in such Petition.

TPM/jm

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager

FROM: Robin Bechtel Cailloux, AICP
Planning and Development Director 

DATE: February 8, 2021

SUBJECT: Public Hearing – GR and LUC Zoning District Text Amendments to revise maximum residential density
February 18, 2021 City Council Meeting

The maximum density permitted in the GR General Residential (GR) zoning district is 25 attached units per acre when an addendum number is not designated. City Council has directed staff to reduce the density to be more in line with existing development patterns in the City.

GR Zoning District Text Amendment

The text amendment to the GR district reduces the attached maximum density from 25 dwelling units per acre to 12 units per acre.

LUC Zoning District Text Amendment

The LUC zoning district conditionally permits residential by referencing the GR zoning code section. The proposed text amendment reduces the maximum density to 20 dwelling units per acre, but only if at least 50% of the building's ground-level contains commercial or office uses.

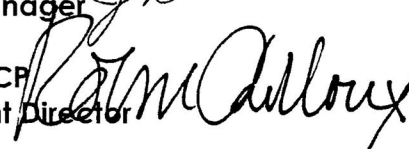
The purpose of the LUC text amendments is to encourage mixed-use development and to locate higher-density housing within a Village Center, where non-residential uses are encouraged. This text amendment helps the City meet the Comprehensive Plan policy of developing and redeveloping using the Village Concept.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager 

FROM: Robin Bechtel Cailloux, AICP, Planning and Development Director 

DATE: February 10, 2021

SUBJECT: Text Amendment to Planning Commission Public Hearing Ordinances
February 18, 2021 City Council Meeting

Discussion

The State of Georgia's Zoning Procedures Law requires that a public hearing be held for a rezoning request. However, Peachtree City's ordinances require two (2) public hearings. Since only the City Council makes zoning decisions, it is appropriate that they hold the public hearing.

Recent legal findings from the Georgia Supreme Court put zoning decisions within the 'quasi-judicial' category, thereby raising every public hearing to nearly judicial standards. Changing the City's first public hearing into a public workshop would provide citizens the opportunity to comment in a less rigid format than a quasi-judicial evidentiary hearing.

Therefore, staff recommends that the Planning Commission hold a public workshop instead of a public hearing.