City Council of Peachtree City
Meeting Minutes
January 15, 2015
7:00 p.m.

The Mayor and Council of Peachtree City met on Thursday, January 15, 2015, at City Hall. Mayor Pro-tem Kim Learnard called the meeting to order at 7:00 p.m. Other Council Members attending: Terry Ernst, Eric Imker, and Mike King. Mayor Vanessa Fleisch was unable to attend.

Announcements, Awards, Special Recognition

Learnard recognized SAFEbuilt for sponsoring the City Employee Christmas and Awards Luncheon. Brian Epstein of SAFEbuilt accepted a Certificate of Appreciation. Police Corporal James Beato was recognized as Employee of the Year. Police Captain Stan Pye was recognized as the Supervisor of the Year. Police Corporal Ryan MacCallum was recognized as the December Employee of the Month. Police Lieutenant John Jenkins was recognized for 25 years of service. Other service award recognitions included Cajen Rhodes of the Recreation Department, 15 years; Police Sergeant Odilia Bergh, 15 years; and Firefighter John Bruschetti, 10 years. Learnard thanked Walmart of Peachtree City for donating a $100 gift card to the City to be used for the Toys for Tots program.

Public Comment

Angie Thompson addressed Council concerning the traffic signals on SR 54 West, particularly the light at SR 54/MacDuff Parkway. She said it was time to get something done. The traffic signals along the corridor had not been functioning properly for a few days prior the meeting, and Thompson said she had to sit through as many as six cycles trying to get onto SR 54 from MacDuff Parkway. Thompson continued that, earlier that day officers, had used the problems with the traffic signals as an opportunity to issue citations. The officers should have been proactive and helped traffic to move. MacDuff Parkway needed to be completed through to SR 74. Something was wrong with the system when a police officer used a problem with the lights against people.

Dar Thompson agreed with the concerns expressed by his wife, Angie Thompson. He continued that she was pulled over by the police, and 49 minutes later, she called him to pick-up their daughter because she was still waiting for her ticket. Thompson said his wife had been ticketed for obstructing the intersection, yet there were four cars behind her car, which was partially located in the crosswalk on SR 54. He said they supported the police, but the police had taken advantage of the situation and that should be addressed. Thompson said TDK Boulevard should have been extended 20 years ago, so there would be an alternate route into Coweta County. He addressed Council Member Imker, saying Imker basically told officers they were not doing their jobs during the budget process when Imker noted that the revenue from Court fees was down. They were getting more pressure to write tickets because the revenue from fees was down, rather than being encouraged to help drivers by directing traffic.

Minutes

December 18, 2014, Regular Meeting Minutes

Ernst moved to approve the December 18, 2014, regular meeting minutes as written. King seconded. Motion carried 3-0-1 (Learnard).

Monthly Reports

There were no comments.

Consent Agenda

1. **Consider Annual Indemnification Resolution**
2. **Consider Legal Organ – Fayette County News/Today in PTC**
3. **Consider Call for Election Resolution**
4. **Consider Official Intent Resolution (Reimbursement Resolution)**
5. **Consider Acceptance of CERT Grant from Wal-Mart**
6. **Consider Approval of Budget Amendment & Purchase of Replacement Toro Sand Pro**
7. **Consider Request to Surplus Parts from Fire Suppression System**

King moved to approve Consent Agenda items 1 – 7. Ernst seconded. Motion carried unanimously.

Old Agenda Items

11-14-05 Public Hearing – Consider Request to Rezone 14.65-acre tract within the Kedron Office Park from OI Office Institutional to LUC Limited Use Commercial (100 World DR)

Senior Planner David Rast explained that when the initial rezoning application had been turned in, the applicant, Apsilon Hotels, LLC, had requested the rezoning of the 14.65-acre tract to build two hotels and a freestanding event/banquet facility. The tract was composed of two lots – Lot 1, 8.13 acres, included the 100 World Drive office building and a building pad for a second office building; Lot 2, 6.52 acres, included two building pads (300 and 400 World Drive).

The applicant had revised their plans after the public hearing held by the Planning Commission, Rast continued. They wanted to build a freestanding, all-suites hotel on the northernmost building pad located on Lot 2. The second building pad on Lot 2 and the existing building pad on Lot 1 would remain undeveloped until suitable office uses could be found. The property was currently zoned Office Institutional (OI), and the request was to rezone it to Limited Use Commercial (LUC).

Rast noted that the conceptual site plan for Kedron Office Park was approved in 2005, including 126,000 square feet of office space in four buildings with the associated parking and infrastructure. One building, 100 World Drive, had been constructed, and the pads for the three remaining buildings were pre-graded and stabilized.

Hotels were not permitted in Office Institutional (OI) zoning, and the applicant had asked to modify the OI zoning to LUC to permit hotels. Rast said staff had considered a modification of the OI zoning category, but had not felt it was appropriate since it would open up the remaining OI-zoned property for hotels. Any plans submitted for hotels would only have to go through the conceptual site plan review.

Rast showed several photos of the area, pointing out the trees and existing vegetation in the buffer on the rear of the site, which was adjacent to residential, would remain. The fairly wide floodplain and green belt was 350 – 450 feet in length, separating the office property from the rear of the homes in Kedron Hills. The Gin Branch stream was also located in the low point of the buffer. All the landscaping on the site had been installed as part of the original development of the office park, and it was maturing nicely. The 60,000 square-foot World Airways building on World Drive was vacant.

Apsilon's revised plan was for one building, a 126-room all-suites hotel, which would be located as far north on the site as possible. Some modifications would be needed to the parking area, but there would be no disturbance to the existing site, nor any disturbance to the buffer. The hotel would be no more than four stories in height and no more than 45 feet from finish grade to the highest portion of the roof. Staff and the Planning Commission felt the building material should match the vacant World Airways building. Rast said Apsilon also proposed adding a deed restriction that would limit uses on the remaining property to what was permitted in OI zoning. Also as a condition of zoning, another hotel would not be allowed on Lot 2.

Rast addressed the height of the proposed hotel, saying the hotel would be 45 feet tall, 10 feet higher than what was permitted in OI, but the additional height could be incorporated in the Limited Use Commercial (LUC) zoning. The maximum building height in OI zoning was 35 feet. He added that 100 World Drive was 42 feet in height.

There would be a slight increase in traffic due to the development, and this had been a concern for the plan with two hotels and an event center. One of the conditions was the requirement of a traffic study based on the hotel use. Rast said the applicant had contracted with Pond & Company, the City's transportation consultant.

Rast continued that the City had 660 acres zoned for commercial use and office institutional, with 88 acres remaining undeveloped. They were mostly infill lots scattered throughout the City. Approximately 4,566,771 square feet of commercial tenant space was located on the 660 acres. Staff had looked at where the proposed hotel could go without a rezoning, and there were only three to four parcels, most of which had been ruled out. Apsilon had been looking for a site with close proximity to food, service, and retail, which were available in Kedron Village and were accessible by streets and the path system.

The criteria for changing a zoning was straightforward, Rast said, and staff felt the use was appropriate in this location that was close to SR 74, had infrastructure in place, and did not take away from the remaining office space. Staff recommended approval with a number of conditions. The Planning Commission also recommended approval with a 3-2 vote, adding more conditions. The conditions included the following:

1. *The rezoning shall be limited to Lot 2 within the overall Kedron Office Park.*
2. *No more than one (1) hotel shall be constructed on the subject tract.*
3. *The hotel shall be designated as an all-suites hotel with no more than 120 rooms*
4. *The hotel shall be no taller than four (4) stories in height.*
5. *The hotel shall be no taller than 45 feet as measured from finish grade to the ridge line to the highest point of the parapet wall, whichever is taller.*
6. *The hotel shall be located as far north on the subject tract as possible and shall not disturb any of the existing tree cover.*
7. *The schematic site plan submitted as a part of the rezoning request is illustrative only. The Applicant shall prepare a detailed conceptual site plan which must be reviewed and approved by the Planning Commission as part of the established site plan review and approval process. It is understood the general layout of the buildings, parking areas, and amenities may change once final engineering documents are provided.*
8. *The building elevations for each building shall be presented to and approved by the Planning Commission as a part of the site plan review process. The architectural design, exterior building materials and color selection of the proposed buildings shall be compatible with those used on the 100 World Drive office building.*
9. *The overall development shall comply with the City's post-construction stormwater runoff management ordinance and provide water quality Best Management Practices (BMP's) on greenbelt areas dedicated to the City.*
10. *The Applicant shall coordinate with the Peachtree City Building, Fire and Police Departments to ensure their understanding of the proposed development, internal circulation routes, emergency response, building design and life safety issues.*

11. *The developer shall pay impact fees as identified within the City's Impact Fee Ordinance.*
12. *A Traffic Study shall be prepared to determine if the proposed change in use might require modifications to maintain the current Level of Service at the Peachtree Parkway/World Drive intersection. The Traffic Study as well as any off-site improvements shall be funded at the sole expense of the Applicant.*
13. *The Applicant shall adopt Deed Restrictions for Lot 1 stipulating the subject tract shall be used for office use only as identified in the OI zoning district. The Deed Restrictions shall include a requirement that the Kedron Hills Homeowner's Association (HOA) must approve any changes to the uses as permitted.*
14. *The hotel shall maintain a minimum AAA 3-star rating, or equivalent per hotel industry standards.*

Bob Patel spoke on behalf Apsilon Hotels, LLC, saying Residence Inn had been acquired by Marriott in 1987 and was the third largest brand in their folio, both in size and profit. It was an upper-moderate all-suites hotel, with 649 open in the United States and Canada and 132 in development. The average occupancy was 77.8%, with an average daily rate (ADR) of $124.70. The target guest was a male in his early 40s, married, college-educated, with a $140,000 average income who took 23 business trips per year (seven extended stay trips with an average stay of five nights each trip).

Patel explained that the height of the hotel would be up to 45 feet, including the parapet wall, but the rooms would be 35 feet or below. The hotel would be upscale with an open registration desk and fitness center, and with studio, one-bedroom, and two-bedroom suites. It would not have the typical canopy at the entrance of the hotel.

Patel noted the original proposal for two hotels and an event/banquet center had been modified based on feedback from residents. The hotel would be located on the building pad farthest from Kedron Hills. There had been concern about the visibility of the hotel in the winter from the residential subdivision. Patel said they hired a company that had used a drone to get a bird's eye view of the buffer in November, which had shown a considerable amount of vegetation in the buffer, so the roof line would not be visible to the residents. Visibility into Kedron Hills from the hotel should be limited.

Patel said he was one of the owners of the Hilton Garden Inn in Peachtree City, saying the demand for rooms was much slower on the weekends, but they had to turn away business during the week (Monday – Thursday), noting they were above 80% occupancy on Tuesday the week prior to the meeting and were above 90% on Wednesday and Thursday. Their average occupancy rate for 2014 was 78% compared to rest of the City's market, which was at 65 – 70% occupancy.

There had been some concern about cut-through traffic in Smokerise subdivision for hotel guests traveling to Pinewood Studios, which was a market Patel said they would target along with local corporate business. He continued that one of the routes that had shown up on the Global Positioning System (GPS) was through Smokerise subdivision, but that was also the longest route at 18 minutes, while the shortest route was to take Peachtree Parkway to SR 74 to Tyrone Road to Pinewood Studios.

Patel continued that they had received a "comfort letter" from Marriott saying they were interested in branding a Residence Inn at the proposed location, which was what Marriott did until the franchise fee was paid. He added that one of the mistakes they made in this process had been not talking with the adjacent homeowners, and that could not be changed. However, Patel said they had tried to alleviate the homeowners' concerns based on their feedback. In addition to cutting the project down to one hotel, his company was also offering a deed restriction on Lot 1, which required any rezoning application to be sent to the HOA for review and approval. The draft of the deed restriction had been sent to the HOA for feedback, which they had not received yet. Patel noted that the OI vacancy rate was currently at 29%, saying when the OI market improved, they would be glad to build office space.

Learnard opened the public hearing. No one spoke for or against the proposed rezoning. Learnard closed the public hearing.

King said there had been some discussion on a different location at the Planning Commission meeting, possibly Lexington Circle. Patel said they had taken the representative from Marriott to both sites, and the representative felt the Kedron Office Park was a better location because of its access to SR 74. He added that many companies in the Industrial Park used the Hilton Garden Inn because they had people coming in from Atlanta Hartsfield-Jackson International Airport, and the Hilton Inn shuttled those people back and forth all the time. The Kedron Office Park location was a more central location, closer to the businesses along SR 74, and closer to the airport.

King said there were only three or so locations with more than four acres left that were zoned OI, cautioning that type of space was limited.

Learnard said that, in her opinion, extended stay capacity was needed. This would be a quality hotel, and she believed the Kedron Office Park was a more suitable location than others in the City, with easy access to Pinewood Studios and the Industrial Park. Putting the hotel at Lexington Circle had the potential of creating traffic issues on Peachtree Parkway, which was not built for that kind of capacity.

Ernst said the movie industry would only get bigger in Georgia. One of his questions was whether leaving the property OI would create more jobs for people in the City, yet at the same time, this was something that was needed.

Imker asked to make sure the 14 conditions were included in the motion. City Attorney Ted Meeker clarified this would be LUC-24 if approved by Council. Rast said that was correct.

Imker asked Patel how many people would be employed by the proposed hotel. Patel said he had 45 full-time equivalent employees at the 93-room Hilton Garden Inn. He expected there would be about the same number at a 120-room hotel.

Rast explained that eight of the 14 conditions were listed as conditions in the proposed ordinance, but the remaining six had been incorporated into the specifics of the ordinance.

Ernst moved to rezone the property from OI to LUC-24 subject to the 14 conditions outlined by staff in their report. King seconded. Motion carried unanimously.

CA4-12-14 Consider Appointments to the Convention & Visitors Bureau Board (CVB)
Imker moved to appoint Mike Regli to the CVB and Jonathan Fralick as the alternate. King seconded. Motion carried unanimously.

New Agenda Items

01-15-01 Public Hearing – Consider Annual Readoption of Peachtree City Zoning Map & Zoning Ordinance

Meeker said a Georgia Supreme Court had considered a case that illustrated the problems that could arise when cities did not keep track of their current zoning ordinance and map from a recordkeeping standpoint. Staff recommended Council adopt the Peachtree City Zoning Map and Zoning Ordinance with an effective date of January 15, 2015.

Learnard opened the public hearing. No one spoke for or against the proposed readoption. Learnard closed the public hearing.

Meeker asked Council to revise the adoption date on the ordinance from January 1, as stated in the ordinance, to January 15.

King moved to adopt the ordinance in the Council packet so as to readopt the City's zoning map and zoning ordinance as of January 15, 2015. Ernst seconded. Motion carried unanimously.

01-15-02 Consider Approval of FY 2015 Keep Peachtree City Beautiful Budget

Keep Peachtree City Beautiful (KPTCB) Director Al Yougel talked about the KPTCB's 2014 numbers during his presentation. There were 55 trash cans on the path system, seven dog stations, and trash was collected at special events. More than one million pounds of recyclables had been dropped off, bringing in $28,000 for the KPTCB. One thousand nine hundred Community Service workers put in 19,200 hours with KPTCB, spending 8,200 hours collecting litter along the 83 miles of City streets. Recycling was available at all special events, and KPTCB collected from the bins at seven schools and nine City government locations. There were 125 bins. The Rockaway Road Recycling Center was open 624 hours, had 17,600 vehicle visits, collected 900 Christmas trees, and collected more than 200,000 pounds of materials during the City's annual spring clean-up held the first weekend in May.

Yougel said the estimated revenue for FY 2015 was $156,888, which had been balanced with expenses.

King moved to approve the FY 2015 KPTC budget. Ernst seconded. Motion carried unanimously.

01-15-03 Consider Lease/Purchase Schedule #4 (Peachtree City Governmental Finance Corp.)

Financial Services Director Paul Salvatore asked Council to approve the Lease/Purchase Schedule #4 ($1,145,555.32) with JPMorgan Chase to reimburse the City for equipment purchased by the City in 2014, including the City-wide network infrastructure and telephone system replacement; Police records management system; Police vehicle replacements; EMS patient handling system; Fire rescue boat; Fire vehicle replacements; and a sand pro, bobcat skid steer, utility vehicles and pick-up truck for Public Works. The financing would be for a five-year period with an interest rate of 1.5%.

Imker moved to approve lease/purchase schedule #4 (Peachtree City Governmental Finance Corp.) with JPMorgan Chase. King seconded. Motion carried unanimously.

01-15-04 Consider Bid for Hustler Mower

Community Services/Public Services Director Jon Rorie asked Council to approve the bid of $55,153.66 from Fayette Mower for one Hustler Super 104 and three Hustler Super Z HD 72-inch mowers. Three bids were received, and Fayette Mower was the low bidder. Fifty-seven thousand dollars had been budgeted, so the bid was below budget.

Imker moved to approve the bid for the Hustler mowers from Fayette Mower in the amount of $55,153.66. Ernst seconded. Motion carried unanimously.

01-15-05 Consider Bid for Braelinn Basketball Court

Rorie said this was part of the Facilities Bond projects, and two bids had been received. Staff recommended Council approve the bid from Frontier Electric, LLC, for an amount not to exceed $45,500 to replace the basketball courts at the Braelinn Recreation Complex, which was $2,500 over budget. The City had worked with Frontier, which had several subsidiaries, in the past, and the company had been vetted. Rorie continued that the original bid had been for $54,995, and staff had worked with the lowest bidder to reduce the overall cost. City staff would complete the demolition of the current courts, and Frontier would install the new courts, reducing the cost to $45,500. The Facilities Bond contingency account would cover the overage.

King moved to approve the bid from Frontier Electric, LLC, for the Braelinn basketball court in an amount not to exceed $45,500. Imker seconded. Motion carried unanimously.

01-15-06 Consider and Discuss Status Report on Litigation with EPD re Lake Peachtree Spillway and Engineering Options

Meeker reported the state had rescinded the Category 1 determination of the dam and spillway, so it would remain the existing Category 2, which was good news for all parties. Staff was moving forward with Integrated Science & Engineering (ISE) and Schnabel Engineering on the long-term design of the spillway.

Richard Gruel of ISE told Council the path was now clear to start working on the design standards and permitting issues. The next task would be a geotechnical evaluation of the area where the new spillway would go, and it would be easier to drill without water in the lake. The engineers needed to complete a 30% design to bring forward options and cost estimates based on the design to Council. The third task was to put an Emergency Action Plan in place. Gruel explained that an Emergency Action Plan was a formal plan regarding issues with the dam during a flood event where the water had reached the peak elevation. The plan would include the process to notify residents downstream.

All these elements could be done concurrently over the next few months, then the design could begin, according to Gruel. After permitting from the Corps of Engineers, construction would start. Nothing precluded a temporary fix of the dam in the interim. By spring, they should be ready to move forward with the construction plans.

Gruel confirmed the County had received the Requests for Proposal for the dredging, and the Commissioners were scheduled to vote on the RFP at their January 22 meeting. All the vendors turned in quotes for the City's alternative dredging, and the costs appeared to be $25 – $50 per cubic yard, which had been ISE's estimate. Once the County voted on the RFP and identified the vendor, Gruel said the City could negotiate with the vendor on any additional dredging locations desired.

Learnard asked what a 30% design meant. Gruel said it was not a structural design, but they would know all the dimensions of a new spillway, which would help with a detailed cost estimate. Meeker said ISE and Schnabel would be working on the plans together.

Learnard verified that there could be temporary fix. Gruel said yes, adding that if the Category 1 dam determination had remained in place then they would not be able to do a temporary fix and refill the lake.

Imker clarified that Council would not discuss the dredging options until the February 5 meeting, after the County had selected a vendor for the dredging on January 22. He added there could be water in the lake during the summer if a temporary fix was done during the dredging.

Learnard asked if anyone from the public had questions. No one had questions.

No action was required.

01-15-07 Consider Resolution of Support for State Legislation for Restoration of Redevelopment Powers to the City

Meeker said redevelopment powers had been taken away from cities and counties by the U.S. Supreme Court in 2006, then reestablished by the State a year later. However, each entity had to hold a voter referendum to gain approval. The resolution under consideration was to forward the request for a referendum on to the City's legislative delegation. If the General Assembly approved the legislation, then the referendum would appear on the November ballot. If approved by the voters, then the City's redevelopment powers would be reestablished.

Imker encouraged the City's residents to support the referendum, saying it would not cost any tax dollars. Meeker pointed out the referendum would only reestablish the City's redevelopment powers; it would not create a Tax Allocation District (TAD).

Ernst move to approve agenda item 01-15-07 Consider Resolution of Support for State Legislation for Restoration of Redevelopment Powers to the City. King seconded. Motion carried unanimously.

Election and Oath of Office – Mayor Pro-tem

Ernst nominated Mike King as Mayor Pro-tem. Imker seconded. There were no other nominations. Motion carried unanimously.

Learnard administered the Oath of Office to King.

Council/Staff Topics

Pennington said Council would receive a survey via Survey Monkey to prioritize the list of goals from the January 9 Retreat. The survey was due back to staff by January 23.

The Lake Peachtree dredging was moving along rapidly. The land disturbance permit had been issued to the County by the City.

Pennington said the work on MacDuff Parkway would be a long, slow process with two developers. The construction and erosion plans for the first phase (1,400 linear feet from Franklin Ridge to the Everton subdivision entrance) had been approved by staff. Brent Scarbrough's company was finalizing the details with CSX for the permit to build the bridge over the railroad tracks. Meeker said he had seen Bob Rolader of Scarbrough & Company recently, and Rolader had assured him everything CSX needed had been given to them. The City and Scarbrough & Company had signed the necessary agreements.

A number of things were happening from an economic development standpoint, Pennington said. He continued that Osmose Utilities would be building a corporate headquarters and testing center on SR 74 in the Industrial Park. Another possible project was in discussions, and it could be located across from the Peachtree City Athletic Complex (PAC). A rezoning request for the potential redevelopment of the Dolce Atlanta Peachtree on Aberdeen Parkway had been turned in.

Pennington addressed the recent issues with the traffic light synchronization on SR 54 W, saying one little thing went out on the signal at the SR 54/Planterra Way intersection and blew the entire system.

Learnard asked what could be done at MacDuff Parkway to help. Pennington said the City could ask GDOT to look at it again. He said there were also issues on SR 74 at the Lexington Pass intersection after the recent fatal accident.

Ernst asked if there was any indication on how long it would take GDOT to fix the issues on SR 54. Police Capt. Stan Pye said the problem had been fixed that day, and the issue was due to a malfunction in the pedestrian crossing light on the Planterra side. Apparently, drivers would get tired of waiting for the traffic signal to cycle and get out of their cars to push the "walk" button. King asked how many people actually walked across SR 54 in that area. Pye said very few pedestrians, maybe a few golf carts.

Imker said he sympathized with Angie Thompson, suggesting a patrol officer should be placed at the MacDuff Parkway intersection at critical times. He asked how much it would cost, saying some action needed to be taken during critical periods. Thompson said there was usually an officer in the area waiting for someone to run the light so they could issue a citation. She asked that the police officers be community helpers. King agreed the priority should not be to write tickets, but to move traffic.

Executive Session

There were no items for executive session.

There being no further business, Learnard moved to adjourn the meeting. Ernst seconded. Motion carried unanimously. The meeting adjourned at 9:00 p.m.

Pamela Dufresne

Pamela Dufresne, Deputy City Clerk

K Learnard

Kim Learnard, Mayor Pro-tem