City of Peachtree City
Minutes of Regular Meeting
February 5, 2004
7:00 p.m.

The City Council of Peachtree City met Thursday, February 5, 2004, 7:00 p.m., in the City Hall Council Chambers. Council Members attending were: Mayor Steve Brown, Stuart Kourajian, Steve Rapson, Judi Rutherford, and Murray Weed.

Announcements, Awards, Special Recognition

Mayor Brown recognized Financial Services Director Paul Salvatore and Assistant Finance Director Janet Camburn for their Department's receipt of the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association. Brown read a proclamation for Black History Month.

Minutes

Weed moved to approve an amendment to the December 18, 2003, Regular Meeting Minutes. Rapson seconded. The motion carried 3-0-2 (Kourajian, Rutherford).

Rutherford moved to approve the January 5, 2004, Special Called Meeting Minutes as amended by Brown and Weed. Kourajian seconded. The motion carried unanimously.

Rutherford moved to approve the January 15, 2004, Workshop Minutes as written. Weed seconded. The motion carried unanimously.

Rutherford moved to approve the January 22, 2004, Special Called Meeting Minutes as written. Rapson seconded. The motion carried 4-0-1 (Rapson).

Monthly Reports

Brown noted that there were three additional monthly reports on the dais that were submitted late. Brown said that Comcast Cable would hold a public meeting on Wednesday, February 18, 6:30 p.m., at City Hall. The annual Touch-a-Truck event would be held on Saturday, April 17, 10 a.m.-1 p.m.

Consent Agenda

1. **Consider Award of Hip Pocket Road Culvert Replacement**
2. **Consider Purchase of Tandem Dump Truck**
3. **Alcohol License – Change in License Representative – Ted's Montana Grill**
4. **Consider Appointments to Airport Authority**
5. **Appoint Members to Ethics Board**
6. **Authorize Restructuring of Part-time Positions (Recreation)**
7. **Consider Budget Amendments**
8. **Consider Budget Transfer – Field of Hope**
9. **Consider Composting Demonstration Event**
10. **Consider Adoption of State Minimum Fire Safety Standards**
11. **Agreement with GADOT to maintain GA 54 W Sidewalks and Culverts**

Brown pulled Consent Agenda #8 off for discussion. City Manager Bernard McMullen asked Council to pull Consent Agenda #2 for discussion.

Weed moved to approve Consent Agenda Items 1-11, excluding #2 and #8. Kourajian seconded. The motion carried unanimously.

2. Consider Purchase of Tandem Dump Truck
McMullen asked Council to table Consent Agenda #2 to the next meeting. Weed moved to table Consent Agenda #2 until the next meeting. Rutherford seconded. The motion carried unanimously.

8. Consider Budget Transfer – Field of Hope
Brown noted there were additional documents on the dais pertaining to Consent Agenda #8 – an e-mail from the City Manager to Mayor and Council regarding the Field of Hope and a copy of CAR 8-3, City Council Funding for Non-profit Organizations in Fayette County.

Brown said several non-profits had requested Council funding. Historically, there seemed to be a problem as to which organizations could be funded and which could not be funded. Because of the problems, the City developed CAR 8-3 and came up with a pattern for distributing the funds. There were three categories. The first was basic needs, which were food, shelter, and protection. Requests from Fayette Senior Services and the Fayette County Council on Domestic Violence usually fell under this category. The second was general needs, which was any need other than food, shelter, and protection. The third category was funding to assist public schools and generally included playgrounds and cart paths.

Brown said this request fell under the general needs category. The request for funding was for $18,500, which did not comply with the CAR. Brown said Council had been diligent in adhering to the CAR with all the requests during the last two years. He continued that they could grant $5,000 in accordance with the City's policy.

Rapson noted the e-mail from the City Manager reiterated what Brown had said regarding the CAR. The staff recommendation was that the request be modified to include $5,000 in reference to CAR 8-3 and that the Recreation Department be given the ability to bid out the remaining $13,500 to complete the project and to use the normal purchasing procedures in going through the bid process. Rapson said the cost would be substantially less than going through the process at a later date. Rapson said Leisure Services Director Randy Gaddo had received approval from all of the sports organizations regarding their support. Rapson said directors should be able to re-direct the City budget, with the City Manager's blessing, in the best interests of the City, and he was in favor of that.

Weed said this matter was no different from other venues in the City. The All Children's Playground got the land from the City and received $5,000. The Dog Park got the land from the City and received $5,000, and agreed to pay the money back. Weed said Nick Harris of the Field of Hope told the City a year ago that they would not need the City's money. The City gave the Field of Hope the land. Weed said he would support giving them the land and $5,000, but not the City paying an additional $13,500 to finish the project.

Brown said the All Children's Playground was running short on getting the funding for their final phase. He asked if that meant the City should take $25,000 from the Recreation Department to finish the playground or would the committee have to be persistent and raise the funds. Weed said he supported full funding of the All Children's Playground and the Dog Park, and that had fallen on deaf ears. Now, it seemed Council was willing to make an exception for a different venue and he wanted to know why. Weed said he was willing to change his mind, but he had not heard anything that would cause him to do so.

Rutherford asked Gaddo if the City would own the facility when it was completed. Gaddo said yes and that the entire facility, including the special needs field, would be fenced. Rutherford asked how much money had been raised for the facility privately.

Gaddo introduced Rick Halbert of Group VI Corporation to answer the question. Halbert said he was the administrator for the project and that the City owned the property. Many companies had worked on the project, which was a $700,000 project. Approximately $600,000 had been raised. Halbert showed a photograph of the area and said they felt if they had gotten just the one field constructed with the rubber mat then they were doing well. Momentum built and they were able to put in a parking lot and were getting ready to build a concession stand. Halbert said that once everything was completed, it would still belong to the City. He realized the Field of Hope organization was a 501(c)(3), but everything would be given to the City upon completion.

Halbert said it cost the City $100,000 or more to build one baseball field. They saw they were close to finishing the one field and had graded for a second field, which would also be the City's. Originally, they had asked for $36,000 to buy sod, site lighting, and fencing for the second field. After hearing what the other baseball organizations had to say, they bought the site lights for $20,000. He said they were close to having another free baseball field for the City. They did not want the money for charities, but needed money for sod and fencing. Halbert continued that if substandard fencing were put up, then the City would have to replace it. The second field should be finished in the summer.

Brown said Halbert's description of the development and ownership applied to all the projects that had been mentioned, and that was why there were specific rules on how to give the money. Brown said there had been a lot of fighting about which organization received the money and how much they received. The nucleus of the project, the special field, would be completed. Brown said they could just seed the other field and complete it as the money came in, or exclude it from the project. He pointed out when Harris came to Council before, Brown had suggested the project become multi-county so lower-tiered counties could apply for Department of Community Affairs grants for disability projects. He said Harris rejected the idea. The children from those counties would play at the park anyway since Fayette County did not have the volume to fill the facility. Brown said he did not mind giving the $5,000 allowed by the CAR, but he wanted the opportunity to try for the state grants.

Weed said he would support a proportional share if they had a comparison of what had been raised privately and what was left, as long as the Dog Park and the All Children's Playground had the same opportunity. Those venues had not been given the same opportunity. If they did, Weed said he would support the request. If not, he could not support the request.

Brown had gone to the Field of Hope's person who handled funding, told him of the grant opportunities, and offered to help. He said he never received a call.

Rapson said he saw two separate issues, one of which they agreed upon. He moved that, according to CAR 8-3, the City provide $5,000 in basic needs support to the Field of Hope as requested. Rutherford asked if there was any money left, or had the $25,000 been allocated. Brown said organizations had until June to submit requests. Rutherford seconded the motion. The motion carried unanimously.

Rapson said there were two distinct issues and said the request was poorly written. He did not see the request as a non-profit asking for $13,500, but as a recreation director taking the lead on completing a City facility. The first distinction was that the Recreation Commission agreed Council should proceed in this manner. The City Manager and Recreation Director made an operational decision regarding operating dollars funded for this purpose and re-directed money to be used for fencing, sodding, and completing fields to this project. Rapson said another key point for him was that all the sports associations involved had also agreed to the re-direction of the funds. One of the options for the Field of Hope would have been to scale back and said they were done, with the other field becoming a City problem. The vendors would go away and the City would pay more to get the job completed later. Rapson said the City would take the $13,500 and use current purchasing procedures to bid the project out. Rapson said that, hopefully, Group VI would extend their discounted price to the City to complete the field, but if someone honestly came in with a lower bid, then that company would get the job. Rapson said he had the same issues that Brown and Weed had with the original request. He did not feel a motion was needed, but his direction would be for staff to proceed along the course they were pursuing and bid out the $13,500 for the purpose of completing the adjacent field to the Field of Hope and, hopefully, work with the current vendors to complete the job.

Rutherford moved to approve Gaddo's request to reallocate the funding of $13,500 for the remaining sod work and fencing, and that it be bid out according to existing procurement procedures. Rapson seconded.

Brown read from the staff memo -- *At the time this request was made, staff and the Recreation Commission did not feel the request was restrained by CAR 8-3.* Brown said his problem was what would happen if the All Children's Playground fell $25,000 short of goal, put in $15,000 in equipment, and the City had to put in $10,000 to finish the project. Rapson said Gaddo also had money allocated for playgrounds. He saw this as an operational decision and Council was not supposed to micromanage staff. If Gaddo, the City Manager, the Recreation Commission, and the people who would get the tot lot in their neighborhood agreed on the re-direction of funds, then Rapson had no problem with the matter coming before Council for approval to take that avenue.

Weed said he had been involved with the All Children's Playground since its inception. The City said they would not fund it, but donated the land. Weed said he presented the idea for the Dog Park and that $14,000 would have built the entire facility. Council gave the land and $5,000, which the Dog Park Committee was going to give back. Weed continued that giving the money back was not a pre-condition, but the committee felt strongly about the matter and wanted to give the money back to the City. Weed said Harris told Council that this organization did not need or want the City's money. Weed said he saw no difference between a handicapped child that used the playground and a handicapped child that used the baseball field. The only difference was they were making a value judgment that sports figures and baseball players were better than children playing on a playground. Weed said it was a shell game and he would not support it.

Brown recalled that Council received a request from needy children in the community and prorated the request for the program. Brown said he was having a problem going outside of the parameters of the policy, when they would not fund an afterschool program for children in need. Rapson clarified that he was willing to fund the entire dog park and added that there was no money in the recreation budget for an afterschool program. Rapson reiterated that this was a re-direction of money and was a staff decision.

Rutherford said Council gave the Field of Hope $5,000. Now they were asking to re-allocate fencing money. She asked why it made a difference when the City would have to put up the fence anyway. Gaddo said the option was to leave the field unfenced and undeveloped, but the field would be a maintenance issue either way. It would have to be mowed and kept neat. The Field of Hope would be a jewel, and to have an overgrown field next to it would be unsightly. Rutherford pointed out if the field were sodded, then it would be useful. Gaddo said Little League would use the field for machine pitch and t-ball.

Kourajian asked when the fence would go in. Halbert said the second field had not been part of the original plan. When they left, there would be $20,000 of lights shining on a level field of dirt, while it would cost the City more than $20,000 to finish the field. The grass company and fence company had donated thousands of dollars toward the project. Halbert reiterated that they could give the City a $150,000 field for $17,000. Halbert said the field would be ready for play by June and the fence could go up in March.

Kourajian asked if there was a need for more money for the All Children's Playground. Gaddo said yes and they needed $10,000 more. Brown asked Gaddo if he was willing to pay for the rest out of his budget if the Playground committee could not raise the funds. Gaddo said it was a consideration. Rapson said that was not a fair question when the matter was also up to the Recreation Commission and the City Manager. Gaddo said disabled adults could also use the second field.

Kourajian said the land was enhanced and it was now a usable piece of real estate. For the cost of fencing, the City would get a lighted field. Brown said that, historically, those were the arguments used and that was why $25,000 was appropriated for first-come, first-served requests. Kourajian asked if Gaddo always came to Council to re-direct funds from his budget. Rapson said he did if it was a politically sensitive issue. Kourajian asked if Gaddo could include the fencing in his budget for next year without asking Council. Rapson said yes. (Mayor's note: the City Manager informed Council after the meeting that a budget amendment was necessary for any unbudgeted change over the amount of $5,000.) Weed reiterated it was a re-direction opportunity that other people did not have. Rutherford said no one else had come before Council and requested the re-direction. Brown and Weed said they would come back to Council if this were approved.

The motion carried 3-2 (Brown, Weed).

Weed asked to have CAR 8-3 placed on the next agenda.

Old Agenda Items

01-04-CA2 Consider Addition of Fees to City Schedule

Police Chief James Murray said the fees had been collected for 15 years, but had never been formally added to the City's fee schedule. Murray asked if the fees could be officially added to the fee schedule, noting that Council Member Weed also requested that a form be made available to those who could not afford the fees, which had been done.

Weed moved to approve agenda item 01-04-CA2. Rapson seconded. The motion carried unanimously.

New Agenda Items

02-04-01 Alcohol License – NEW – China Café

Michael Tsoi, applicant, addressed Council. Weed said the paperwork appeared to be in order and moved to approve the alcohol license for China Café 9 and that Michael Tsoi be appointed as the Licensee and License Representative. The motion carried unanimously.

02-04-02 Appoint Representative to Fayette County University Center Advisory Council

Weed said he understood the Mayor was interested in the position and moved to appoint Mayor Brown to represent Council on the Fayette County University Center Advisory Council. Rapson seconded.
Kourajian asked what the representative's duties were. Brown said the advisory council was created to look at the future of the facility since there was finite space at the Tennis Center. The Advisory Council looked at how to expand the facility and how to obtain a better site. There had not been a lot of activity, but Clayton State had hired a consultant to look at sites. The Advisory Council had representatives from the Chamber of Commerce, the Board of Education, all the municipalities, Fayette County, and Fayette County Development Authority.

The motion carried unanimously.

02-04-03 Adopt Bond Ordinance for Series 2004 General Obligation Bond Issue – Library

Brown noted there was an additional document on the dais – a draft of the Bond Purchase Agreement dated February 5, 2004.

Salvatore reported to Council that the City was authorized by voter referendum to obtain a $4.9 million General Obligation Bond for the library construction/renovation project. Todd Barnes of A.G. Edwards, the City's financial advisor, evaluated whether the City should use private placement or public offering for the bond. The City would be able to save $131,000 through private placement of the bond, including $45,000 in closing costs alone. Barnes solicited bids for private placement and RBC Centura offered the most favorable interest rate and terms at 3.41% for 15 years. The bond was callable at any time with a 2% bond premium. Salvatore said the bond hearing was held that morning and everything went fine. The bond closing date was scheduled Thursday, February 26, 2004. Salvatore said Council needed to adopt the Library Bond Ordinance and to approve the Bond Purchase Agreement with RBC Centura Bank.

Weed asked Meeker if he had looked over the documents. Meeker said yes. Brown thanked Barnes for his work.

Rutherford moved to adopt the bond ordinance for the 2004 obligation for the library and approve the Bond Purchase Agreement. Rapson seconded.

Kourajian asked if it was typical for just one bank to finance a bond. Barnes said that was typical for private placement.

Rapson noted that the bond equated to a .35 millage rate increase for 2005, which the voters approved.

The motion carried unanimously.

Council/Staff Topics

There were no Council/Staff topics.

Clay Jacobs asked if he could address Council. He said he had a question about the restructuring of the part-time recreation positions (Consent Agenda #6). His son had served as a part-time skate park monitor for two and one-half years and had received a letter stating the matter would be discussed tonight. Jacobs asked if the park would be closed and if the monitors would be done away with.

Gaddo said they reviewed the Department's part-time staffing. For the past few years, a part-time customer service representative had been needed at The Gathering Place. They had run into issues with the volunteer staffing and felt it was not safe to have volunteers staff the facility. They had also looked at the monitors for the skate park and the rink. The BMX track was unmonitored and was located just a short distance from the skate park. There had also been a reduction in the usage of the skate park. Gaddo noted that some of the skaters were using other alternatives. Gaddo said they felt this was a logical thing to do.

Brown asked if there was an association for the skate park. Gaddo said no. Rapson said the park would still be monitored intermittently by the Police and the full-time parks monitor. Gaddo added that the Recreation Department staff was also located in the area and would help with monitoring.

Jacobs' son said the park was not used because of the changes made, and that it was not usable. Gaddo said the City spent $25,000 last year to buy two-quarter pipes. The plan for next year was to spend another $10,000 to complete the project. Brown noted this was a discussion for the Recreation Commission.

Rutherford moved to reconvene in executive session for litigation, real estate, and personnel matters after a short break. Kourajian seconded. The motion carried unanimously.

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

Rutherford moved to authorize staff to acquire certain right-of-way for the price discussed in executive session. Rapson seconded. The motion carried unanimously.

Weed moved to authorize staff to proceed with acquisition of right-of-way for road improvements pursuant to discussion in executive session. Rapson seconded. The motion carried unanimously.

There being no further business to discuss, Rutherford moved to adjourn the meeting. Rapson seconded. The motion carried unanimously. The meeting adjourned at 9:45 p.m.

Betsy Tyler, Deputy City Clerk

Stephen D. Brown, Mayor

Pamela Dufresne, Recording Secretary