City Council of Peachtree City
Agenda
February 17, 2005
7:00 p.m.

I. Prayer

II. Pledge of Allegiance

III. Announcements, Awards, Special Recognition
Remind Attendees to Turn Off Cell Phones
Recognize Kim Learned for Reporting Georgia Erosion and Sedimentation Act Concerns
Recognize Lisa Stewart for Saving Tree Buffer at Lexington
Recognize Cathy Nelmes for Service on the Airport Authority
Recognize Scott Formel for Service on the Development Authority
Introduction of New Owner of Southern Crescent Lightning and New League Commissioner
Presentation of Check by Resurgens

IV. Minutes
February 3, 2005, Regular Meeting Minutes

V. Consent Agenda
1. Alcohol License – Change in Licensee – Ruby Tuesday
2. Consider Easement Agreement with Fayette County for Weather Warning Siren at BSC
3. Consider Reimbursement Resolution for Equipment Financing

VI. Old Agenda Items

VII. New Agenda Items
02-05-09 Consider Approval of Kedron User Fee for Southern Crescent Lightning
02-05-10 Consider Refinancing of the 1997 Water and Sewer Revenue Bonds
02-05-11 Consider Resolution Deactivating Residential Care for the Elderly Authority

VIII. Council/Staff Topics

IX. Executive Session

Note: Council Member Rapson will not attend this meeting

This agenda is subject to change at any time up to 24-hours prior to the scheduled meeting.

City Council of Peachtree City
Minutes of Regular Meeting
February 3, 2005
7:00 p.m.

The City Council of Peachtree City met Thursday, February 3, 2005, in the City Hall Council Chambers. Mayor Brown called the meeting to order at 7:00 p.m. Other Council Members present were: Stuart Kourajian, Steve Rapson, Judi Rutherford, and Murray Weed.

Announcements, Awards, Special Recognition

Mayor Brown read a proclamation for LaCrosse Day on February 5.

Minutes

Rutherford moved to approve the December 2, 2004, executive session meeting minutes. Rapson seconded. The motion carried unanimously.

Rutherford moved to approve the January 20, 2005, regular meeting minutes. Rapson seconded. The motion carried 4-0-1 (Weed).

Monthly Reports

Brown noted that the annual Council Retreat was scheduled Friday-Saturday, March 18-19, at the Peachtree City Tennis Center. Brown pointed out that several fee and citation payments were now made on line. In YTD 2004, there were 78 transactions online. In YTD 2005, there had been 447 online transactions. Recreation program revenue was up $2,000 from last year. The top five accident locations for December were GA 54/Huddleston Drive, GA 54/Commerce Drive, GA 54/Planterra Way, GA 74/Kedron North, and GA 74/Crosstown Drive.

Kourajian noted that traffic sign maintenance had doubled and asked why. City Manager Bernard McMullen said it was basically maintenance. Kourajian also noted that the number of citizen complaints answered by Public Services had quadrupled. McMullen said a lot of the calls were due to storm damage and trees down on the cart paths. Kourajian said he viewed those as a request for service, not a complaint. McMullen said they counted any phone calls to Public Works. Rapson suggested calling those calls "work orders." Kourajian pointed out "citizen complaints answered" was not positive. McMullen said they would look at another way to identify the calls.

Consent Agenda

1. **Approve Homeland Security Grant for Police Department**
2. **Consider Change Order for the Library**
3. **Consider Fire Department FY05 ODP Grant**

Brown noted there was an additional document on the dais pertaining to Consent Agenda #3 – a memo from Fire Chief Stony Lohr to Mayor and Council dated January 31, 2005, with the subject "Fire Department FY05 ODP Grant."

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

Rapson moved to move up New Agenda Items 02-05-02 (Discuss EMS Tax District and Funding of Independent Study), and 02-05-01 (Discuss Joint Project for Extension of MacDuff Parkway by City, County, and Developer) to the top of the agenda. Kourajian seconded. The motion carried unanimously.

02-05-02 Discuss EMS Tax District and Funding of Independent Study
Brown noted there was an additional document on the dais – a copy of a PowerPoint presentation dated February 3, 2005, and entitled "Peachtree City/Fayette County EMS Tax Equity."

McMullen reported that the City and County staffs had been looking at the tax inequity in the Emergency Medical Services (EMS). The purpose of the discussions had been to eliminate City residents from paying for EMS services twice. McMullen continued that the issue had been on the County Commission's agenda on Thursday, January 27, and had been voted down. The purpose of this item on Council's agenda was to provide Council with a history and the facts. A copy of the PowerPoint presentation is included in the official meeting file.

McMullen briefly went over a history of the City's EMS. McMullen continued that the City was able to get advanced equipment because of donations from the industries in the City and the residents living in the City at the time. He noted that the City's EMS was doing a terrific job. He clarified that the City had no say in how the County managed its General Fund. McMullen said the City's residents paid about $500,000 for County EMS services that the City did not receive. Major points in the presentation included:

- The City EMS was funded through transport revenue and those using the service paid for the service;
- Fayette County partially funded its EMS through the General Fund, as well as transport fees, and all County residents paid;
- On October 7, 2004, the City requested that the County establish an EMS Special Service Tax District, which allowed those who received County services to pay for the service;
- The County had maintained four ambulances from 2001 through 2005;
- In June 2000, Fayette County Chief Jack Krakeel recommended moving five firefighter positions that were funded in the County's EMS budget to the fire department budget;
- The County's EMS positions increased from 24 in 2001 to 36 in the 2005 budget;
- The General Funds budgeted for EMS in the County increased from $605,253 in 2001 to $1,448,408 in 2005;
- The County's Fire District millage decreased from 3.78 in 2001 to 3.23 in 2005;

- The average response time in 2004 for the County was 4:16 and the City's average response time for the same period was 4:13;
- The County EMS responded to three calls in the City in 2004 and the City EMS responded to 16 calls in the County;
- The City's EMS budget for 2004 was $222,458 and EMS revenue was $262,570;
- The County proposed that the City enter an automatic aid agreement with the County, but did not address the issue of paying for services City residents did not receive;
- The 2004 evaluation of the City's EMS delivery system listed four options for the City,
    - The County could establish a dedicated EMS funding source which carved out the City and was similar to their fire-funding fee,
    - A shared services agreement could be negotiated,
    - The County could annually rebate to the City the EMS related general fund revenue collected from within the City,
    - The City could allow the County to provide EMS in the City, which would most likely require an increase in the Countywide millage rate to fund the service and could result in a potential net savings to City residents;
- Consolidation expenses would be a minimum total annual expense of $602,401,
    - 4 City fire engines upgraded to ALS would be $300,000, amortized at $37,500 a year,
    - The County would hire a minimum of 14 personnel to staff two ambulances at approximately $651,000 a year minus the current City EMS personnel expenses,
    - The City would have to pay the cost of supplies previously funded by revenue;
- The City provided a superior service at an economical cost;
- The County should do the right thing and establish an EMS Special Service Tax District to eliminate the inequitable tax burden on City residents and industry, which had been recommended by the Tax Equity Review completed by the Fayette County FUTURES Committee in 2000 and the City's EMS study completed in 2004.

Kourajian referred to page 8 and noted the costs Fayette County residents paid. McMullen said the City's share of the County's tax digest was about 35%, which meant the City paid about $500,000 for the County's EMS service.

Rutherford said that the City would lose two ambulances and pay $600,000 more if the County took over service in the City. She added that the City also had a mutual aid agreement with Coweta County.

Rapson noted that the County's EMS positions had increased 50% and their budget had more than doubled from 2001 through 2005, while the millage rate had gone down 15%. The City was subsidizing the County's EMS operation. Rapson said creating the tax district would not be difficult, since the County had already done it for fire service. The County provides fire services for the entire County, except Fayetteville and Peachtree City. The proposed EMS district would include all areas, except the City. Rapson said it would not be a huge effort to identify the parcels.

Kourajian asked how many ambulances the City had. Fire Chief Stony Lohr said the City had four ambulances. There were three front-line ambulances and one in reserve. The reserve ambulance answered calls when it was in, so the reality was there were three and one-half ambulances. Kourajian clarified that if the County took over the City's EMS services, the City would lose two ambulances, the coverage area would expand, and it would cost more to provide the service. Lohr pointed out that both services were excellent. The difference was that the County had more area to cover, which increased response times.

Brown said another problem critical to EMS services was traffic congestion, which was getting worse. Doubling the coverage for the City ambulances would compound the problem. The Commissioners admitted that the City was "double-taxed," but would not do anything about it. The County's staff also suggested a separate tax district.

Rapson asked if the matter violated House Bill 489. Meeker said he did not know if the County's 489 agreement was violated and did not know the status of the agreement. He said someone needed to call the Department of Community Affairs (DCA) and find out about the agreement.

Brown said they needed to decide what course of action to take and would come up with that in the near future.

02-05-01 Discuss Joint Project for Extension of MacDuff Parkway by City, County, and Developer

Brown noted there was an additional document on the dais – an e-mail from the City Manager to Mayor and Council dated February 3, 2005, with the subject "FW: McDuff Parkway Extension."

Developmental Services Director Clyde Stricklin said they had put some numbers together for the two alternatives for MacDuff Parkway. The estimates were derived from the existing known costs, as well as the cost of similar projects found in the County's Transportation Plan. Stricklin said the estimated cost of the extension of the road to the Comcast building on GA 74 to be $2,790,400 for 6,400 feet. The cost of extending the road to the proposed entrance in Kedron Village was estimated at $6,129,000 for 10,000 feet. The cost was about $400 per linear foot and included right-of-way purchase and landscaping. Stricklin noted there were a lot of wetlands involved, as well as a possible railroad bridge, and the costs included an additional ten percent for the additional engineering those things would require.

Brown clarified that the numbers were not based on firm engineering, but were taken from similar projects. Stricklin said the numbers were a box-office guess.

Rapson said the City and County needed to work together with the developer to fix the problem and it needed to be in place with, or without annexation, and money this year for road projects, such as resurfacing, that were a component of the SPLOST and could be re-directed. Rapson said Council needed to agree that they needed to move forward with the extension of MacDuff Parkway and move forward with discussions with the County.

Rutherford agreed that the road needed to move forward whether the developer built in the City, or the County. She said they needed to look at getting the best road and the best road was a bridge over the railroad track, not an at-grade crossing. Kourajian said there was not a choice. Both roads were needed.

Weed asked Rapson what he wanted Council to do. Rapson said the City needed to go ahead and fund the design for the part of the road that would be located in the existing City limits. He wanted to pull all three parties together and move the road forward. Rapson moved to put his remarks in the form of a motion. Weed seconded.

Rutherford said she did not think they could require the developer to take part in discussions with the County. Brown agreed that they could not since the first step had not been approved. Rutherford continued that houses would be built in the area, whether it was annexed or not. She did not think they could commit the developer since there could be more than one for the entire area. Kourajian said he wanted to seek relief for the people who lived in the Westside now. Rutherford agreed and said they needed to go to the County now since people already lived in the area.

Rapson said Wieland already had an option on the land in the City and should participate in the discussion.

McMullen said the Centennial subdivision developer had already committed to building extending the road to the City limits. McMullen said the City had no additional requirements to build any road within the City limits.

Rapson asked City Attorney Ted Meeker if there was any reason the developer should not participate in discussions with the County. Meeker said the City should talk to the County before the City made a commitment to start designing the project.

City Planner David Rast noted that, when the Centennial project was originally proposed, a portion of the development was located in the County. The City lifted the annexation moratorium and annexed that portion into the City. As part of the annexation and rezoning agreement, the developer was required to provide a school site, a fire station site, and to extend MacDuff to the City limits. Those things would be done in part four of the development. The parkway would dead end at the City limits.

Weed asked if that had been taken into account when the costs were estimated. Stricklin said they had considered two things. The area just discussed was in one proposal. There was also a proposal to four-lane the parkway for ¾ mile north of GA 54. He said they might want to continue four-laning the parkway to the City limits. He said they had not included the Centennial developer's part in the cost estimates.

Rapson restated the motion and amended it to include a dollar amount. The motion was to re-direct $280,000 from the SPLOST funds for engineering and design to extend MacDuff Parkway from the City limits to the Comcast building on GA 74 in conjunction with the appropriate developer and the County. Weed seconded the amended motion.

Kourajian asked where the funds would be re-directed from. Rapson said from the Public Improvement Program (PIP) funds. Rapson continued that he did not want to hold up the MacDuff extension just because the County did not want to allow the annexation.

Kourajian asked if they could re-direct funds from the SPLOST. Meeker said they were not really spending SPLOST funds for the project. Rutherford said they would spend City funds they would not have to spend on City projects because of the SPLOST funds.

Weed agreed there was a need to extend MacDuff Parkway and Council should commit to it whether the property was annexed or not, and whether the County helped or not. He did not believe the funds would be wasted. Brown said he did not want to be in a black hole situation, where the City spent a few million dollars before the road was built.

Rutherford said she was not against spending money for traffic relief. She would rather approve the money without the money attached at this point. She wanted to sit down with the County first. She said they needed to start making progress at this meeting.

Rapson disagreed and said that, by attaching the money, it would carry more weight with DOT and the County. Weed said staff would not foolishly spend the money. The money did not have to be spent. Brown clarified that the City would set aside the money as part of the motion. If the County would not commit to help with the extension of MacDuff, then the money would be set aside and the City would look at other options.

Kourajian asked if the money would come back to Council before it was spent. McMullen said they would need intergovernmental agreements and contracts before the money could be spent. Rapson amended his motion to add that any intergovernmental agreements or contracts would come back to Council prior to expenditure of any dollars. Weed seconded the amendment. The motion carried unanimously.

Old Agenda Items

10-04-02 Consider Step One Annexation Application from John Wieland

John Wieland addressed Council. He told Council he had been building homes in the City for more than 25 years. He said their commitment was to keep the high quality. Their proposal was good for the citizens of the City and he asked Council for permission to move to the next stage of the process so they could work with the Planning staff.

Wieland said 88 acres were located in the City and 360 acres were located in the County. The advantages to annexation included the connection of MacDuff Parkway to GA 74, the opportunity to create four multi-purpose athletic fields, opportunity for relocation of a major civic use, such as a church, and the opportunity for additional upscale housing. Other benefits to the citizens included the opportunity for a mixed-use development combining housing and retail. The plan included multi-purpose fields, which provided a gathering place for the City, and a pavilion suitable for a variety of uses. Wieland said there was a need for Class A office space in the City, which would provide an opportunity for small business people to create a sense of place. Throughout the development, they would create greenspace and work to preserve Line Creek. Wieland said there would also be low-impact housing for seniors, singles, and couples.

Michael Medic and Dave Dorough went over the bubble plan for the proposed development. Brown said he liked the symmetrical design and that they had done a great job with the greenspace.

Wieland told Council they had defined greenspace tightly. He said they were not naïve about the demand for commercial areas in the City, but that was something they would work out with staff. His company had done a market survey and the demand was for nice office space with a sense of place and a sense of arrival. Brown asked if the development along the railroad tracks would front the tracks. Wieland said the back of the buildings would be to the railroad tracks. Brown said the Westside had been planned as industrial and that the City needed something fronting the railroad tracks that gave a palatable entrance to the City. He said there needed to be a nice view for those driving on GA 74. Wieland said they wanted to create something special. The construction would be expensive, but it would create a sense of place.

Kourajian said they had to be careful what they asked for. Everyone driving down GA 74 might turn in. Kourajian said extending MacDuff would create a cut-through traffic situation. He wanted it to look good, but not so people would cut through the area.

Weed read the following comment from the staff memo concerning the application:

At present, there are no budgetary impacts associated with this request. Should the project move to Step Two, a significant amount of staff time, legal fees, advertising costs, and the overall impact to the City's long-range infrastructure and maintenance budget will need to be considered. However, it should be noted that impact fees could be structured and incorporated into the rezoning that would offset some of these costs.

Weed asked staff for a number that would represent those costs. Meeker added that there were also advertising costs for public hearings. Rast said that approval of step one allowed the developer to move to step two. Meeker said there was no way to guess the legal costs, especially if the County objected. He said the cost could be minimal, or a lot. He said Stricklin and Rast would be knee-deep in work on the annexation for a couple of months. Weed asked Wieland if he was willing to pay the unknown staff costs so the citizens would not have to bear the burden. Wieland said they would consider it if there was a need for additional staff or overtime. Kourajian asked where the project might fall in the priorities. Rast said he did not deny that it would take a lot of time. He noted that the City took an active role in the annexation discussion held several years ago due to the former mayor's directive. This time the staff would be the facilitator and the burden would be on the developer. The project would probably qualify as a development of regional impact, which required the City to send information to various state agencies. Weed said there would be a significant impact on staff and was a matter of choice rather than necessity.

Rapson reminded Dan Fields of Wieland Homes that he had agreed earlier (the first annexation application was heard by Council in October 2004) to develop a proposal for the 360 acres that would mirror the current zoning in the County. Rapson said that was not the plan before Council and that the developer must have decided the project would not work with the current zoning. Fields said he understood they were to come in with a concept plan and that was what they had done. He said Council also asked them to come back with a density calculation on what would be needed so the project would benefit the City and would work. Fields said they understood there would be an additional cost to the City during the study period, but he believed that the homes and the value they would add to the City would pay for itself. Fields said staff would have to study a possible rezoning request for the 88 acres in the City regardless. Wieland said if staff decided they needed to make a certain contribution to pay for the time spent on the project they were open to it.

Rapson said it appeared that there would be about 650 homes. Wieland said that was about right. Rapson said that was approximately four to five times denser than what the County's zoning of the property allowed. The County had already fought that zoning and the density would be enough for the County to have a land use objection to the annexation, which would impact public safety. Rapson said the proposed plan would add 5,000 trips to the highway. The real problem with the site was the road, but that did not change the issue he had with annexation. The same people supporting the annexation would be the same people who would complain about the traffic congestion and would want the parkway four-laned in two years. Wieland acknowledged that the project was a big dream. He said great things came from big dreams. He told Council it was their job to weigh the positives and the negatives, and make a decision.

Rutherford noted that the process was new and asked Rast what his perception was of the next step in the process. Rast said the next step included sitting down with the developer and making sure everyone understood the process. They would also need to discuss it with Council and the Planning Commission to determine their part in the process. Rast continued that they also needed to coordinate with the County's Planning staff and keep them in the loop. Rast said Step Two included the full-blown analysis. They would eventually come back to Council with the annexation and rezoning requests. Rast suggested possibly bringing the project to Council as a series of workshops, or have Council and the Planning Commission attend the charettes with the developer. It was not fair to Council to wait six months to hear the entire plan. He said there would be a series of community efforts throughout the process. The fire and police departments would be involved. They had to get all the facts so Council could make a decision. He said the impact fees from the residential portion could be structured to help fund services and infrastructure that would be needed.

Rutherford asked when the County would be able to give its position on the annexation. Meeker said once the City received the application that, according to state law, the County would be notified. The County had to respond without objections or with objections. She asked if the County would have another chance to respond. Meeker said no. Rast said the City would have recommendations from the County, as well as other agencies and entities, before making a decision on the annexation. Rutherford asked what would happen if Council decided they did not like the way the plans were going. Rast said that if Council made it known midway through the process that they did not like the direction, there were two options. The developer could listen to Council and make changes, or keep going without making changes. Rast said the developer had always worked with the City in the past.

Weed said if the project moved forward that it sounded like one person would be dedicated to the project full-time. Stricklin agreed. Rutherford noted that the City had hired a part-time person to help that department catch up. Stricklin said that had been done. Rapson said he saw no point in wasting staff time and legal fees if the County had a bonafide objection.

Brown referred to the rezoning request from Pathway Communities for land in the County a few years ago. He continued that the judge ruled against the developer in the lawsuit because the land would remain in the County. One of the primary reasons the judge cited for his ruling was the emergency response time needed for fire and EMS services to come from Tyrone. Brown said he was doing his due diligence and would not service the area in the County with his fire, EMS, and police. The City should not pay for services provided in the County. He would not support the City's public safety people interacting in the County.

Rapson said he wanted to fix the road, table the decision on the step one application, and discuss it with the County. He did not think it would take the County long to respond.

Rutherford recalled that Council had discussed contacting the other landowners in the area when Council heard the application request in October. Fields said they had contacted the landowners. Some landowners were interested and others had no interest at all. Fields said if the City annexed the land, then they would leave the road open for connection to the north. Fields said they were willing to participate equally to pay for a bridge over the railroad tracks. A safe crossing was needed, as well as another way out of the area. He said they could work with the County, City, and the developers to the north if they were to request annexation in the City. Wieland said they would work on the project one piece at a time. He did not want to spend a year on the project and have the City or County say no. They wanted to work with the City.

Brown said the County had to look at what would happen if the remaining property in the area stayed in the County. The road would at least allow the County to get emergency vehicles when needed.

Rapson said he was adamantly opposed to the proposed density, and he thought the County would be opposed. He said the density was a bonafide land use argument. He said the City needed to fix the road and they should discuss that with the County. He said it was a waste of time for the City to spend time on an annexation when the County would turn it down due to a bonafide land use argument. Kourajian said the County had no obligation to give the City an answer. Rapson said it was not unreasonable to ask.

Rapson moved to table the annexation application request and request that City staff give the information to the County staff so the Commissioners could look at the information at their next meeting and make a recommendation on whether they would support an annexation or not. Weed seconded.

Brown pointed out that Rapson was expecting the County to give an answer on a plan they had not even seen, and what could be a totally different plan after staff got involved.

Weed said he was originally going to propose that Wieland pay every cost the City incurred for the annexation request outside of what could be covered by impact fees. Weed said that would not be fair since he was not going to support this annexation, or any annexation. He did not want to waste the Wieland's time and money. He said another ½ person had been added just to meet the workload without the project even being on the table. Brown pointed out that the additional person was to work on the 2007 comprehensive plan review. Rutherford said that was because staff would not have time to work on the plan. Kourajian questioned whether the City should wait to act on plans until there was time for staff to work on them. Weed said the annexation request was not a vital interest for the City. Annexation was purely a choice, but the extension of MacDuff Parkway was not a matter of choice. Weed was in favor of extending the road. Kourajian said there was no guarantee the County would help build the road. Weed said there was no guarantee the County would not. Rutherford said they could also annex the property the road would go through in the County.

Wieland told Council he would be more than happy to pay the incremental costs caused by the request.

The next County Commission meeting was scheduled February 10. Rast noted that the next Council meeting was February 17, and there was a joint Planning Commission/Council workshop on February 10. Rapson amended his motion to table the Step One annexation application until the March 3 meeting. Weed seconded the amendment. The motion carried 3-2 (Brown, Kourajian).

New Agenda Items

02-05-03 Alcohol License – NEW – Carrabba's Italian Grill

Charles Gallagher, attorney for Carrabba's, addressed Council. He told Council that the restaurant would open on March 28.

Weed moved to approve the license for Carrabba's Italian Grill. Rutherford seconded. The motion carried unanimously.

02-05-04 Consider Contract with A-Dale Communications for Marketing Brochure

Brown noted there was an additional document on the dais – an e-mail from the City Manager to Mayor and Council dated February 3, 2005, and the subject "FW: Agenda for February 3, 2005." Public Information Officer/Deputy City Clerk Betsy Tyler addressed Council and told them the City had an opportunity for a marketing brochure. She noted that the City's primary developer had spent hundreds of thousands of dollars on marketing materials. Now that the developer had moved to other areas, there was a void. A lot of people e-mailed, called, or visited City Hall to obtain information. The visitors were given informative City brochures, but they gave no sense of how it felt to live in the City.

Tyler continued that the City, a premiere Atlanta location, still needed to cultivate a market and work on attracting businesses. They had been offered an opportunity to do that at little, or no cost to the City. The company would supply writers, photographers, and do the layout. The company would solicit advertising based on a recommendation from the City. The company was also looking at partnering with real estate companies and the Tourism Association. The City would receive at least 2,500 brochures at no cost.

Brown asked if the City would be able to use the brochure on the City website. Tyler said they could get a letter of commitment to do so. The company would own the text and photography. Rutherford said she did not want the ads to go on the website. Brown said if the company was willing to do it without the ads, then it would be a huge plus to have the brochure on the website. Tyler noted there was limited "feel good" information on what it was like to live here on the website. Tyler said if the company could not sell enough ads there would be no brochure.

Rutherford asked if the City sent the brochure out for proposal, or if the company walked in with the proposal. Tyler said the company walked in; however, she had spoken with local printing companies. Only one company was interested in working with the City on something, but they did not have writers and photographers. Tyler said she was going to follow up with that company. Rutherford said she just wanted to ensure they were not violating any laws.

Rapson moved to approve a contract with A-Dale Communications for the marketing brochure and to delete everything but the first sentence in paragraph five, as recommended by the City Attorney, and to include a rider to put the brochure on the website and authorize the City Manager to sign the agreement. Weed seconded.

Weed, also the chairman of the Tourism Association, said the brochure would be a joint effort. The repairs had been completed to the building at the Tennis Center that would serve as a visitors bureau. The next step was to figure out volunteers and staffing, as well as collecting information to distribute.

Kourajian asked what would happen when the 2,500 brochures ran out. Tyler said, if the product was good, she had $5,000 in her budget for marketing. The cost of additional brochures would depend on the number of pages. Kourajian asked if the City would have the distribution rights. Tyler said that, according to the contract, the distribution was left to the City. Kourajian asked if the company would publish another brochure in a year. Tyler said they planned at least a two-year duration period for the brochure. Meeker said they could change paragraph G of the contract by striking "at the address of the," and adding, "deliver to client only." Rapson amended his motion to include the change to the agreement. Weed seconded the amendment. The motion carried unanimously.

02-05-05 Consider Soil Compaction Ordinance

Brown noted there was an additional document on the dais – an e-mail from the City Manager to Mayor and Council dated February 3, 2005, and the subject "FW: Agenda for February 3, 2005." Weed said he asked for the minor change in the ordinance. He said when an ordinance referred to another law or canon that a copy of the law should be available to the public if requested. It was procedural due process. Weed said the words "and is available for inspection in the office of the Building Official of the City of Peachtree City" would be added to the end of subsections (a) and (b).

Rutherford moved to approve the Soil Compaction Ordinance with the changes. Rapson seconded.

Rapson clarified that there was not a fine associated with the ordinance, but a stop work order would be issued if a violation was found. McMullen said that was correct. Kourajian clarified if a building did not meet the standards, that the City was not liable. Meeker said the City was not liable under current Georgia law.

The motion carried unanimously.

02-05-06 Consider Amendment to QK4 Contract

Stricklin said that when the City entered into the design services contract they were not sure how much the service would be used. The contract had been limited to $100,000. He said they were now at $87,000-plus. They have estimates for some of the upcoming projects. Stricklin said they estimated they would need an additional $200,000 for the contract. The items they needed QK4 for were already in the budget. Rapson said it was really a blank purchase order not to exceed $300,000. McMullen said the funding for the projects had been approved and would not come before Council.

Rutherford moved to approve the amendment. Weed seconded. The motion carried unanimously.

02-05-07 Consider GDOT Management Agreement for GA 74 North Multi-Use Tunnel

Brown said staff had requested this agenda item be tabled. Rutherford moved to table the agenda item. Weed seconded. The motion carried unanimously.

02-05-08 Consider Tinsley Mill Sewer Rehabilitation Project

City Engineer Dave Borkowski addressed Council. He said the sewer line to Tinsley Mill was in poor condition and had low capacity. The line crossed City property in three places so three easements were needed to allow the Water and Sewer Authority (WASA) to do the work.

Weed asked what would be done to mitigate the greenbelt disturbance. Borkowski said the grass and trees would be replanted. Brown noted there would be a permanent open space where the line ran. Borkowski said the area was cleared when the line was installed, but some residents had planted trees in the easement. WASA had agreed to replace those trees, but to plant them in other places. Brown asked about the caliper of the replacement trees. Rast said that, according to the ordinance, trees were not to be planted in the easements, and public utilities were not responsible for replacing those trees. Rast said WASA was going above and beyond what was required. Weed said Council just wanted to make sure trees removed on City property were replaced by trees of similar caliper. Weed said there was nothing in the easement to address the issue. Borkowski said he had not discussed replacing trees on City property with Scott McDonald of WASA, because there should not be any existing trees. Rapson said it was noted in the bottom of Attachment B that the area should be replaced as close as possible to the existing condition before the work was done. Rutherford said her concern was that the area torn up to get into the easements would also be replaced.

Kourajian moved to approve the easement request from WASA and authorize the Mayor to sign the easements. Weed seconded. The motion carried unanimously.

<u>Council/Staff Topics</u>

Rutherford said she had received calls from spouses of staff members who were very unhappy with the new health insurance carrier. She said apparently some physicians had been bumped out of the plan and there had been poor customer service when they called.

Administrative Services Director/City Clerk Jane Miller said one doctor had been notified that he was dropped from the plan. She said doctors usually were not dropped unless there was a problem. She said staff had called United Healthcare. Miller continued that there had been service problems. The City changed companies to save money and had gone with a large company where the City was a small fish. The City was in the process of establishing a relationship, but it was taking time. She assured Council that Human Resources was working on the issues on a daily basis.

Rutherford said the agent had assured Council that the company provided good service. Miller said the agent was also working on the City's behalf. She thought the problem could get resolved. There were some issues about what the company felt was reasonable to cover. Staff was establishing a relationship with people to get consistent service. Rutherford said she would like a follow-up on the first March agenda.

Rutherford moved to reconvene in executive session to discuss pending litigation. Rapson seconded. The motion carried unanimously.

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

There being no further business to discuss, Rutherford moved to adjourn the meeting. Rapson seconded. The motion carried unanimously. The meeting adjourned at 10:15 p.m.

Jane Miller, City Clerk

Stephen D. Brown, Mayor

Pamela Dufresne, Recording Secretary

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager
Assistant ~~City~~ Manager

FROM: City Clerk

DATE: February 10, 2005

SUBJECT: Alcohol License – Change in Licensee – Ruby Tuesday
February 17, 2005, Regular Meeting Agenda

Recommendation:
Staff recommends Council consider the attached application for a change in Licensee

Discussion:
Ruby Tuesday, Inc. dba Ruby Tuesday #2678, 100 Peachtree Parkway South, has submitted an application for a change in Licensee. Ms. Scarlett Ann May has requested that she be appointed as the Licensee. Ms. May is replacing the current Licensee, Daniel Cronk, as the vice-president and secretary of Ruby Tuesday, Inc. A representative will attend the meeting.

Budgetary Impact:
The change in Licensee will have no impact on the budget.

JSM:pd

Attachments

CITY OF PEACHTREE CITY
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
(770) 487-7657

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

Business Name: Ruby Tuesday, Inc. d/b/a Ruby Tuesday #2678	**Business Location:** 100 Peachtree Parkway South	Peachtree City, GA 30269
Nature of Business: Full Service Restaurant	**Mailing Address:** Ruby Tuesday, Inc. attn: Legal Dept. 7420 Hitt Road, Suite A Mobile, AL 36695	**Business Phone Number:** 770-487-0909
Name of Licensee: Scarlett Ann May	**Home Address:** 3160 Laws Chapel Road Maryville, TN 37803	**Home Phone Number:** 865-984-9633
Name of License Representative: Michael Paul Marien	**Home Address:** 2404 Lakeside Way Newnan, GA 30265	**Home Phone Number:** 678-423-1704

Please indicate type of license(s) applying for

Retail Consumption Dealer		Retail Package Dealer		Wholesale Dealer	
XX	**Malt Beverage**		**Malt Beverage**		**Malt Beverage**
XX	**Wine**		**Wine**		**Wine**
XX	**Distilled Spirits**		**Distilled Spirits**		**Distilled Spirits**

Please complete information below (use separate sheet if necessary)

NAME **Individual Owner's Name, Partners' Names, Corporation Name and the name of the name of a Contact Person regarding License Changes, Taxes, etc.**	**ADDRESS** **Please provide Home Addresses for the individuals listed:**	**PHONE NUMBERS** **Please provide Home and Business Phone Numbers for individuals listed:**
See attached.		

Is any person who owns an interest in the license an employee of the City of Peachtree City? No

EXHIBIT "A"

RUBY TUESDAY, INC.

Samuel E. Beall, III - C.E.O./President
1471 West Millers Cove Road
Walland, TN 37886
411-88-3470
% owned: 2.1

Scarlett A. May - Vice President/Secretary
3160 Laws Chapel Road
Maryville, TN 37803
413-37-1526
% owned: 0

Marguerite Naman-Duffy - Chief Financial Officer
1517 Britling Drive
Knoxville, TN 37922
418-94-3560
% owned: 0

Ruby Tuesday, Inc. is a publicly held corporation whose stock is traded on the NYSE.

PEACHTREE CITY
PLAN TO STAY™

City Hall
151 Willowbend Road
Peachtree City, GA 30269
Phone: 770-487-7657
Fax: 770-631-2505
www.peachtree-city.org

State of Georgia

City of Peachtree City:

I, James V. Murray, Chief of Police for the City of Peachtree City, do hereby certify that:

Scarlett Ann May
Name

3160 Laws Chapel Road

Maryville, TN 37803
Address

Has been investigated and found not to have been convicted of, nor to have entered a plea of nolo contendre, to any felony or misdemeanor relating to the sale or use of alcoholic beverages or illegal narcotics or drugs within five (5) years prior to the date of the application for this license.

James V. Murray
Signature

Feb. 3, 2005
Date

Robert M. Dufler
Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Councilmembers**

VIA: **City Manager**
Assistant City Manager

FROM: **Director of Leisure Services**

DATE: **Feb. 9, 2005**

SUBJECT: **Deed of Easement Agreement for Emergency Warning System, BSC For Feb. 17, 2005 Council Agenda)**

Recommendation: That Council authorizes the Mayor to sign an easement agreement with the County for installation and maintenance of an Advanced Emergency Warning System at the South 74 Baseball Soccer Complex. (Agreement attached)

Discussion: Pete Nelms, County Emergency Management coordinator, approached me asking to place an Advanced Emergency Warning System at BSC. Placing the system there is in line with the overall county plan to strategically distribute these systems to enhance the County's emergency warning capability. He explained that the system (see attached photo of a similar one on Robinson Road across from Mowell's Funeral Home) enables emergency announcements to be broadcast over a wide area. One system can cover a total area of one to one-and-one-half miles, and broadcasts in all directions simultaneously. It can be used to broadcast severe weather warnings or to make other emergency-related announcements. This advanced system not only has a siren, but also allows the County Emergency Management staff to make specific announcements and give direct verbal guidance to citizens. The system has a silent, self-diagnostic testing mode that tests weekly, and it will also be audibly tested once each year in February as part of the annual severe weather awareness week.

The device consists of the broadcast mechanism on top of a 50-foot wooden pole installed, wired and maintained by Georgia Power. The BSC pole will be located at the new (north) entrance to BSC, on the left as you drive in, on the inside as you turn to go down the hill. (See attached location photo) This positioning is optimal for coverage and will not interfere with any sports or maintenance activities.

Having this sort of capability at the BSC is desirable considering the number of youth and parents who use it and the fact that storms can hit quickly and unexpectedly in that area.

Budget Impact: There will be a fee to Georgia Power of between $300-$500 to install and hook up the pole and a fee for electricity of about $10/month, both which can be covered in the existing Recreation operating budget.

Pam Dufresne

From: Pete Nelms [PeteN@fayettecountyga.gov]

Sent: Wednesday, February 09, 2005 2:45 PM

To: Randy Gaddo

Subject: Siren Locations

Here are current and projected location for severe weather warning sirens as of Feb 2005.

Rivers Rd. and Cedar trail	unincorporated Fayette County
Ellis Rd. and Hwy 85	unincorprorated Fayette County
Robinson Rd at Hwy 54	Peachtree City
McCurry Park	unincorporated Fayette County
Old Senoia Rd at Whispering Pines Mobile Home Park	Tyrone
Huiet Rd @ the YMCA Play Park	unincorporated Fayette County
Landmark Mobile Home Park	unincorporated Fayette County

To be installed next month

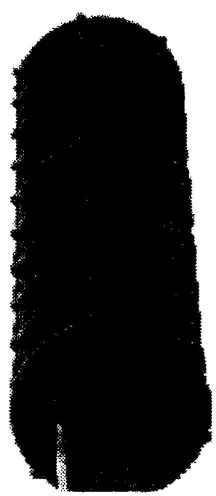
Soccer Fields on Hwy 74	Peachtree City
Starr's Mill School Complex Redwine Rd @ Hwy 74	unincorporated Fayette County
Kawanias Field off Redwine Rd	unincorporated Fayette County
Baseball Complex of Hwy 74	Tyrone

Phase I was to warn manufacured Housing communities
Phase II is public venues such as recreation facilities
Phase III is high density populations

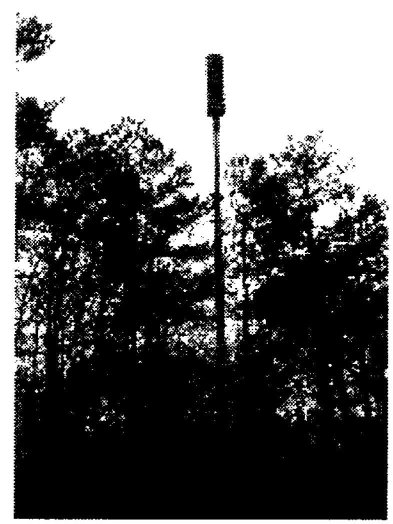
Let me know if you need additional information.

Pete Nelms

Blue line shows approximately where pole will go.



This photo shows the actual broadcast unit close up



This is the actual pole with the broadcast unit on top

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Councilmembers

VIA: Bernard J. McMullen, City Manager

FROM: Colin W. Halterman, Assistant City Manager
Paul J. Salvatore, Financial Services Director
Janet I. Camburn, Assistant Finance Director

DATE: February 10, 2005

SUBJECT: Lease/Purchase Reimbursement Resolution
February 17, 2005 Agenda

Recommendation:

That City Council approve the attached "Official Intent Resolution" for the use of lease/purchase financing for the reimbursement of machinery and equipment purchased from the City's Capital Project Fund.

Discussion:

Through the annual budget process, the City identifies certain machinery and equipment items that are to be financed through a lease/purchase agreement. In order to obtain reimbursement for these items after the purchase is complete, City Council must adopt a reimbursement resolution that identifies these projects. Attached is a current resolution that fulfills the requirements for future lease/purchase financing. Attached to the resolution is a list of projects budgeted in fiscal years 2004 & 2005 that have been approved for lease purchase financing, many of which have already been purchased or ordered. Additional items are also listed for future fiscal years.

City Council has not yet adopted budgets for fiscal years 2006 through 2008, and therefore is not committed to either the purchase or the financing mechanism for the items on the project list for these fiscal years. However, in the process of obtaining a line of credit to finance machinery and equipment purchases, it is to the City's advantage to provide the most detailed list of the items that ***may*** be financed. This will provide the best possible interest rate for the City over the next several years.

It is the recommendation of staff that the attached resolution be adopted by City Council to provide financing for the already approved 2004 and 2005 projects and to allow the possibility of financing the 2006 through 2008 projects, should City Council approve through the budget process.

Budget Impact:

There is no budget impact for the adoption of this resolution.

OFFICIAL INTENT RESOLUTION

WHEREAS, the City of Peachtree City (the "City) expects to obtain financing (the "Obligations") in a principal amount not to exceed $3,600,000 to finance the costs of acquiring and/or installing various purpose capital projects, including machinery and equipment (collectively the "Project"); and

WHEREAS, the City has used or will use, before the issuance of the Obligations, moneys in its General Fund to pay expenditures related to the Project and reasonably expects to use proceeds of the Obligations to reimburse its General Fund for these expenditures; and

WHEREAS, Treasury Regulation Section 1.150-2 requires the City to declare its intent to use proceeds of the Obligations to reimburse its General Fund for moneys used to pay expenditures related to the Project;

NOW, THEREFORE, BE IT RESOLVED by the City of Council of the City of Peachtree City, and is hereby resolved by authority of the same, as follows:

1. The City declares its intent to use proceeds of the Obligations to reimburse its General Fund for moneys used to pay expenditures related to the Project, including, without limitation, expenditures for machinery and equipment for fiscal year 2004 through 2008 listed on Appendix A which is attached hereto and incorporated herein.

2. This Resolutions shall take effect immediately upon its adoption.

DULY ADOPTED this ____ day of ____________, 2005.

CITY OF PEACHTREE CITY

(SEAL) By:

____
Mayor

Attest:

____
City Clerk

STATE OF GEORGIA

FAYETTE COUNTY

CITY CLERK'S CERTIFICATE

I, **JANE MILLER**, City Clerk of the City of Peachtree City, **DO HEREBY CERTIFY** that the foregoing page constitutes a true and correct copy of an official intent resolution adopted the City Council of the City of Peachtree City (the "Governing Body") at an open public meeting duly called and lawfully assembled at _______ p.m., on the _______ the ____ day of _____________, 2005, the original of such resolution being duly recorded in the Minute Book of the Governing Body, which Minute Book is in my custody and control.

I do hereby further certify that the following members of the Governing Body were present at such meeting:

____

____

____

____

____

and that the following members were absent:

____

____

and that such resolution was duly adopted by a vote of:

Aye _____ Nay _____

WITNESS my hand and the official seal of the City of Peachtree City, this the _____ day of ______________, 2005.

____
City Clerk

(SEAL)

Appendix A

CITY OF PEACHTREE CITY, GEORGIA
GMA LEASE/PURCHASE
PROJECTED FINANCING

FISCAL YEAR 2004		
Technicial Rescue Vehicle	$	31,697
Life Packs		26,644
Medic 84		105,330
Tractors (6)		39,645
Quint (fire apparatus)		513,000
F-650s (2)		89,497
		805,813
FISCAL YEAR 2005		
Satellite Auto Shop Equipment		61,500
Asphalt Paver		42,000
Skid Loader		30,000
Rescue/Pumper		390,000
Quint Equipment		27,600
Life Packs		34,800
		585,900
FISCAL YEAR 2006		
Brush Chipper		27,500
C80A Motor Grader		100,000
F-800 Dump Trucks (2)		110,000
EZ-100 Crack Sealer		30,000
Trailer Mounted Sewer Jet		45,000
Medic 81 Replacement		70,000
HVAC Upgrade - City Hall		171,736
		554,236
FISCAL YEAR 2007		
CB-224C Roller		30,000
Front End Wheel Loader Replacement		100,000
Pelican P Street Sweeper Replacement		200,000
LT-9000 Tandem Dump Replacement		75,000
F-800 Dump Truck Replacement		36,500
Swimming Pool Cover Replacement - Kedron		200,000
Fire Engine 84 Replacement		350,522
Medic 83 Replacement		72,800
		1,064,822
FISCAL YEAR 2008		
F-350 Dump Truck		36,500
Mini Track Hoe		30,000
Fire Engine 82 Replacement		361,037
Medic 82 Replacement		75,712
		503,249
GRAND TOTAL	$	3,514,020.00

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

VIA: **City Manager**
Assistant City Manager

FROM: **Director of Leisure Services**

DATE: **Feb. 9, 2005**

SUBJECT: **Consider Kedron User Fee for Southern Crescent Lighting Basketball Team For Feb. 17, 2005 Council Agenda**

Recommendation: That Council considers a request for a special user fee arrangement to allow the Southern Crescent Lightning basketball team to use Kedron Fieldhouse for practices. Also that Council authorized the Mayor to sign an agreement with the team owner.

Discussion: The Southern Crescent basketball team owner has approached the Mayor and staff with a request to use one basketball court in the Kedron fieldhouse for practice sessions during April, May and June according to a schedule to be worked out with the Kedron staff. The first practice would be scheduled for April 8 and the last for June 24. Depending on the game schedule, practices would be held between three and five times per week, two hours per practice, from 9 – 11 a.m. The team would use only one court, and the other would be left open for authorized walk-in users.

The Lightning team is part of the World Basketball Association, a minor league professional men's developmental basketball association. Southern Crescent Lightning is one of seven teams in the Southeastern League. The League's stated mission is to teach, develop and expose potential basketball players and coaches to NBA, NBDL, ABA, CBA and international scouts, and to provide each community an exciting brand of basketball and entertainment. Council can obtain more background on the team and league on their web site at http://www.wbalightning.com.

The new team owner, Peachtree City resident Todd Hannon, offered to pay the city $1,000 for this usage. In addition, he agreed to provide free clinics for Fayette County youth, to be taught by team members. Mr. Hannon agreed to at least two weekend clinics of three hours each, and at least four one-hour clinics from 8-9 a.m. before practices during summer months when school is out. Youth could then stay and watch the team practice. This is a total of 10 hours of free clinic time.

The suggested practice times are low usage times, and with one court left open, this use should not detract from public use of the facility. In addition, the free clinics offer value to local residents. If approved, a written agreement will be signed.

Budget Impact: $1,000 fee would go into the general fund as revenue. No adverse budgetary impact.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council**

FROM: **City Manager**

DATE: **February 9, 2005**

SUBJECT: **REFINANCING OF THE 1997 WATER AND SEWER REVENUE BONDS**
Council Agenda – February 17, 2005

Discussion:

The Peachtree City Water and Sewer Authority is in the process of refinancing their 1997 Revenue Bonds (see attached letter). To meet their time line for refinancing, they are requesting an amendment to the City's contract with WASA be approved at the February 17, 2005, Council meeting. Documentation for the amendment will be forwarded to Council when WASA receives it from their bond attorneys.

BJM:gr

Attachment

cc: Paul Salvatore

Peachtree City Water and Sewerage Authority

February 9, 2005

Mr. Bernard J. McMullen
City Manager
City of Peachtree City
151 Willowbend Road
Peachtree City, GA 30269

RE: REFINANCING OF THE 1997 WATER AND SEWER REVENUE BONDS

Dear Mr. McMullin,

As we have discussed before, the Authority is refinancing the 1997 bonds in an effort to reduce our annual debt service. Preliminary numbers indicate an annual savings in excess of $75,000.00.

To insure the best available rates for our customers we are requesting that the City of Peachtree City amend our existing contract to include the refinancing issue. Since we are moving on a fast track to take advantage of the current bond market, we are requesting that this amendment be placed on the agenda for the February 17, 2005 council meeting. I will provide the final amendment when it is obtained from our bond counsel.

If you require any additional information, please call me.

Sincerely,

Larry B. Turner, PE
General Manager

1127 Highway 74 South • Peachtree City, GA 30269 • Ph: (770) 487-7993 • Fax: (770) 631-5380

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

VIA: **City Manager**
Assistant City Manager

FROM: **Administrative Services Director / City Clerk**

DATE: **February 11, 2005**

SUBJECT: **Consider Resolution Dissolving Residential Care for the Elderly Authority**
February 17, 2005 Council Agenda

Recommendation:

Consider dissolving Residential Care for the Elderly Authority.

Discussion:

In 2001, the City Council was asked to create a Residential Care for the Elderly Authority to enable a developer, Prime Communities, to take advantage of tax free bonds to develop property at Crosstown Drive and Peachtree Parkway for senior citizen housing. Council created the Authority and named the members of the Development Authority and two senior citizens to the Authority. The developer has now indicated that he will not utilize the Authority to obtain tax-free bonds to fund construction of this development. Since the Authority has never really functioned and there is no longer a need for the Authority, staff is recommending that it be dissolved. Should Council wish to do so, the attached resolution would have to be approved.

Budget Impact:

None.

Attachment

CITY OF PEACHTREE CITY
STATE OF GEORGIA

RESOLUTION No. ____________

A RESOLUTION TO DISSOLVE THE RESIDENTIAL CARE FOR THE ELDERLY AUTHORITY OF PEACHTREE CITY, GEORGIA; TO REPEAL CONFLICTING LAWS AND RESOLUTIONS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Peachtree City, Fayette County, Georgia, was duly incorporated by an act appearing at 1959 Ga. Laws, p. 2049, as amended by Ordinance No. 770, adopted September 6, 2001, et. seq.; and

WHEREAS, on June 7, 2001, the City Council of the City of Peachtree City created a Residential Care for the Elderly Authority pursuant to O.C.G.A. § 31-7-111 et seq.; and

WHEREAS, the Residential Care for the Elderly Authority of Peachtree City never functioned, issued bonds, or incurred indebtedness, since it was created; and

WHEREAS, after review and study is appears to be in the best interest of the citizens of the City of Peachtree City to dissolve the Residential Care for the Elderly Authority of Peachtree City.

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Residential Care for the Elderly Authority of Peachtree City is hereby dissolved.

IT IS SO RESOLVED, this _____ day of February, 2005.

ATTEST:

______________________	______________________
Jane Miller, City Clerk	Steve Brown, Mayor
	______________________
	Murray Weed, Mayor Pro-Tem
	______________________
	Judi-ann Rutherford, Council-member
	______________________
	Steve Rapson, Council-member
	______________________
	Stuart Kourajian, Council-member