

City Council of Peachtree City
Minutes of Meeting
February 15, 2007
7:00 p.m.

The City Council of Peachtree City met Thursday, February 15, 2007, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Other Council Members present: Steve Boone, Stuart Kourajian, and Cyndi Plunkett. Judi Rutherford was out of town and unable to attend.

Announcements, Awards, Special Recognitions

Mayor Logsdon recognized Frank Bumpus of the Recreation Department for 10 years of service. Chester Cannaday of the Fire Department was recognized for 15 years of service. Donald Jordan of the Recreation Department was recognized for 20 years of service.

Public Comment

There was no Public Comment.

Minutes

Kourajian moved to approve the February 1, 2007, regular meeting minutes as written. Boone seconded. The motion carried unanimously.

Consent Agenda

1. **Consider Agreement with Fayette County Board of Education**
2. **Consider Resolution on 911 Radio Retuning**
3. **Consider Declaration of Surplus, Engine 85**
4. **Consider Bid for Lot 5 Whitlock Place Detention Pond Facility Upgrade**
5. **Consider Bid for Hip Pocket Road Culvert Replacement**
6. **Consider Approval and Acceptance of Non-matching FEMA Grant for CERT**

Boone moved to accept Consent Agenda Items 1-6 as stated. Kourajian seconded. The motion carried unanimously.

New Agenda Items

02-07-03 Consider Request to Form Education Commission

Cele Eifert addressed Council regarding the formation of an Education Commission. She recommended Council establish the Peachtree City Commission on Education. She pointed out that the proposal dealt only in part with the Fayette County Board of Education (BOE). She had also shown School Superintendent John DeCotis and BOE Chairman Terri Smith the point paper and said they were both supportive of such a commission as it dealt with the BOE. She continued that education was everyone's business, and all residents were affected. The commission would be an entity to represent the residents' educational concerns starting with pre-kindergarten and going through to post-secondary and adult education levels. She suggested the possibility of a recurring Citizens Academy designed to teach residents about the City and how it was run. The City's success was inextricably linked to education, which was why brochures touted the County's education system. Eifert said the proposed commission should be on par with the Peachtree City Tourism Association and the Library Commission. Prospective and existing businesses were concerned about housing values, neighborhood strength, the City's appeal to professionals, and the availability of a high quality workforce. She noted that 55% of residents' property tax bills were for the school system, and another 10% was for a school bond.

Eifert referred to the City of Oakland, Calif., which had a number of good schools, but had problems with unsafe conditions and poor student performance. As a result, the City's mayor established an education commission composed of citizens and business people who made recommendations. Eifert continued that the County did not have a degraded school situation, but the residents should be proactive and preventative in nature. The commission would focus on the ramifications of education on the residents. She envisioned the commission interacting with all entities in a cooperative spirit.

Plunkett asked City Attorney Ted Meeker if the City could arbitrarily form a new commission and what the procedure entailed. Meeker said there was authority under state law to form a Recreation Commission, but there was nothing to his knowledge authorizing a city to create an Education Commission unless the city had a school system. Eifert noted that the state had an education coordinating council that had the ability to work with councils down to the local level. Meeker said he would need to research the issue and report back to Council. He asked Eifert to provide the information she had found.

Logsdon asked if the proposed committee could be created by the BOE, since that was the elected entity concerned with the schools. Eifert said that was in place with the school board. She was suggesting a body that would look out for the City's interests. She noted that no member serving on the current BOE was a City resident.

Boone asked if the BOE would recognize such a body. Eifert said she had spoken with Sam Sweat, the assistant superintendent of operations, and with BOE Chairman Smith. Both said they would welcome someone from the City in an official capacity at the school board meetings. She said the commission would be purely advisory to the Mayor and/or the Council. Logsdon said it would be the entire Council.

Kourajian said he liked the idea, but he was not sure how it would work. He asked if the other municipalities could have a similar board. Eifert said all the municipalities should have commissions to get their voices heard at the schools. She noted that the Fairfax County, Virginia, school board had representatives from each city so each would have a voice at the school board.

Plunkett said she would like Council to have a workshop with the BOE to discuss the topic and come up with a working model. Meeker said he needed to make sure it could be done first. He added that, if the BOE was interested in the concept, then they could appoint groups limited to each municipality. Eifert said the vision for the commission was to do more than just work with the BOE. The commission could look at pre-kindergarten accreditation at the schools in town, as well as work with developers. Plunkett said continuing education was of interest to her. Eifert questioned why a community college could not be considered in the industrial park. There was a whole realm of things beyond the BOE.

Kourajian reiterated that it was a good idea, but he wanted to ensure it was not just a stop gap to help just one part of the City. He wanted to know the best way to implement it.

Logsdon directed Meeker to research the matter. Kourajian noted that a workshop would help fine tune the idea.

Boone asked Eifert if there were any organizational templates available from Fairfax County. Eifert said there was information available through the Fairfax County BOE's website.

Plunkett told Eifert she would let her know what Meeker found out.

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

Logsdon noted there was an additional document on the dais – an e-mail from the citizen, Melvin Ewing, requesting that the agenda item be moved to the March 1 agenda.

02-07-05 Citizen Request to Address Council Regarding Denial of a Building Permit

Richard Van't Hof and his attorney, Charles Gallagher, addressed Council. Gallagher told Council that Van't Hof was trying to get a permit to put a bathroom in a detached garage he was building at his residence at 100 Cedar Point. Gallagher noted that Van't Hof was an avid car collector who was trying to build a garage with an upstairs storage space. The builder was Pfeifer Construction. The original plans had the bathroom on the main level, but Van't Hof had decided that an upstairs bathroom would be better since the walls were not in and it was easy to run the plumbing upstairs. He had realized that he was not permitted for an upstairs bathroom and ran into resistance from the City when he tried to amend his permit. Gallagher said that Van't Hof was told that putting a bathroom in the storage area would result in a detached living space. Gallagher continued that, according to City ordinance, the area also needed a kitchen and a bedroom to be considered a living space. Subsequently, Gallagher said Van't Hof was told that an upstairs bathroom was not permitted structurally. The construction was redone according to the Building Department request. Gallagher showed some photos of the construction (A copy of the PowerPoint presentation is included in the official meeting file.) Gallagher said he had contacted the City Attorney several times. He had been directed to absolutely no legal authority nor had he been told what to do in order to receive a permit. The garage had been constructed according to code, and there was nothing in the code to preclude the bathroom. The upstairs bathroom was not in the original permit, but they were trying to rectify that. Gallagher noted that John Wieland Homes & Neighborhoods had upstairs bathrooms (full baths) in the detached garages in Centennial. He and his client had tried to deal with the Building Department and with the City Attorney. It was a reasonable request to run the plumbing upstairs for a bathroom, when a bathroom was approved downstairs. He saw no reason or no basis for denying the permit.

Building Official Tom Carty told Council that the inspectors had inspected the structure, and he had spoken to Gallagher. It was not a zoning debate. The concern with this garage was structural. Carty continued that he had spoken with the builder regarding the details. The garage was a very nice structure with a 12½-foot ceiling, which was where the structural elements became a problem. The general framing needed to be different. Carty said he and the builder were aware of the details. The narrow walls, even though it was a steel structure, would not take a horizontal load. The code had changed regarding how high a building could go with a narrow wall. There was nothing in the code to allow occupancy above this level. The garage could be built. The builder was aware of the detail in the code provided by his inspectors. He agreed with his inspectors. Carty said it was the City's position not to recommend occupancy, and the City was obligated to protect the occupant. There was nothing wrong with the staircase on the outside, but there was something wrong with someone being on the second floor in the shower.

Logsdon asked if someone was going to live over the garage. Gallagher said no one was going to live there. The structure was not intended for occupancy; it was a space to store and work on antique car parts. He said if that information had been shared there would have been no reason to come before Council. He said the information Carty had just provided was contrary to the information he had provided to them. In a letter to Pfeifer Building Company dated October 26, 2006, Gallagher said that Carty noted a problem with the two by fours on 16-inch centers and asked that be corrected to two by fours on eight-inch center. The walls were not 12½ feet high, but were between 10 and 12 feet high. Gallagher said that the changes had been made after the builder received the information from Carty. The problem with the process was that one set of information was given out, then changes had been required. The changes were made, and now it was something else. He apologized for not being correctly permitted in the beginning, but they were trying to correct that. The builder had done everything that was required.

Carty said that Gallagher was not privy to all the information given to the builder. He had been working with the builder with the understanding that it would be as permitted – a one-story building with attic access. Once it changed from a one-story building to putting in a bathroom, putting in electrical service, and calling it a story, it became a habitable space. Carty said he was obligated to turn it down, and he could not approve it as a one-story building. If the construction went back to one-story with attic storage, then the permit would be approved. Other things had to be done before the frame inspection was approved, but they were details he could work out with the builder. Carty said he had no problem with heated storage. He would have no problem with the bathroom if it were built at a level staff could work with in the code.

Boone asked if the exterior stairs violated the code. Carty said they were fine.

Kourajian asked about the discrepancy in height. Carty said it was 12½ feet and Gallagher said it was 10-12 feet. Gallagher said that even the code allowed the two by fours on eight-inch centers until the height was 14 feet. He said that, by definition, the upstairs was not living space. According to Section 908.1(n) of the zoning Ordinance, a living space had to include, at a minimum, a bathroom, kitchen facilities, and a bedroom. Gallagher said he brought that up to Carty, who told him that was true, but someone could plug in a hot plate and make a kitchen facility. Gallagher said that was not a reasonable response. Boone asked if a kitchen and living quarters were planned in the future. Gallagher said absolutely not. If that were to happen, there would be another ordinance to cover that. Gallagher said he and Carty had discussed capping the plumbing as it stood and putting flooring or carpeting over it, then addressing it later.

Carty said his concern was the storage space becoming a floor that would allow people to be up there. He continued that Wieland built the attic spaces in Centennial as bonus rooms. This structure was built as a one-story building with an attic. He said they could debate the zoning issues, but not the structural issues. He could not approve the structure as anything else due to the narrow walls. The narrow walls would never get approved for a two-story structure. In order to be two stories, an engineer would have to change the entire structure around.

Plunkett asked if a two-story structure was allowed in the zoning. Carty said it was since it was not in the setback. Kourajian clarified that the difference between this structure and the Wieland structure were the narrow walls. Carty said the structural elements exceeded the allowable codes and included the narrow walls and the structure itself.

Logsdon clarified that he understood the structure would be approved if the bathroom were not upstairs. Carty said that once he and the builder had gone through the routine inspections and final frame, he would have approved it. He said they were at that point, but could not close up the frame until certain steps had taken place.

Plunkett noted that a bathroom was plumbed into the main floor, also. Gallagher confirmed this. Gallagher said the reason for the upstairs bathroom was because it would be cost prohibitive to add it later. It was cheaper and easier to put in at this point. He said one minute the structure supported it, and the next minute it did not. He said it either would or would not. Plunkett noted that it took more support for a bathroom than storage.

Kourajian asked if the upstairs would be used as a work area. It sounded like the area was to be used for more than storage. Gallagher said the area was for the purpose of storage. It was not a living space. The work would be type of work done in a garage. Thus far, he had been shown no authority that precluded the structure from having a bathroom upstairs. If anything else needed to be done, they would agree to it now.

Boone asked Carty if it would work if the builder went to two by sixes and vertical bracing on the doors. Carty said they would probably have to lower the structure, since it exceeded the allowable height according to the code. He reiterated it was not a zoning issue; it was a matter of building a second story versus an attic. They were built differently, then it got into the details of framing.

Kourajian asked why the wall height varied. Duey Pfeifer, the builder, explained that there was a foundation wall around some of the perimeter, which was the reason for the fluctuation. Plunkett asked why the bathroom could not go over an area with the shorter walls. Pfeifer showed the location on the photos and said the wall height was less in that area. Carty said they were not talking about the vertical load. It had to do with racking of the building with wind loads and narrow walls that exceeded the building code heights. Pfeifer asked if, from the code's point of view, it made any difference that the steel beams were anchored in concrete. Carty said he was not talking about the steel. Pfeifer said if that steel was not going anywhere, then why would the building collapse side to side. Carty said the opposite walls were the load-bearing walls.

Kourajian asked if just a toilet could be put in. Carty said no bathroom should go in. If Council approved a bathroom, a future homeowner would think it was fine to use as a living space.

Meeker said the distinction was that this was not a zoning issue, but a building code issue. It was Carty's job to explain why permits were denied.

Logsdon suggested forgetting the bathroom since it was not essential. Gallagher said that had been discussed. He asked Carty to say why the bathroom was denied, then he would explain it to Van't Hof. It was about the principle. The homeowner and builder should have permitted the structure correctly in the beginning. It appeared the City was tired of builders building something and asking forgiveness. They had been originally told the bathroom was not allowed because of zoning, then it was changed to a building code issue.

Kourajian asked what constituted a kitchen facility, and whether it was a microwave and a sink with running water. Gallagher said the state required that a bonus room have a closet to be considered living quarters. There was no closet and there would not be an electrical set-up for appliances.

City Manager Bernard McMullen said there needed to be some clarification. The zoning ordinance provided a definition for what classified a space as living quarters. That was not what was being discussed. The distinction was between a structure that just had a roof and a structure that had a floor and a roof. Carty said that, if the bathroom was out, then it was considered as storage. He said Carty was being generous. The exterior stairwell and the finished floor made it a floor instead of storage space in his opinion. McMullen said it had nothing to do with a bedroom and a kitchen. It was strictly a structural issue. Gallagher said they were not disputing the floor. The framing was approved with a floor. Kourajian said that had not been disputed. Carty had approved the floor.

Kourajian asked Carty what they could do to have a bathroom. Carty said they would need to change the entire structure.

Van't Hof said the history on the project went way back. He said that, when he first asked about the bathroom, Carty told him he could not do it per the code. Van't Hof talked to the builder, who told him that was probably correct. Van't Hof decided to do some research and found that was not true in the ordinances. He went back to Carty and asked him to provide him with the information since the structure was built with enough support for an upstairs area. Van't Hof said it was approximately three weeks later when Carty gave him a copy of the information. After that, he went out on his own and found other homes that had done what he was asking for. Van't Hof said he went to Carty and asked him why he could not have a bathroom in the storage area. Carty told Van't Hof he could not have one because he, the building official, said so. He continued that Carty told him he did not care if he put in a pool table and had all his friends up there, but he could not have a bathroom. Van't Hof said it was not a structural problem to him if a slate pool table could go in the storage area. Each beam could support 61,000 pounds. The walls took over from the beams. They were working off the right codes. There had been a building mistake with the location of a wall, which had been corrected. He said he understood the issue that people could live there if a bathroom went in. He might consider putting in a sofa and a television, and he would want to be able to go to the bathroom without having to go outside. He said he did not understand the structural issues.

Logsdon asked Van't Hof what he was asking for. Gallagher said they were asking for an amended permit.

Meeker said he read the request as an appeal of Carty's decision. Gallagher said it was an appeal of Carty's decision not to give an amended permit. Meeker said Council could either uphold the decision, or reverse the decision. Carty added that his inspectors wrote the stop work order before the other discussions were held. It was strictly a framing issue between the Building Department and the builder. The permit had been issued; the project was on a stop work order.

Carty continued that he had only spoken with Gallagher on the phone, and he had been to Carty's office to look over any of the paperwork. Gallagher said that, during their conversations, he made it clear that his advice to his client was to cap the plumbing and put flooring or carpet over it. He said Carty had expressly assured him that the other concerns addressed by the stop work order had been

addressed by the builder. Carty also told him that the only issue was whether or not a bathroom could be built in the storage area.

Plunkett said there was not a process to appeal a stop work order, only for a permit denial. Meeker said it was proper since, in essence, a denial had been issued and this process was necessary to move forward. Carty said that, based on their last conversation, Gallagher understood it was a framing issue. He had been dealing with the builder. Boone said it seemed it was a matter of working things out with Carty and the builder. Plunkett said if they came to loggerheads, then this was the proper arena. Meeker said approval of the framing had been denied.

Pfeifer said that the stop work was on the initial permit. He had gone back with a subsequent plan involving the stairway and upstairs space that was approved. The approval was based on the plumbing coming out. When Van't Hof decided to research the bathroom issue, there was an impasse. Nothing had been done on the structure since. Boone suggested to Van't Hof that he take out the bathroom and move on. Van't Hof said that would be fine, but there were bathrooms in other places. The bathroom was allowed by ordinance. It had not been on the original permit document because he was told he could not do it, then he did his own research.

Carty said that the structure had failed the framing inspection. The garage became a two-story structure if the bathroom was in the storage space. The building was not structurally sound for two stories. The downstairs bathroom would be fine. The area had to be returned to an attic, then it would be approved.

Kourajian said that, when it came to safety, he had to listen to staff. He moved to deny the appeal for the stop work. Boone seconded.

Gallagher asked that, if the denial was Council's decision, they direct Carty to provide information on what to do in order to put a bathroom in the storage area and pass inspection. Kourajian agreed with Gallagher. Carty said he had already given the builder a letter with the code references and details in it.

The motion carried unanimously.

02-07-05 Consider Peachtree City Travel Baseball Presentation

Logsdon noted there were two additional documents on the dais – an interoffice memo from Leisure Services Director Randy Gaddo to Mayor and Council dated February 13, 2007, with the subject, "Request to Remand Item 02-07-06 to Staff and/or Recreation Commission" and a letter dated February 15, 2007, from Linda North, the district administrator for Little League Baseball in the South Metro Area.

Matt Trebuchon addressed Council. He noted that his organization was recognized as a youth baseball association by the Peachtree City Parks and Recreation Department. He said they had worked with the City during the last two weeks, but had been unable to work out any resolution. (A copy of the PowerPoint is included in the official meeting file.) He went over the local options for players, which included the Peachtree City Little League, Peachtree City Travel Baseball (PTB), Fayette County Baseball, Tyrone Baseball, private organizations such as the Dugout Club and Home Plate, and out of town (Chain Baseball Academy and East Cobb) programs.

Trebuchon continued that the issues included just and equitable use of the City-owned facilities, specifically practice and game scheduling at the Baseball Soccer Complex (BSC) and the Recreation Department and City's understanding of the positive economic impact PTB had on the local community. The goals included just and equitable scheduling of practices and games at the BSC, just and equitable treatment and respect from the Recreation Department currently and in the future to avoid similar issues, and to continue to make the City a premier national location for baseball and to continually attract visitors and generate the positive economic impact that accompanied it.

Trebuchon gave a summary of the chain of events for the two weeks prior to this meeting. He noted that PTC presented a two-minute briefing during the Public Comment section at the February 1 Council meeting. On February 2, PTB was contacted by a staff member who asked about the situation. On February 6, a staff member sent an e-mail asking the quantity of PTB teams for the scheduling meeting on February 7. The PTB sent an e-mail back to the staff member with the information. Later that day, Trebuchon said he sent another e-mail to the staff member offering his services to attend and help with the scheduling meeting. The staff member replied via e-mail and thanked him and said he might be brought in soon. On February 7, Trebuchon received a call from the staff member who asked him to attend the scheduling meeting that afternoon. Trebuchon attended the meeting and was given a copy of the "Completed Practice Schedule for BSC." Later in the meeting, it was disclosed that the coaches of one PTCLL age division had already seen the schedule and selected practice times. Trebuchon said PTCLL was able to choose practice slots before PTB was allowed to view the schedule.

Trebuchon presented statistics from 2004-2007 that showed the percentage of athlete registrations of PTCLL and PTB. This year, PTB had 21% of the players and PTCLL had 79%. PTB had 17% of the association teams, and PTCLL had 83%. PTCLL teams averaged two or three practices a week at the BSC, while PTB had one-half of practice a week. PTCLL had 96% of the assigned practices compared to PTB's 4% of practices. Trebuchon said the game assignments in 2006 for times other than holidays when the PTCLL did not play (excluding Challenger) included PTB, 0%; Columbus, 1%; South Coweta, 1%; Brooks, 5%; Senoia, 6%; and PTCLL, 87%.

Trebuchon noted the positive economic impact of the tournaments sponsored by PTB. In 2005, PTB hosted three tournaments, which included 262 teams (103 from outside of Georgia). The three tournaments brought in \$2,104,154 in economic impact (2,575 hotel nights and 43,303 meals). In 2006, the PTC hosted four tournaments, which included 451 teams (219 from outside of Georgia) and brought in \$4,176,474 in economic impact. The 2006 tournaments generated 5,475 hotel nights and 82,578 meals.

Trebuchon continued that if PTB had to pay usage fees, then the large tournaments would be in jeopardy. The average 80-team tournament garnered a team entry fee of \$300 for a total of \$24,000. An average of 1,600 spectators paid \$5 each to attend for a total of \$8,000, and approximately \$40 for each of the teams was spent on the concession sales for \$3,200. The expenses for the tournaments included umpiring fees of \$80 each for 210 games (\$16,000), 65 dozen baseballs at \$36 per dozen (\$2,340), 10 sets of awards/trophies at \$320 each (\$3,200), sanction fees at \$30 per team (\$2,400), tournament insurance at \$7 per team (\$560), trash dumpster (\$300), cleaning supplies (\$100), and miscellaneous office supplies (\$200) for a subtotal of \$9,300. Out of the \$9,300, PTB paid the present Recreation Department usage fee of 10% (\$930) for a net

revenue of \$8,370. The four-team split was \$2,094 to help finance their seasons. The 12-year old teams played in a tournament in Cooperstown, N.Y., each year, and the money helped finance those trips. The proposed fee structure was \$50 for day games (178 games at a cost of \$8,900) and \$65 for night games (32 games at a cost of \$2,080). There would be a net loss of \$1,680. Trebuchon continued that, if there was no fundraising reward, then the 40-plus people needed as staff to run the tournaments would not volunteer.

Trebuchon questioned the fee structure and asked why local associations were charged to use the facilities. He said if 10% of the profit was not enough, then maybe a larger percentage or a five-way split with the Recreation Department should be considered. He said it was ludicrous to charge a local association \$10,000 for weekend use of the fields.

Trebuchon referred to a March 28, 2002, Recreation Department memo to the youth organizations on a meeting planned to help the associations learn how to attract large tournaments. He noted that if the new fees were imposed large tournaments were in jeopardy. The result would be \$4,176,474 or more not being spent in the City.

Trebuchon read the following paragraph from the Youth Sports Association facility agreement which was the criteria used to allow youth associations to hold tournaments above and beyond their regular season:

The City will incur the cost of lighting the fields for any of the Peachtree City Youth Association's tournaments with the stipulation that all funds generated at these tournaments be reinvested either to maintain fields, to keep the cost of the registration down or to provide scholarships to needy children.

Trebuchon explained that PTB teams did not play a traditional local game schedule like PTCLL. PTB teams played in weekend tournaments throughout the season. The quantity of tournaments a team played in was left up to the discretion of the individual teams, but they must play in the PTB tournaments. Trebuchon said that, since the tournaments were their regular season, there should be no usage fees.

Trebuchon noted that this was an urgent, time sensitive matter and asked Council to get involved with the issues. He said the policy should change if that was the issue. He asked Council to help the children strive for and attain their goals by allowing them to run profitable tournaments to support their season. He also noted the \$4.1 million positive economic impact that flowed into the community. He asked for supervisory oversight in search of just and equitable treatment by and from the Recreation Department.

Logsdon asked Gaddo for his comments. Gaddo said he agreed with a lot of what Trebuchon had said. The issue had been forming for a few years. He noted that when PTB started most of the players came from outside the City, and they used the fields located at Riley at the time. PTB was told they needed to up the percentage of local players, which they had done over the years. He agreed they needed to look at the field usage policy. Gaddo asked Council to remand the issue to staff. Boone said that what needed to be done. He said he liked the economic impact numbers. Gaddo said he would like to see how those numbers were derived. Trebuchon said he would give him the information. Gaddo said that, for the short-term issues, they needed to straighten out the

season so it was not interrupted. He told Trebuchon he would call him the next day to set up a meeting. Trebuchon said he understood that the Recreation Department had a budget that was strapped for every dime. PTB did not mind helping out by putting more into the account, but they could not put the league into the negative. Gaddo said he understood, and that PTB was not the only association with issues regarding the fees.

Plunkett noted that the Recreation Commission met February 26. She suggested Trebuchon talk to them. Gaddo said he wanted to try to work the issues out at the staff level first. Trebuchon said the February 26 meeting would be too late as far the schedule. That issue had to be dealt with before the weekend. Gaddo agreed. Plunkett said she wanted a report by the March 15 meeting. McMullen said there should be an update at the March 1 meeting.

Kourajian asked about the fields at the Braelinn complex. Gaddo said PTB had complete use of those fields for practice, but the fields were not lit so the issue was how long they could practice, at least until daylight savings time started. Trebuchon added that PTCLL was using one of the fields and had asked to use two more, so it was a stretch to say PTB had complete use of the Braelinn fields. They could now only use the fields on the weekends on a first-come, first-served basis. Kourajian asked for a soft copy of the presentation.

Plunkett asked Gaddo to run the numbers from the tournaments by the Tourism Association. If the tournaments were a viable tourism opportunity, then they should work together to ensure the fees did not take away from the tourism opportunity. Gaddo agreed. He had recently attended a meeting about that with the Tourism Association and the hotel managers.

Gaddo noted that Council had approved the usage fees. He said that Trebuchon had indicated that two of their teams went to the Little League World Series in Cooperstown, N.Y., every year. He said that did not fit with the intent of the supplementary program. It did not seem fair to benefit two teams and not the whole program. He said PTB had a totally different structure than PTCLL, and he had not understood that until he saw the presentation.

Trebuchon explained that the Cooperstown trip started before he joined PTB. He said that a 12-years old only tournament was held annually with 96 teams from all over the world participating. PTB had secured a certificate to allow a team to participate every year. As long as the chain was not broken, PTB could send a team. He said they were doing it for the children of the City.

02-07-07 Presentation of 2007 Peachtree City Transportation Plan

City Engineer Dave Borkowski addressed Council. He said staff was not requesting a vote on the plan. It was a tool to use in the budgeting and planning process.

Borkowski gave a brief Traffic 101 lesson. He explained that functional classification was basically how a road functioned. The Level of Service (LOS) told how well the road functioned. The range was from LOS A (excellent) to LOS F (failing). He continued that the Transportation Plan had been prepared by City's transportation consultant, QK4. At this point, that meant that traffic counts had been compiled, the analysis of the LOS at various intersections had been completed, growth rates have been estimated, current traffic conditions had been evaluated, and future needs had been identified.

A review of the Functional Classification of the road network had been completed. The summary of the existing conditions showed that traffic volumes in the entire SR 74 and SR 54 corridors had increased significantly. The SR 54/SR 74 intersection was severely congested during both the morning and evening peak hours. Money was included in the 2009 Transportation Improvement Plan (TIP) for design of intersection improvements. There had been very little traffic growth on the east side of the City.

The existing LOS at the following intersections:

SR 74 @	<u>LOS-am</u>	<u>LOS-pm</u>
Georgian Park (WB approach)	F	F
North Kedron Drive	C	C
South Kedron Drive (WB approach)	F	F
Peachtree Parkway	C	C
SR 54	F	E
Crosstown Drive /TDK Boulevard	C	D
Rockaway Road	F	F
SR 54 @	<u>LOS-am</u>	<u>LOS-pm</u>
MacDuff Parkway	C	C
Huddleston Road	B	C
Peachtree Parkway	B	B
Robinson Road	D	C
Walt Banks Road	C	C
Peachtree Parkway @		
Georgian Park (NB approach)	D	D
Crosstown Drive	B	C
Walt Banks Road	C	C

As surrounding areas continued to grow, traffic was expected to increase in the City. The growth projections were made based on the Atlanta Regional Commission's (ARC's) model. Traffic on the entire length of SR 74 was expected to increase 4.5%; SR 54 Line Creek to Peachtree Parkway, 4.5%; Crosstown Drive/TDK Blvd., 4.5%; Huddleston Road between Paschall Road and SR 54, 3.5%; Dividend Drive between Kelly Green and TDK Boulevard, 3.5%; SR 54 east of Peachtree Parkway, 2%; Robinson Road (entire length), 2%; North Peachtree Parkway, 1%; South Peachtree Parkway, 1%; and all other collectors, 1%.

Borkowski said there were currently several projects in the planning and development stages during the next nine-year (2006 -2015) planning period. The state route system projects included SR 54 landscape enhancements, Phase IV, streetscape; SR 54 bridge, gateway, multi-use path; SR 74 (Joel Cowan Parkway), Segment 1 (south of Crosstown Drive to SR 54), widening; SR 74 (Joel Cowan Parkway), Segment 2 (SR 85 to south of Crosstown Drive), widening; SR 54/Stevens Entry, traffic signal; SR 74/Wisdom Road, traffic signal; and SR 74 (Joel Cowan Parkway) grade separation at SR 54, intersection improvements. The City street system improvements included Peachtree Parkway/Crosstown Drive, intersection improvements; Huddleston Road/Dividend Drive at Paschall Road, intersection improvements; Peachtree Parkway/Walt Banks Road, intersection improvements; Peachtree Parkway/Braelinn Road, turn lanes; TDK Boulevard/Dividend Drive, turn lanes; Crosstown/Robinson, intersection improvements; Peachtree Parkway North – Loring Lane

and Tinsley Mill Road, turn lanes; Redwine Road/Robinson Road, intersection improvements, Park Place Drive extension, new road; MacDuff Parkway, streetscape; TDK Boulevard Extension between Dividend Drive and McIntosh Trail in Coweta County, new road; MacDuff Parkway, Phase 1 extension to Kedron Drive, new road; SR 74 interparcel connection, Gillroy's to Avery Dennison, road to be constructed on east side of SR 74, new road; and SR 74 interparcel connection, Sierra Drive to Dividend Drive, road to be constructed on west side of SR 74, new road.

The LOS for 2015 with the program projects completed included the following:

SR 74 @	<u>LOS-am</u>	<u>LOS-pm</u>
Georgian Park	C	B
North Kedron Drive	C	C
South Kedron (Stop Sign)	F	F
South Kedron (Signalized)	C	C
Peachtree Parkway	C	C
SR 54	D	D
SR 74 @	<u>LOS-am</u>	<u>LOS-pm</u>
Crosstown Drive/TDK Boulevard	C	D
Rockaway Road	C	C
SR 54 @		
MacDuff Parkway	C	D
Huddleston Road	C	C
Peachtree Parkway	C	C
Robinson Road (Existing)	E	F
Robinson Road (Improved)	D	D
Walt Banks Road	D	D
Peachtree Parkway		
Georgian Park (Signalized)	B	B
Crosstown Drive	C	B
Walt Banks Road	C	C

Based on future conditions and LOS in 2015, additional projects might be warranted.

The proposed new improvements from 2005 to 2015 included SR 74/South Kedron Drive, traffic signal; SR 54/Robinson Road, intersection improvements; TDK Boulevard/Dividend Drive, traffic signal; MacDuff Parkway, Phase II, new road; and Georgian Park/Peachtree Parkway, traffic signal.

Programmed projects for 2015 to 2025 included SR 74 (Joel Cowan Parkway) grade separation at SR 54, intersection improvements; Crosstown Drive between SR 74 and Peachtree Parkway, widening; and Redwine Road extension, new road.

The projected 2025 LOS with the programmed projects included:

SR 74 @	<u>LOS-am</u>	<u>LOS-pm</u>
Georgian Park	C	B
North Kedron Drive	C	C

South Kedron (Signalized)	C	C
Peachtree Parkway	C	C
SR 54	F	F
Crosstown Drive/TDK Boulevard	C	D
Rockaway Road	C	D
SR 54 @		
MacDuff Parkway	D	F
Huddleston Drive	D	D
Peachtree Parkway	D	D
Robinson Road	F	F
Robinson Road (Improved)	D	D
Walt Banks Road	E	E
Walt Banks Road (Improved)	D	D
Peachtree Parkway		
Georgian Park (Signalized)	C	C
Crosstown Drive	C	C
Walt Banks Road	C	C

Additional projects that might be warranted based on future conditions and LOS in 2025 included SR 74/SR 54, intersection improvements; SR 54/Robinson Road, intersection improvements; and SR 54/Walt Banks Road, intersection improvements.

Borkowski summarized that City staff believed that it had an excellent transportation plan that would help guide project prioritization during the budget process. City staff would also be proposing changes to the City ordinances to eliminate errors and inconsistencies between the ordinances and the Transportation Plan.

Kourajian asked when the information would be updated. Borkowski said it was not in the timetable in the immediate future, but probably in the 2009 TIP.

Plunkett noted that traffic was expected to increase on Crosstown Drive/TDK Boulevard by only 4.5 %. She asked if the prediction included the large developments planned in Coweta County. Borkowski said the developments were not included.

Kourajian noted that the LOS at SR 74/SR 54 was still an F. He asked if it included the road improvements on SR 54. Borkowski said it did not include the road widening, but they should wait for the SR 74 improvements to be completed then get new numbers.

Boone asked if the City plan was in line with the County's Transportation Plan. Borkowski said it was, and the projects in the County's plan that were relevant to the City had been included.

02-07-08 Consider Allowing Alcohol at a Tour de Georgia Event at City Hall Plaza

Public Information Officer/Deputy City Clerk Betsy Tyler told Council that the Tour de Georgia would start April 16 at City Hall. There was a local organizing committee working on a number of events that would start the Friday prior to the race and go through the day of the race. One of the events would be a VIP reception that the committee would like to hold at the City Hall Plaza at the race start. Tyler said they would like to serve alcohol to the invited attendees at the event. She

continued that they checked with Meeker, who said the Plaza and Council Chambers did not fall under the City ordinance prohibiting alcohol in the parks. In the event of inclement weather, the reception would move into Council Chambers.

Lauren Yawn, executive director of the Peachtree City Tourism Association (PCTA), said that in addition to the reception, there would be a Breakaway benefit at the first concert at the Amphitheater on April 14. The benefit included the raffle of a Lexus, and the proceeds would be given to the Georgia Cancer Coalition. The Tour de Georgia did not have an automobile company as the title sponsor this year, so the Georgia Department of Economic Development and the Georgia Cancer Coalition were the main contributors. The Athlete Planning Dinner would be held on Sunday at the Wyndham with local dignitaries attending. The race started Monday. Kourajian clarified that they were asking for the ability to serve a glass of wine at the reception. Tyler said that was correct. Meeker noted that the only alcohol prohibition in the ordinances applied to City parks. Since they wanted to serve alcohol at the events, Council was the proper venue to address the issue. Tyler added there was a City policy regarding use of the Plaza for events, which allowed alcohol if Council approved it.

Kourajian moved to allow alcohol at the City Hall Plaza and in Council Chambers during a Tour de Georgia event. Plunkett seconded. The motion carried unanimously.

02-07-09 Consider Waiving Golf Cart Registration Requirements for the Tour de Georgia

Tyler said this request was also related to the Tour de Georgia. The riders had commented that they enjoyed seeing the golf carts lining the streets as they rode through the City in the past. She continued that they were promoting people having their carts along the tour route; however, it was Fayette County hosting the overall start, and Tyrone and Fayetteville residents also had golf carts.

Kourajian asked if there would be any liability in allowing the unregistered carts. Meeker said no.

Plunkett moved to allow the golf cart registration requirement to be lifted beginning on Friday, April 13, through the end of the race on Monday, April 16. Boone seconded. Plunkett amended her motion to include Thursday, April 12, since some of the athletes would arrive on Thursday. Boone seconded the amendment. The motion carried unanimously.

02-07-09 Consider Brand Name Purchase – Firehouse Software Mobile EMS

Assistant Fire Marshal Dave Williamson addressed Council. Staff recommended the purchase of the Firehouse Mobile EMS software at a total cost of \$5,800 and a budget adjustment from the EMS small tools and equipment account to the EMS computer supplies account for this amount. The software would enhance EMS data collection, streamline operations, and cut down on the turnaround time at the hospital.

Boone moved to approve the brand name purchase of the Firehouse Mobile EMS software. Plunkett seconded.

Kourajian asked where the funds would come from for the unbudgeted software. Williams said that it would come out of the EMS small tools and equipment account and be transferred to EMS computer supplies. Kourajian asked if they could take that much out. Williamson said there was an

item for stair chairs, and staff had decided they could wait one additional budget year to replace the stair chairs since they were not in as bad a condition as they thought and had been maintained better.

Boone amended his motion to include that no more than \$5,800 be spent. Plunkett seconded the amendment. The motion carried unanimously.

02-07-10 Consider Brand Name Purchase – FY 2007 Preplan Software Purchase

Captain Ron Mundy said staff recommended the sole source and brand name purchase of the REMOTE ACCESS preplan software and implementation services from Group 1 Solutions, Inc., in Suwanee at an amount not to exceed \$108,000. Two programs were evaluated on their ability to incorporate the data and the digitized drawings of structures and properties in the area to be viewed in the office and as needed in field vehicles. The ACS Firehouse Mobile Preplan software had been deemed inadequate. Staff had been unable to locate any other preplanning software with the abilities of REMOTE ACCESS. REMOTE ACCESS would enhance operational effectiveness, and it had been selected for use by the Georgia Mutual Aid Group and several other metro Atlanta departments as the standard for preplan software. In 2004, Gwinnett County sent out a proposal to over 50 software development and conversion organizations. Gwinnett's specifications were similar to Peachtree City's. Group 1 Solutions was the only firm supplying a proposal and was selected by Gwinnett County.

The Fire Department had worked in concert with the IT department, and IT had reviewed the technical requirements and functionality of the software and supported its use in the City's environment. The plan was to implement the program with up to 210 of the City's highest priority properties. The budgetary impact was \$108,000, which was identified in the Public Improvement Program. Financial Services Director Paul Salvatore said the software had been pegged in the PIP for multi-year funding at a cost of \$24,546 in debt service for five years. Additional buildings would be added during the five years.

Boone asked if just major businesses would be on the list. Mundy said they were the highest priorities based on high hazard content or occupancy, such as the schools. Boone asked if it had been tested in Gwinnett County. Mundy said that REMOTE ACCESS had been the only software that met Gwinnett's needs. Kourajian asked if others were using it. Mundy said several were. The software also gave the City the capability to communicate with the Georgia Mutual Aid Group in event of an emergency that required input from adjoining agencies.

Kourajian asked why only up to 210 buildings were included. Mundy said that was all they had money for now. Additional money was included to use consultants if the City did not have the resources to complete it or the resources were not readily available. Kourajian asked if the 210 could grow. Mundy said the number would grow over time. McMullen added that it was the estimate right now. Out of the \$108,000, \$42,000 was for preplanning and site support. The estimate was that the most the City could do for that price was 210 buildings.

Boone moved to accept the sole source purchase of REMOTE ACCESS preplan software and the implementation service of Group 1 Solutions in Suwanee in an amount not to exceed \$108,000. Kourajian seconded.

Kourajian asked the timeline for implementation. Mundy said they hoped to begin the process and get in the books within 45 days.

The motion carried unanimously.

Council/Staff Topics

Discussion on Hotel/Motel Tax Revenue and Permit Revenue

Logsdon noted there was an additional document on the dais – a spreadsheet entitled “Building Department Permit Fees Analysis.” Salvatore noted that there had been a question as to why the permit revenue was down at the last meeting. He reviewed the hotel/motel tax and permit revenues for Council. He said permits were down, which was not unusual considering the City was reaching buildout. He said the largest drop in permit revenue was in commercial buildings. The same number of permits were issued, but the permits were based on square footage. The permits year-to-date had been for smaller buildings. Building fees were the second largest drop, which was a reflection of the residential activity going on. Those were the two main categories, and they tallied up to \$77,000. Salvatore anticipated there would be a revenue shortfall for the year in this category, but it was difficult to anticipate how much it would be. Kourajian said that it was down by one-third. Salvatore said they had budgeted flat on building permit revenue. In prior years, they had budgeted a 5% decrease, but the revenue had continued to go up. A decision was made to budget at 0%, and this year it was down. Plunkett asked what was being done about the shortfall. Salvatore said the trend could continue, or it might pick up. Plunkett said if it continued they should look at the budget and decide where it would be made up. Salvatore said there would be a mid-year finance review at Council Retreat, and they would look at the whole picture. Overall through January, revenues were at 102%.

Salvatore continued with the hotel/motel tax. He spoke with Bill Bexley of the PCTA, who told him that the tax was down statewide. The surge last year was due to the Hurricane Katrina evacuees. The Days Inn had also closed, which accounted for approximately \$33,000. He was hoping the other hotels would pick that up. One of the conference centers had also closed for a few weeks, so those numbers were down. He had spoken to the management at that conference center, and the numbers were good for January. The revenue should improve.

Kourajian asked for an update on the Flat Creek and CSX multi-use bridges. McMullen said a letter was received that day from the Corps of Engineers, and the national permit for the perpendicular stream crossing had been denied. Borkowski had spoken to Ecological Solutions, the consultant that coordinated the permit, who would speak with the Corps of Engineers to find out what was going on.

McMullen continued that Moreland Altobelli had submitted a revised category of exclusion for the bridge over the CSX railroad tracks in early January. They had not heard back yet. DOT had a policy where they would not accept plans until the plans had received the categorical exclusion. That policy had changed so the City could submit the plans, which would be done as soon as the revised plans were ready. Logsdon asked for a best guess for completion. McMullen said he would not want to say when it would be done.

McMullen said there had been a large turn-out for the February 13 workshop on the lake buffers. Staff went over the proposed changes and asked for feedback. Staff would revisit the comments

and make revisions. There would be one more workshop before coming back to Council with a final recommendation. The residents had asked that staff have the County look at the proposed changes, too, and get some initial feedback from them.

McMullen continued that the MacDuff Parkway landscape bids had come in that day. Eight bids were received, and two would be disqualified. The bid approval should be on the March 1 agenda.

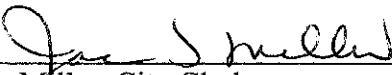
Boone moved to convene in executive session for threatened or pending litigation and a personnel issue. Plunkett seconded. The motion carried unanimously.

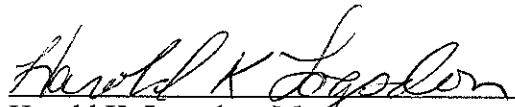
Kourajian moved to reconvene in regular session. Plunkett seconded. The motion carried unanimously.

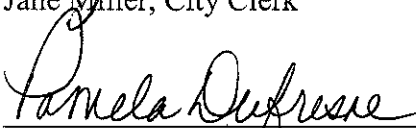
Plunkett moved to authorize the City Attorney to resolve the Cahill Connor case for the amount discussed in executive session. Boone seconded. The motion carried unanimously.

Plunkett moved to approve the agreement with Chief Lohr. Kourajian seconded. The motion carried unanimously.

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


Jane Miller, City Clerk


Harold K. Logsdon, Mayor


Pamela Dufresne, Recording Secretary