City Council of Peachtree City
Meeting Minutes
February 7, 2013
7:00 p.m.

The Mayor and City Council of the City of Peachtree City met in regular session on Thursday, February 7, 2013. Mayor Haddix called the meeting to order at 7:00 p.m. Other Council Members in attendance: George Dienhart, Vanessa Fleisch, Eric Imker, and Kim Learnard.

Announcements, Awards, Special Recognition
Mayor Haddix recognized the McIntosh High School Boys Cross Country Team for winning the state AAAAA championship. Steve McCook and Gary Meier from the Police Department and Mike Hunnicutt form the Fire Department were recognized for 15 years of service to the City.

Presentation on Fayette Care Clinic – Sheryl Watford, Executive Director
Watford gave a brief presentation on the Fayette Care Clinic, which served uninsured residents of Fayette County. The facility was located at 1620 Highway 54, across from Piedmont Fayette Hospital. Watford noted that 27% of the clinic's patients came from Peachtree City. In 2012, the clinic had 1,736 visits, valued at $410,258, with expenses less than $250,000. Community Partners included Fayette Community Hospital, OutPatient Imaging (OPI), Ankle & Foot Centers of Georgia, Georgia Charitable Care Network, Georgia Lions Lighthouse, Fayette County Chamber of Commerce, Central Education Center, and the future Fayette Career Academy. The Collaborative Partners included Fayette FACTOR, the Real Life Center, Fayette County Health Department, McIntosh Trail Community Service Board, Fayette Counseling Center, and Promise Place. Watford explained the collaborative partners helped to prevent duplication of services and ensuring patients received the referrals they needed. Watford also discussed the impact of the Healthcare Reform Act on clinic services.

Public Comment
Mike Harman, chair of the Peachtree City Water & Sewerage Authority (WASA), addressed Council. Haddix noted that Harman should have been on the agenda, but his request came after the deadline. Haddix suspended the two-minute time limit. Harman referred to the recent refinancing the WASA bond with the City's backing, pointing out the $3 million had been saved over the life of the bond. The amount financed had been reduced from $29.5 million to $28.6 million.

Harman said he wanted to set the record straight on some things. The bond savings equaled approximately $220,000 annually. Everyone was aware of the rate increase that took place a few years ago, and the savings on the bond refinancing might allow WASA to reduce the rates. WASA had an internal commitment to look at revenues every two years. Revenues were doing well now; however, Harman did not promise a rate reduction would take place.

Harman continued that WASA was a 24-hour a day operation serving 10,523 customers, the majority of which were residential. Most of the customers had a rate increase of $20 per month. Ten years ago, WASA served approximately 10,200 customers, so the numbers had not increased significantly. The two facilities had a total capacity of six million gallons per day, and the current average was 3.2 million gallons per day, or about half-capacity. The reasons for that included reduced growth, the drought, and the use of low-flow and low-consumption toilets and appliances. Across the country, every sewer operation had been reporting revenues down by 15 – 20%.

WASA and its employees were active in several organizations and had been recognized at the state and local levels. It also had an AA- credit rating, which recognized excellent financial performance. The financial audits had been spotless for the last five years. There had been three accidental discharges in the last five years.

The North Georgia Metropolitan Water Planning District (NGMWPD) audit of WASA had been spotless, Harman reported, but one of the audit points was that WASA needed to commit resources to informing the public about its operation. Harman noted there had been comments at the January 10 Council meeting regarding the money spent on public relations and that had been an effort to make people forget about the past. In 2011, WASA spent $35,000 on their website. In 2012, WASA spent $40,000 on sending out newsletters and holding public events, including tours of its facilities. Harman said that money was not spent to make the public forget about rates, but to keep people informed. WASA had also received the same direction from Council Members who had attended WASA meetings.

Harman referred to the comments made about Tim Meredith, a WASA board member who had been recommended for re-appointment by the Selection Committee. He said it had not been fair or appropriate to make derogatory comments about Meredith in a public meeting when Meredith was not in attendance and when no one had contacted Meredith about the issues. Harman continued that most of the comments had been wrong, adding WASA had never voted to cost the taxpayers more money, but had voted to save them $2 million.

Harman said some of the issues between the WASA and the City were due to misinformation printed in a local paper. He continued that no one ever said they wanted to proceed with the bond financing without Council's approval or backing. As soon as the article appeared in the newspaper, Harman said he tried to contact Council, and three had not responded to him by either phone or e-mail.

WASA was a non-profit business run as a business, and Harman urged everyone to attend the meetings. Harman said the reason for the rate increase was the cost to clean the water had stayed neutral while revenues had decreased. When the City of Senoia had asked the City to consider extending sewer outside the City limits, it would have been a cash windfall. Harman said that, instead of taking an aggressive tone against WASA, Council needed to accept some of the responsibility by deciding not to expand the system. Harmon asked why Council had not called a WASA member or the general manager for information.

Harman concluded by saying he felt the need to defend a board member who had faithfully served the City for 10 years. There was no controversy on WASA, and no plans to expand sewer outside the City. WASA wanted to do their work as partners with the City, not to be treated as less than common citizens. He reiterated the Council Members should call Meredith, Phil Mahler, or him. The information they wanted was available, but it was not appropriate to talk the way Council had talked.

<u>Minutes</u>
January 10, 2013, Regular Meeting Minutes
January 30, 2013, Special Called Meeting Minutes
Dienhart referred to a statement on page 3 of the January 10, 2013, regular meeting minutes, asking to have the word "interrupted" changed to "commented." He said Haddix had paused, and that was when Dienhart started his statement, adding he did not interrupt Haddix. Imker said he had no problem making the change.

Haddix said the change was not completely accurate. He had not relinquished the floor when Dienhart began speaking, adding he could accept "misunderstood and injected a comment." He said he was willing to accept wording as it was a misunderstanding.

Dienhart moved to change the statement with the word "Interrupted" to "commented" on page 3 of the January 10, 2013, minutes. Imker seconded. Motion carried 4-1 (Haddix). Haddix asked that his objection to the change be noted in the minutes but the change would stand.

Learnard moved to approve the January 10, 2013, regular meeting minutes as revised. Dienhart seconded. Motion carried unanimously.

Learnard moved to approve the January 30, 2013, special called meeting minutes as written. Dienhart seconded. Motion carried unanimously.

Consent Agenda

1. **Consider Agreement with CVB for Financial and Other Services**
2. **Consider Approval of Residential Solid Waste Franchise Agreement – Dependable Waste**
3. **Consider Dedication of Sewer Easement at Meade Field to Water & Sewerage Authority (WASA)**
4. **Consider Easement Dedication to Atlanta Gas Light for Installation of New Gas Line to Recreation Administration Building**
5. **Consider Temporary Easement – Millar Property, 506 Creekside Way**
6. **Consider Budget Amendment – Fiscal Year 2012**
7. **Consider Budget Amendments – Fiscal Year 2013**
8. **Consider Acceptance of GOHS/GACP Mobile Data Terminal Grant – Police Department**

Haddix noted there were additional documents on the dais – the staff memos for Items 5 and 8. Haddix moved to remove Consent Agenda Item 5 for discussion. Learnard seconded. Motion carried unanimously.

Learnard moved to approve Consent Agenda Items 1 – 4 and 6 – 8. Fleisch seconded. Motion carried unanimously.

5. Consider Temporary Easement – Millar Property, 506 Creekside Way

Fleisch moved to approve the temporary easement for the Millar property, 506 Creekside Way. Learnard seconded. Motion carried 4-0-1(Haddix). Haddix said he abstained from the vote as he had been excluded from the executive session discussions on matter, and it would not be appropriate to vote.

Old Agenda Items

02-12-08 Consider Ordinance Amendment – Service Delivery Review and Local Option Sales Tax Negotiation Panel

Haddix noted there was an additional document on the dais – the staff memo. City Attorney Ted Meeker said the proposed intergovernmental agreement on the allocation of the Local Option Sales Tax (LOST) proceeds for Fayette County and all the qualified cities within the County for the next 10 years was before Council for consideration. The agreement had been reached in the last few weeks after months of inaction on the County's part. The Board of Commissioners changed in January, and the result was an agreement that was acceptable all the parties. Meeker stated there had been a real spirit of cooperation between Fayette County, Fayetteville, Tyrone, and Peachtree City. Steps had also been taken to minimize the impact on Brooks. He asked Council for their approval, noting that the agreement was subject to the approval from all parties. The certificates of distribution that would be attached to the agreement also needed to be signed. In addition, there was a Consent Judgment that would be entered in the pending arbitration case, and he asked Council to give him authority as the City Attorney to sign the Consent Judgment.

Learnard clarified Tyrone and Fayetteville were to approve the agreement at their meetings. Meeker said both were holding meetings at the same time as the City's that night, and it was on both agendas. If everyone approved it, then the agreement would be on the Board of Commissioners' agenda on February 14.

Learnard and Dienhart commended the negotiating panel (Meeker, Financial Services Director Paul Salvatore, and City Manager Jim Pennington) on the job they had done. Dienhart added that the panel had negotiated a fair deal; he also thanked the Board of Commissioners.

Imker said it was important for the citizens to know what the actual financials would meant to the General Fund, noting the split of the Local Option Sales Tax (LOST) was based on population. While the population in the County, Tyrone, and Fayetteville had grown, the City's population had not. The negotiation had been more favorable than Imker had hoped

Financial Services Director Paul Salvatore briefly went over how the distribution worked, noting the new split was 51.5% for the cities (Fayetteville, Peachtree City, Tyrone, and Brooks) and 48.5% for the County. The 1.5% split would be phased in over a five to six-year period. Salvatore said the figures were close to what had been budgeted, which included a shortfall of $162,000. The actual short fall would be approximately $192,000. The delay in implementation worked in the City's favor. Sales had been better over the last year, and a 2.5% increase in LOST was projected. Staff would see if a budget adjustment was needed later in the year.

Fleisch also thanked Meeker, Salvatore, and Pennington for their efforts in helping to keep Tyrone and Fayetteville involved. Meeker said the credit went to the other cities as well.

Learnard moved to approve the intergovernmental agreement for LOST distribution for 2013 – 2022 and to authorize the Mayor to execute the agreement and the certificates of distribution and to authorize the City Attorney to sign the consent judgment on behalf of the City. Fleisch seconded. Motion carried unanimously.

New Agenda Items

02-13-01 Public Hearing – Variance from Floodplain Protection Ordinance – Kroger, Braelinn Village

Planning & Zoning Administrator David Rast noted there were two connected items on the agenda for the proposed expansion of the Kroger grocery store in Braelinn Village – the variance and the Special Use Permit. The Braelinn Village retail center was located on Crosstown Drive and was adjacent to the Flat Creek Nature Area. Another tract of land owned by Braelinn Village separated the center from the residential areas located at the rear of the center. There was also a 50-foot greenbelt along the rear of the center, which was where the cart path was located. The existing store was approximately 66,000 square feet, and approximately 40,000 square feet would be added, making the total approximately 110,000 square feet. Kroger would need to extend beyond the current service court in the rear, and the service drive would have to be moved. The future conditions floodplain would be affected. One portion of the site within the floodplain would require fill to bring the service drive to the back of the building. Kroger would have to compensate for the fill with storage capacity in the floodplain in the same general vicinity. Rast continued that City Engineer Dave Borkowski had reviewed the plans.

Rast said that, without the variance, the expansion might not occur. In addition to the expansion, Kroger was completely renovating the store. Staff had looked at the criteria established in the ordinances and at the floodplain, and staff recommended the variance be approved. The applicant had provided a very detailed analysis. The City Engineer had confirmed that there should be no rise in water levels, and no additional flood-related issues should be added to the basin.

Staff recommended the following conditions:

1. *The portion of the regulatory floodplain that will be cleared and graded to provide additional storage capacity shall be identified in the field and approved by Staff prior to any clearing or grading.*
2. *The Applicant shall provide a detailed inventory of all understory and canopy trees as defined by the landscape ordinance, including species and caliper inches, to be removed. A re-vegetation plan shall be prepared specific to this area that provides no less than 50% of the total caliper inches of both canopy and understory trees to be removed, the intent being to re-naturalize this area.*

The public hearing opened.

The representatives from Kroger were asked if they wanted to speak, and they declined at that time.

Mary Giles asked how the water from the west end floodplain (area where the service road would be relocated) would move to the new area in the east end floodplain, which was upstream. She wanted to protect the cart path. Borkowski said they would need a treatment system to capture the water and treat the run-off, which was required by ordinance. Conceptually, they were considering a treatment pond and possibly some underground infrastructure. The detailed engineering had not been completed yet, and it would be finalized later in the process.

No one else spoke. The public hearing closed.

Council had no concerns. Imker moved to approve the variance to the Floodplain Protection Ordinance with the conditions outlined by staff in their memo. Learnard seconded. Motion carried unanimously.

02-13-02 Public Hearing – Consider Special Use Permit for Braelinn Village Retail Center
Rast said Kroger had turned in a very thorough application and had been very responsive to the concerns of staff and the Planning Commission. He noted that Braelinn Village had been developed in the late 1980s and early 1990s. The overall center was on approximately 31 acres, and retail center was just over 217,000 square feet. Phase 1 included the Kroger, ending around Dickey's Barbecue, and Phase 2 included K-mart. There were also 12 outparcels, including the Braelinn Office Park, which housed another 80,000 square feet. The Special Use Permit ordinance included language for pre-existing developments that had been built in accordance with the GC General Commercial zoning ordinance of that time. The Special Use Permit criteria limited the ability to expand some of the existing centers, so language was added to provide for minor and major expansions.

The original Kroger store was 66,000 square feet, and the expansion would take place on both sides of the current store. The tenants in those spaces would be re-located to unoccupied spaces within the center. Some landscaped areas on either side of the building would be removed.

Rast continued that the Planning Commission had been concerned about the appearance on the corner of the building near El Ranchero, which had an outdoor patio, and the architecture would turn the corner and extend down the side of the building. Kroger would also move the entrance, work on the grocery cart parking area, relocate some of the charging stations, and increase the landscaping on the approach to the shopping center from the cart path. Some of the vegetation in the back along the cart path would be removed during construction. Kroger agreed to increase the landscaping, and staff would work with them to field locate landscaping to augment what was there, to reestablish the buffer, and to try to soften the impact on the people using the cart path.

Rast said staff and the Planning Commission recommended approval subject to 15 conditions and understandings:

1. *Development shall take place in conformance with the Schematic Site Plan prepared by Crescent View Engineering, LLC (last revised December 14, 2012), a copy of which is attached hereto as Exhibit "A" and incorporated herein by express reference. Any substantive change to this plan or any of the conditions and requirements of this section shall require an amendment of the Special Use Permit application approved by City Council.*

2. *The appearance of the exterior of the proposed building shall be designed in conformance with the Exterior Color Elevation Rendering prepared by Integrated Designs International Architectural Studio (last revised December 13, 2012), a copy of which is attached hereto as Exhibit "B" and incorporated herein by express reference. Any substantive change to this plan or any of the conditions and requirements of this section shall require an amendment of the Special Use Permit application approved by City Council.*

3. *The side elevation of both the east and west building additions shall contain architectural features to minimize the appearance of blank walls. The architectural detailing, building materials and color selections as shown on the Exterior Color Elevation Rendering as described above shall extend no less than one hundred feet from the front corner of the building towards the service court. The remainder of these walls, as well as the rear of the building, shall be painted to match.*

4. *The ten (10) parking spaces adjacent to the west building elevation shall be removed, and this area shall be reconfigured to accommodate plant material.*

5. *The design of all proposed parking areas, including the dimensions of all planting islands, shall comply with city ordinances and be reflected on the conceptual site plan submittal.*

6. *The location of all proposed dumpsters specifically designated for Kroger's use shall be identified on the conceptual site plan and shall be screened in accordance with city ordinances. All dumpsters associated with Kroger or the proposed expansion shall be located and designed such that noise generation will be kept to a minimum. Where applicable, compactors shall be located within these buildings to minimize noise.*

7. *The Applicant shall work with City Staff to identify locations for golf cart parking and associated charging stations, both of which shall be located within close proximity to the entrance to the store and identified on the conceptual site plan submittal. No less than four (4) golf cart charging stations and/ or outlets for charging golf carts shall be provided in close proximity to these parking spaces.*

8. *Site lighting associated with this expansion and all lighting proposed on the exterior of the building shall comply with the city lighting ordinance. A detailed photometric site*

lighting plan, which includes lighting on the exterior of all buildings, shall be prepared and submitted prior to approval of the final site plan. Site and security lighting shall be designed to prevent glare and spillover onto the adjoining property.

9. *It is understood that clearing or grading shall not be permitted until the final site plan is approved.*

10. *It is understood that modifications to the proposed site plan and building elevations may be required based on conditions that may be imposed as a part of the Special Use Permit review process.*

11. *The Applicant shall continue to work with City Staff and the Planning Commission to ensure that all elements of the proposed site plan and building elevations comply with current city ordinances. It is understood the design and materials proposed on the rear elevation of the new additions will be consistent with those used on the rear of the existing building, and that a parapet wall will not be provided along the rear elevation.*

12. *The Applicant shall provide additional plant material that amounts to no less than 25% of the caliper inches of both canopy and understory trees as required for the expansion by the city's landscape ordinance. The additional plant material shall be field located by the City Landscape Architect and shall be located within the natural area between the multi-use path and the proposed retaining wall to augment existing vegetation and to buffer the proposed site improvements.*

    It is understood this plant material may be installed on city-owned property adjacent to the retail center or on other city-owned tracts of land as identified by the City Landscape Architect. It is also understood the Applicant shall warranty and maintain this plant material in accordance with the landscape ordinance.

13. *The Applicant shall continue to coordinate with the City Engineer related to the additional vehicular trips generated by the proposed expansion to determine what, if any, improvement might be needed at the existing entrances into the retail center from Crosstown Drive and from Peachtree Parkway.*

14. *The Applicant shall continue to coordinate with the City Engineer related to the stormwater management plan and potential impacts to the adjoining Flat Creek Nature Area.*

15. *Should there be substantial changes to the schematic site plan submitted as a part of the Special Use Permit application, the Applicant shall file a new site plan and supporting documentation in accordance with the established criteria within Section 1006.4(f) of the GC General Commercial zoning ordinance.*

The public hearing opened. No one spoke for or against the Special Use Permit. The public hearing closed.

Learnard asked where the other stores would go. David Manning of The Shopping Center Group told Council that was yet to be determined, adding they were working with the tenants on a case-by-case basis. There were two businesses located to the left of the grocery store and four businesses to the right that would be relocated.

Imker said he had heard nothing but support for the expansion and renovation. His only comment was request removal of the bumps in front of the entrance. Haddix agreed.

Larry Kaye, the architect for Integrated Designs, said the bumps had been a code requirement for the Americans with Disabilities Act (ADA), but that requirement had been dropped in 2010 as long as the building was located on private property, so they could get rid of them during the expansion.

Fleisch moved to approve the Special Use Permit for the Braelinn Village Kroger with the 15 conditions outlined in the staff memo. Learnard seconded. Motion carried unanimously.

02-13-03 Public Hearing – Variance from Floodplain Protection Ordinance – Newnan Utilities
Rast said this could be considered a housekeeping item, but due to the Floodplain Protection Ordinance, the variance request had to be brought to Council. The Newnan Utilities pump station on Line Creek had been operating for over 30 years, and Newnan Utilities wanted to update the pumps and add a new electrical building within the floodplain. It would not impact the flood elevations as it was located in an ineffective flow area. The City Engineer had reviewed the plans. Staff's recommendation was to approve the variance.

The public hearing opened. No one spoke for or against the variance. The public hearing closed.

Imker asked Rast if there would be any impact on Lake McIntosh. Borkowski said the pump station and electrical building would be located so far north of the lake that there would be no impact, adding the new building would be located in an area that was basically backwater, which did not contribute to the flow of water.

Learnard moved to approve the variance request from Newnan Utilities. Dienhart seconded. Motion carried unanimously.

02-13-04 Public Hearing – Consider Variance to Rear Building Setback, 2053 Village Park Drive
Rast explained that staff had received an application for a deck expansion, adding staff had advertised for the variance. After visiting the site and talking with the contractor, staff determined the variance was not necessary. However, the variance had been advertised and the signs had been posted.

The public hearing opened. No one spoke for or against the variance. The public hearing closed.

Meeker said no action from Council was needed.

Rast said he had not received official notification from the applicant, but they were informed the variance needed to stay on the agenda, and that staff would ask Council to withdraw the request.

Dienhart moved to deem the application withdrawn. Learnard seconded. Motion carried unanimously.

02-13-05 Consider Bids for Pool Resurfacing (Kedron)
Recreation Administrator Cajen Rhodes addressed Council, saying five bids had been received for the resurfacing of both pools at Kedron. The highest bid had been for $82,400, and the

lowest bid had been for $42,950. The funding would come from the Public Facilities bond, and Rhodes asked Council to approve the bid from ACE Pools ($42,950) at an amount not to exceed $50,000 so a contingency would be available. Rhodes added the contractor would need to do some destruction on the pool surfaces prior to resurfacing them, and the contingency fund would cover any unforeseen cracks that might occur. Rhodes said it would also allow the work to move forward without staff having to come back and ask Council for additional funds that might be needed. They were on a tight schedule with the pools closed for three weeks (March 11 – April 1). All the references had been checked and verified.

Imker asked for confirmation that the funds would come from the Public Facilities Bond. Pennington said that, while the actual contract would be for $42,950, the additional funds would be reserved to cover any unforeseen issues that might come up, otherwise, there would have to be an addendum to the contract, which would take more time.

Fleisch noted that USA Pools had turned in the highest bid, and it was significantly higher. She asked when the pools had last been resurfaced. Rhodes said the pools were resurfaced in April 2006 by USA Pools. The warranty had been for three years. Salvatore reiterated that staff had gotten four references on other work done by ACE Pools.

Imker moved to approve the bid from ACE Pools for the resurfacing of the Kedron pools not to exceed $50,000. Learnard seconded. Motion carried unanimously.

02-13-06 Consider Amendment to Stormwater Ordinance, including Approval of Stormwater Utility Rate Schedule

Haddix said he would open the floor for public comment after the presentation. Public Services Director Mark Caspar addressed Council, saying that during the first six years of the utility's existence, an inventory of the system had been completed, over $3 million in capital projects through the 2007 revenue bond had been completed, a defined crew for stormwater maintenance had been established, the flood studies for the entire City had been updated, critical infrastructure for future capital needs had been identified, a long term water quality monitoring program had been implemented, and compliance with state and federal water quality regulatory programs had been maintained. Caspar noted there were 69 miles of infrastructure.

Imker referred to the current bond, asking if the bond had been for $3 million. Caspar said the 2007 bond was for $3.6 million, and $3 million in projects had been completed. Imker asked if there was list of projects available. Caspar apologized, saying he had not thought to include a list. Imker noted the projects included the work on the dam at Huddleston Pond, Wisdom Road drainage repairs, and work on Hip Pocket. Caspar said the inventory and future conditions flood studies also were paid from the bond proceeds, and they cost approximately $750,000. Phases 1 and 2 of the Bridlepath project were also part of the bond. Phase 1 included the golf cart path relocation that was needed to start Phase 2, and Phase 2 was the stream bank restoration currently underway, which should eliminate the upstream flooding in the area. Imker asked how much of the bond had gone to maintaining the system. Caspar said none because maintenance was part of the utility's general operating budget.

Caspar said there was a budgeted line item for contractual services, so a contract was used to "jet" the debris from the pipes. If there was a slow pool of sediment in the pipes, the stormwater crew cleaned it out. The debt service of $250,000 for the bond was paid through the annual budget. Everything else was paid by the General Operating Budget.

Caspar continued with the goals moving forward, which included ensuring all new construction strictly followed the City's standards, maintaining compliance with the applicable state and federal regulatory programs, continuing to monitor water quality trends in the City's streams and surface waters, rehabilitating the most critical control facilities in the next five years, implementing a more aggressive MS4 (Municipal Separate Stormwater Sewer Systems) inspection program, implementing a proactive capital rehabilitation program, ensuring long-term maintenance of drainage systems as they are rehabilitated, and continually updating and prioritizing issues as they are discovered.

Caspar added that a new level of service had been added – corrugated metal pipe was no longer allowed in the City. The life expectancy of metal pipe was 25 years compared to 100 years for concrete pipe. High-density polyethylene (HDPE) pipes had a life expectancy of 75 years. There were 60 miles of metal pipe in the City, or 95% of the system. The actual life span of the metal pipes depended on the amount of flow and the soil around it. Caspar added that the soils in Georgia were corrosive.

The major drainage control issues included City-maintained detention ponds, a drainage system assessment/evaluation, and addressing known issues as they were identified. The first steps in the drainage system assessment/evaluation were implementing a formal maintenance prioritization program (similar to street and path evaluation), inspection of the drainage system once every five years (permit requirement), utilizing *in-situ* rehabilitation methods to the maximum extent practical where cost effective, and continually prioritizing and reprioritizing projects based on the evaluation system and most current data.

The evaluation system was divided into four classes. The Class 1 System components included pipes under roads with limited access to them, and pipes that passed within approximately 10 feet of structures. Class 2 System components included pipes under collector roads (Peachtree Parkway, Robinson, etc.), pipes that passed within approximately 25 feet of structures, and detention ponds. Class 3 System components were all other pipes except those under cart paths, and Class 4 System components were cart path pipes. These inspections would help prioritize repairs, lead to proactive maintenance, help prevent unforeseen failures, limit collateral damage, and establish a better understanding of the system criticality.

Caspar said the new design standards included a video of all new lines before acceptance by the Stormwater Utility. In one instance, staff found a water line that went through the storm drain, which the developer had to fix.

Fleisch asked if the Fayette County Water System (FCWS) ever came in to check their pipes, asking why Peachtree Parkway had been paved, then dug up again. Caspar said it was a water line. Fleisch asked if there was a procedure where the FCWS came and checked their lines so the City's newly paved roads would not be dug up to get to water lines. Caspar said no, it was not part of their maintenance plan. Pennington said they had been asked many times, noting that FCWS had been adequately notified of the repaving of Peachtree Parkway. Caspar said that FCWS would go in a patch a section here and there, but did not replace lines.

Imker suggested Pennington speak with County Administrator Steve Rapson to try to get some cooperation with the FCWS. Pennington said there had already been a meeting set up with Rapson to discuss several joint issues.

Caspar said there were currently varying levels of capital need for flood control structures (detention ponds), undersized systems, system structural failures, failure prevention (system lining), isolated failures, and other issues. The current most critical capital project items were planning ahead, conceptual engineering, and budget planning. The annual replacement need included routinely locating failed systems, the ability to replace/rehabilitate systems annually based the inspection program, and smaller systems that could be completed which might not require engineering design (could be replaced in kind). The most critical pending systems/projects were the Rockspray Pond dam rehabilitation, West Kedron Pond dam rehabilitation, East Kedron Pond dam rehabilitation, Golfview subdivision drainage system rehabilitation, and Harbor Loop subdivision drainage system rehabilitation

Caspar then discussed the rate study, saying the original utility model projected an increase in 2011. The rate study had been in the process since 2011, and the true maintenance need and maintenance capability had been evaluated, an inspection protocol had been established, and the most critical systems were being addressed. He added the $7.4 million for the new bond included a refinancing of the 2007 bond. Salvatore added that would save $540,000 on debt service.

Fleisch asked if a maintenance plan would be instituted so the City would not be in the same situation again. Caspar said there would be, adding he expected all the projects to be completed in three years. A lot of easements were needed, and those could take time to acquire. Contractors would be used for some of the projects, some would need contractors and in-house workers, and other projects could be completed in-house.

Caspar continued with the proposed new revenue bond, saying $7,452,000 was needed for the named projects and other miscellaneous lining/repairs (Crosstown), as well as the refinancing of the 2007 revenue bond. Staff had considered a larger bond, but that was not feasible due to the three-year expectation for getting the work done and doing a high quality job on those items.

Caspar addressed why the billing of the City streets had been included in the proposed rate increase, noting that currently a bill of $355,000 was paid from the General Fund for all City streets and properties. The study had assumed a surcharge, which would eliminate the General Fund line item for stormwater, eliminate residents paying both through property tax and the utility fee, and be applied to all property owners.

The ERU (equivalent residential unit – 4,600 square feet of impervious surface) rate would increase from $3.95 to $6.89, and a surcharge would be added for City streets. The chart for the proposed rates included:

	Proposed	Current
SFR Tier I Annual Bill	$76.68	$32.28
SFR Tier II Annual Bill	$112.69	$47.40
SFR Tier III Annual Bill	$171.24	$72.00
AR Tier I Annual Bill	$52.68	$22.20

Caspar said the proposed ordinance amendments would update the rate structure, add the surcharge structure, update the Credit Technical Manual, and change the billing to twice annually.

Caspar continued that it was important to normalize the rate, noting that Griffin's ERU rate might be $2, but asking what were they paying that for. The $2 might be for 2,220 square feet instead of $3.95 for 4,600 square feet. When compared to other utilities, Peachtree City paid 81 cents per 1,000 square feet. Griffin residents would be paying $1.91 per 1,000 square feet. The new rate would be $1.50 per 1,000 square feet. In the region, which included Georgia, Florida, North Carolina, South Carolina, Kentucky, and Tennessee, the rates per 1,000 square feet ranged from 50 cents to almost $3.

Fleisch asked if the City could lose its permits if the maintenance was not kept at a certain level. Caspar explained the inspection and maintenance of the system was just one of the Best Management Practices (BMPs). Others included public relations, public outreach, and water quality compliance. The City would not lose its permits, but the state could come in and force the City to comply.

Imker emphasized that residents should take advantage of the stormwater credits, noting that he picked up trash on the streets near his subdivision and that saved 25% on his bill. The stormwater credit program also included rain barrels. Caspar pointed out that the ordinance allowed residents to deduct up to 50% of their bill using stormwater credits, adding businesses were also allowed a deduction on their bills through their detention or water quality systems.

Haddix opened the floor for comments from the public.

Phil Prebor spoke on behalf of his subdivision, Brookfield, asking for clarification on several items and for more information on the projects and other items included in the proposed bond. He asked if there had been a good inspection of the system yet. Caspar said partially. There had been some sediment removal, but there had not been a full video inspection of the entire system. Prebor asked how much that would cost. Caspar said it would cost between $25,000 to $30,000 per year. Prebor said that was a small percentage of $7 million. Caspar clarified that money was not part of the bond. The bond was for projects for which they had conceptual plans and engineering plans, including the rehabilitation of the Kedron Ponds, Rockspray Pond, Harbor Loop, and Golfview. Prebor asked Council to ensure they had the specifics on the projects the money would cover.

Dienhart said Council had met with Caspar and looked at the specifics. Council was not just letting the utility spend what it wanted; they had looked at it in-depth.

Imker said he could see how citizens had gotten the wrong idea when the numbers were thrown out. The bond numbers were actually $10 million minus the $3 million for the refinancing of the 2007 bond, leaving $7 million or so for the projects. As for the inspections, every five years the entire system had to be inspected. An entire inspection would cost $125,000. Imker added that Council had looked at all the impending failure areas during a workshop. Prebor said, if the due diligence had been done, he was satisfied. Dienhart added that Council knew the impending failure meant projects had to be done.

Caspar said staff had commissioned studies of the Kedron Ponds, and Harbor Loop was videoed before moving forward. On Golfview, staff had started out to replace 100 feet of pipe, and that had gone from a $20,000 project to a $1.3 million project based on what had been found when it was videoed. The entire system was undersized. Staff walked the area and talked to residents, who talked about how many times they had been flooded but had never told the City.

Learnard said Prebor's point was well-taken since the information had not appeared at this meeting. Council had seen the details at other meetings, and the issues had been studied. Imminent potential failures received first priority. Prebor said he was satisfied if Council was comfortable.

Prebor said his homeowners association had met, and he had been selected as the messenger. They had serious concerns. Two other residents from his subdivision were also in attendance. They all noted that they paid the City's stormwater fee, but did not see the benefit because they were responsible for their own streets and stormwater system.

Caspar clarified that Prebor lived in one of 20 private subdivisions in the City that were responsible for their own roads and stormwater infrastructure, unless otherwise described on the plat. Caspar said they paid the stormwater fee because they had impervious surface, and the runoff went to the City's MS4. The stormwater fees were used to maintain the MS4. He appreciated their point of view, but they benefitted because of the other infrastructure in the City.

Diane Brantley said there was a City stream located behind their subdivision. She asked what the City would do if the runoff dumped into the private culvert damaged it. The residents would have to pay for damage, and she asked if the City would credit them. Caspar said it the natural course of water flow might damage property. There was nothing that required those who lived upstream to change the course of water flow.

Haddix recalled, when he was president of his HOA, he had worked with the City's consulting engineers on drainage issues, and they found the City did not have records on where all the infrastructure was located. A lot of things were not recorded properly or had been lost, so it was a continuing process.

Dienhart said it was also a continuously deteriorating process, and it had been neglected for a very long time. An inspection program should have been implemented many years ago. It was a case of years of doing nothing catching up, and now something had to be done.

Fleisch pointed out the sewer system had the same problem. There had never been a handle on maintenance, and WASA was trying to prevent major collapses. Roots were growing into the system along with other problems. WASA was paying approximately $1 million for the year-long study of the system, but they would be able to budget for potential failures. The Stormwater Utility would be able to do the same thing. It was all part of the City getting older and neglect.

Caspar said the inspections would be an ongoing process, and a complete inspection had to be completed every five years per the permit requirement.

Prebor said he would support doing the inspection all at once. Caspar said they wanted to look at the most critical areas first, adding some of those areas could be reclassified based on the findings. Learnard said the outcome would be the same for the cost no matter how it was done.

Caspar said all of the Class I pipes would be inspected the first year in addition to the first year's 20% of the system.

Haddix ended the public comment portion.

Learnard said the City was on the edge of a cliff because doing nothing or approaching it too slowly would put everything behind. Learnard wished there were no corrugated pipe, but all homeowners were in this together. If they waited until there was flooding, there could be loss of life and property. It was appropriate to be proactive, and prevention was cheaper. Fifty years of neglect would take time and money to correct. She added she had written an article on the issue, which was on the Learnard page of the City website.

Dienhart said the 50 years was the key. Previous Councils had ignored the maintenance. It was unfortunate the City was in this position, but the cost would be far more expensive if they waited. The infrastructure needed to be fixed, then put on a schedule of preventive maintenance so the City was never in this position again.

Imker said all of the projects would get done one way or another. It was obvious the 2007 bond should be refinanced since it would save $500,000. He supported the pipe maintenance program, which cost approximately $1.5 million.

Imker expressed concern about the future stack-up of bonds for the utility. There was the 2007 bond, now they were looking at a $7 million bond. He asked if another $7 million bond would be needed for more repairs in three years. He was looking at getting out from under the bonds, noting the current bonds would not be paid off for 20 years. The total long-term impact could be tremendous.

Imker noted that easements were needed larger projects, asking if all the projects needed to be done at this time. He asked if the smaller projects such as Golfview and Harbor Loop could wait, and whether something horrible could happen. He also questioned the need to complete the Kedron and Rockspray Ponds in three years. Imker said that would cut the bond in half and reduce the impact to the citizens. In the meantime, the City could acquire the necessary easements. Slower increases were the better way to go. Dienhart pointed out there was no guarantee of cheap money in three years.

Imker agreed that the City's share of the stormwater should be collected through the stormwater fees. They had just been moving the money back and forth from the General Fund to the Stormwater Fund. It would be properly accounted for as part of the stormwater bill. Imker also liked the option of billing twice a year, adding some people would pay the entire bill at one time.

Imker noted that, when citizens saw a headline in the paper that said rates were doubling or increasing 120 – 130%, people remembered when WASA doubled the rates a few years ago. He pointed out the WASA bills were paid every month. The stormwater bills would significantly increase, but they were paid once a year. It was not the same quantity of money.

Imker said he would like to see more data on the four projects that totaled $5 million, adding they might spend money on something now that would have lesser priority in three years. He continued that would also know what additional projects needed to be done in three years and their priorities.

Borkowski reiterated that the outlet structure damage at the Kedron Ponds caused significant overflow during storms, so there was a high probability of a dam breach. There was no guarantee it would breach if there were a drought, but there would be a significant liability to the City because there would be loss of life downstream if the dams breached at any of the three ponds. Borkowski said that was not negotiable. He continued that if the homes affected by the drainage systems on Golfview and Harbor Loop flooded again, the City also ran the risk of being sued. There was not as much concern for loss of life, but there would be structural damage to home, which meant lawsuits.

Imker said he must trust the experts, but he wanted an answer to his questions about the possibility of huge bills in the future if more bonds were needed.

Salvatore said the assumption was they were tackling the biggest, most expensive liability projects first. Salvatore referred to the capital projects ranking system, saying all the projects were considered Core projects. Discretionary projects were the "nice to have" projects. Essential projects maintained what the City had. Core projects were not only essential to maintain the infrastructure, but also carried a legal mandate and a health and safety concern. Salvatore said they wanted to get as many projects completed as possible while the bond interest rates were historically low. The closing costs for the bond would be $200,000 – $250,000 regardless of the bond amount, and staff was trying to be as responsible as possible to save money on the closing costs and not go beyond what was reasonable to accomplish in three years.

Caspar continued that the money set aside for annual maintenance in the proposed bond would help the utility get ahead so another $7 million bond would not be needed.

Imker asked how many more big-ticket projects would be coming up. Caspar said none at this time, adding those projects were the only ones at a capital level. The rest could be taken care of in-house.

The need for the work on the projects was discussed for some time. Fleisch said this Council had talked about these projects for two years, and now the problems were two years older and the tree roots growing on the dams were bigger. She said it would only get worse in two more years.

Haddix said he was very aware of the problems with the corrugated pipe in the City. His concern was that all the problems/issues were compartmentalized; they were never considered along with everything else that was going on. Citizens only saw the total amount of the taxes and bills when they were all added up. Haddix said the stormwater fee was another property tax, even though it did not appear on the property tax bill. Only property owners paid it. Now the City's payment would be transferred from the General Fund to the Stormwater Utility, but there was no reduction in the millage rate planned to compensate for that.

Haddix said his ongoing problem was the City did not have a comprehensive or strategic approach, and tax bills were continuing to increase. From the end of his first Council, there had been an 11% increase in tax expenditures, which exceeded the jump in the prior five years. He could not vote for anything until spending was under control. He understood the issues, but the constant isolated look at every component had to stop. They never looked at the across-the-board effect on citizens. He told Imker he had some good points. Haddix said he had to draw a line in the sand.

Learnard clarified that Haddix agreed for the necessity. Haddix said he did, but not the way things had been handled financially.

Dienhart agreed that Council needed to find a way to lower the millage rate due to moving the costs of the City's stormwater bill from the General Fund to the Stormwater Utility. He disagreed that this was the time to take this kind of stand.
Fleisch pointed out there were homes along the Kedron Ponds and Rockspray. She asked whether the City had paid for any damages to homes that could have been prevented had the City been more aggressive. Meeker said there had been drainage claims paid in the last 24 months that pertained to projects that would be covered under the bond. Fleisch said they would be taking a chance with life and property. Meeker said the potential loss of life was the foremost concern, followed by property damage, which had been part of the evaluation.

Dienhart said they all believed it was unfortunate to have the rate increase, adding that it was Council's responsibility to do the right thing to protect citizens from potential disasters and to take advantage the cheap money to fix the problems. Learnard agreed they had to have the courage to fix the problems.

Haddix asked why there was always more debt and more taxes. They had to change their way of thinking. They could shift money from somewhere else.

Fleisch asked why the Stormwater Utility had been created. Meeker said the process dated back to 2000 – 2001, and it was ultimately implemented during Harold Logsdon's tenure as Mayor. Fleisch asked if there had been a federal mandate.

Pennington said there had been, and the process actually started in the 1980s. It had been a step-down process, starting with larger cities. It was a federal standard, and the City did not have a choice.

Meeker added that Atlanta had implemented the stormwater fee as a tax, and it had been struck down by the courts. The City's ordinance and program was based on Columbia County's, which had been challenged as a tax and had been tested in the Georgia Supreme Court. Pennington said every state had the same situation. There were no laws on the books, but there was a federal mandate. There were a lot of test cases.

Imker said there were many things to consider during the budget cycle, and a possible reduction in the millage to compensate for shifting the City's stormwater payment from the property tax bill to the stormwater fees would certainly be one of them. He was convinced they needed to move forward with the bond and the projects.

Fleisch clarified that all the stormwater fee payments went to the Stormwater Utility. Meeker said all the fees went to the Stormwater Utility Fund and its projects. There had been no shifting to or from the General Fund.

Fleisch moved to approve the amendment to the Stormwater Ordinance as outlined in the Council packet, which included the update to the stormwater rate structure, the billing cycle, the tier review policy, and the adoption of the updated Credit technical manual. Learnard seconded. Motion carried 4 –1 (Haddix).

<u>Council/Staff Topics</u>

Hot Topics

Pennington reported the revised personnel policy would be ready for Council to look at in March. Two Requests for Proposal (RFPs) would be sent soon – one for the Public Safety assessment and the other for the pay and classification study.

Pennington continued that he was looking for Retreat dates. Staff would hold one prior to the Council Retreat, probably in the latter part of March or early April. He asked Council to send their dates of availability. He had a few ideas for the outline, but he also needed input from Council on what they would like to discuss to help develop it. He hoped to do most of the work on Friday since most people did not like to meet on Saturday.

Pennington said there had been some questions about the streets and cart paths and their schedules. He asked Caspar to give an overview.

Caspar said $354,889 remained in the Special Purpose Local Option Sales Tax (SPLOST) for cart path paving, which was approximately 2.25 miles of path. In the past, about five miles of the path system had been paved per year. There was currently no funding budgeted or available for 2014 and beyond. The 2013 paving list included Robinson Road to Strathmore, which was rated at 63 and was the lowest rated currently. The path from Peachtree City United Methodist Church to Spear Road was rated at 67. Several other areas rated at 68 and 69 were also scheduled for paving. The total was approximately 2.25 miles. There was approximately $55,000 left in the 2013 SPLOST fund for street paving. The annual budget included $200,000 for street supplies, which included signage, striping, guardrail, patching, and crack sealing. Crosstown Drive from Peachtree Parkway to SR 74 was the lowest rated street at 49. The cost estimate for paving was $230,498. There were a lot of potholes on the road. It had dropped form a 70 to 49 in two years, due to heavy traffic and water intrusion.

Pennington continued that one of the challenges in the budget cycle would be to find resources for paving the roads and cart paths. Imker said some members of the County Commission had wanted to stop the bypasses and funnel some of the money back to the cities. The City needed to follow-up on that and see if the commissioners were going to follow through with that.

Learnard asked if there was any word on the permitting for dredging Lake Peachtree. Borkowski said he had not heard anything for several weeks, and he would follow-up.

Meeker reported he had received a text from Fayetteville City Manager Joe Morton, who told him Fayetteville had approved the LOST agreement.

Imker moved to extend the meeting beyond 11:00 p.m. Dienhart seconded. Motion carried unanimously.

Learnard moved to convene in executive session to discuss real estate and threatened or pending litigation at 10:40 p.m. Dienhart seconded. Motion carried unanimously.

Learnard moved to reconvene in regular session at 11:25 p.m. Dienhart seconded. Motion carried unanimously.

Learnard moved to authorize staff to initiate the process for the proposed land swap on the former McWilliams tract. Dienhart seconded. Motion carried unanimously.

Learnard moved to authorize the City Attorney to proceed with potential resolution of litigation as discussed in executive session. Fleisch seconded. Motion carried unanimously.

There being no further business to discuss, Learnard moved to adjourn the meeting. Fleisch seconded. Motion carried unanimously. The meeting adjourned at 11:26 p.m.

Pamela Dufresne

Pamela Dufresne, Deputy City Clerk

Don Haddix

Don Haddix, Mayor