

**City Council of Peachtree City
Meeting Minutes
Thursday, January 19, 2023
6:30 p.m.**

The Mayor and Council of Peachtree City met in regular session on Thursday, January 19, 2023. Mayor Kim Learnard called the meeting to order at 6:30 p.m. Council members attending: Frank Destadio, Clinton Holland, Mike King, and Phil Prebor.

Announcements, Awards, Special Recognition

Learnard called attention to the display on the Special Purpose Local Option Sales Tax (SPLOST) in the lobby. She said it was their goal for every citizen to be able to access information about the SPLOST and its list of projects. There was information on the City website, along with posters at the library, the Kedron Fieldhouse, the Convention and Visitors Bureau (CVB), and at the Tennis Center. In addition to the kiosk at City Hall, there was a kiosk in the lobby of the Police Department. Anyone interested in hosting a presentation for a group should contact City Hall, she said, with Destadio adding there were already presentations scheduled for the American Legion and the Knights of Columbus.

2023 State of the City Address

The Mayor recalled she gave her first State of the City address last year after just two weeks in office. This year, she said she wanted to look back on an interesting and productive 2022. She mentioned how Council had worked to revitalize public communications, negotiated a Local Option Sales Tax distribution agreement with the County, unanimously passed a strong budget, and remained vigilant on their goals related to traffic, recreation, redevelopment, and public safety. They had attracted new talent to government and worked to maintain Peachtree City's quality lifestyle.

Other achievements included passing a budget that included no millage rate increase. Should SPLOST 2023 pass, they anticipated no increase for the next five years, Learnard remarked. The 2017 SPLOST collections exceeded expectations, and in 2022 a citizens committee worked to come up with a list of projects totaling \$67 million for the next SPLOST vote in March.

The Mayor also mentioned that the Comprehensive Plan was updated with citizen input in 2022. Traffic remained a concern, and there had been meetings with the Georgia Department of Transportation (GDOT) and with the Fayette County Transportation Committee. They received updates on the SR 54/74 Displaced Left Turn (DLT) project and discussed smaller changes such as a dedicated right turn lane from 74 to 54 West and signalization that would be part of the DLT project. They were also working with GDOT to create a dual left out of Huddleston Road to 54 West.

Parks and recreation milestones included the opening of the new All Children's Playground, the Riley Track was being resurfaced, tennis courts were resurfaced, and six new pickleball courts were added at Braelinn. The SPLOST list also included a 12-court pickleball facility. New bathrooms were coming to Drake Field, and Battery Way Park would be renovated. This year, she said they would be discussing the best way to fund new courts, lights, and the irrigation system at the Tennis Center.

Redevelopment activities included constructing Stagecoach Road and a path to the new Booth Middle School. The Fayette County Board of Education opened a new Center for Innovation at the former Booth school. It included Southern Crescent Technical College and Clayton State University. The City had stayed in touch with the owners of the old Kmart property in Braelinn Village, but they had been unable to attract a tenant. Huddleston Road needed sewer, and they were consulting with property owners about the future of the area.

In April, Clint Murphy, who had been with Peachtree City Fire Department for 25 years, was promoted to Chief. Public Safety staffing remained a concern. They had taken measures such as increased signing bonuses and take-home vehicles, in addition to an across the board 5% cost of living increase in an effort to recruit and retain personnel.

Another noteworthy event was a four-alarm fire at the Peachtree City Walmart in August. The person who started the fire was promptly arrested, and the grocery section of the Walmart re-opened in December. A new path crossing of SR 74 at Panasonic opened in 2022. The Tennis Center hosted a national pickleball tournament that attracted more than 700 players. Learnard pointed out that events at the Tennis Center brought in \$1.5 to \$2 million to the City each year. Ongoing events such as the concerts at The Fred, Night Market, and other family events and festivals continued.

Holland was elected to Council in November, and Learnard said he brought a fresh perspective. The City welcomed new City Manager Robert Curnow a few weeks ago after a months-long nationwide search. Learnard expressed appreciation for Assistant City Manager Justin Strickland for his guidance during the interim.

Looking to 2023, the Planning Department would be working on a Unified Development Ordinance (UDO) to streamline zoning and development ordinances. A Recreation Master Plan update was planned for the first time since 2011. Also, with the recalibrated Council and a new City Manager, Learnard anticipated developing a strategic plan for Peachtree City. She said dozens of high-caliber cities in Georgia had embraced this process of soliciting citizen input on various aspects of their cities with the goal of creating an overarching vision for the future. She wanted to put the "planning" back into this planned community.

She concluded by saying she saw generations of families now in Peachtree City, with more and more young people, new and expanding businesses, boundless educational opportunities, and amenities and quality of life that was second to none. Learnard said she was proud of what they did in 2022 and knew they were poised for robust planning in 2023 and a positive vision for the next 20 years and beyond.

Public Comment

Evan Huefler of Crabapple Lane reminded Council that he spoke to them in May about the need to keep the Crabapple Lane path open so his disabled daughter could get to and from her job independently. Council voted to keep the path open until December and to extend that deadline if Tyrone made progress towards constructing an alternate path. But, he said, after Peachtree City leaders refused to meet with Tyrone to review the plans, access to the path was shut off on December 1. He stated that traffic studies showed only 14 carts per day on Crabapple Lane, and Kedron Hills residents had stated they now felt safe with the road closed to through car traffic, so he did not understand the need to close the path. He also pointed out that Peachtree City would be losing the higher fees that non-residents paid to use the paths. He noted that carts from the County on the southside were still allowed access to Peachtree City's network, which he said showed discrimination, and he implored Council to reopen the path while Tyrone created a solution.

Steven Newton noted that through SPLOST, Peachtree City was willing to take funds other Fayette residents contributed and use them for path projects while refusing to open a gate for access. He

also remarked that Huefler was a military veteran and his wife was a teacher in the Fayette County School System. Newton said he would like to see Peachtree City sign on to the Fayette County Transportation Plan, which proposed a connected path network throughout the County. He said refusal to do that showed that Peachtree City did not want people from other areas in their City.

Suzanne Brown said she would like to see the City adopt an ordinance to allow people to keep chickens in their yards if their homeowners associations (HOAs) or covenants did not prohibit it. Many other areas, including in Atlanta, allowed backyard chickens.

Jason Pohl told Council that trains often stopped for prolonged periods at the at-grade crossing on Kelly Drive between Dividend and SR 74 and asked Council to look into it. He also asked Council to consider decriminalizing possession of one ounce or less of cannabis for personal use as many cities had done. There were medical reasons for its use, he stated. Finally, he said he heard a lot of negative comments about Council, but he felt they were doing a good job.

Keith Larson said Peachtree City had a speeding problem on streets and on the paths. The City had traditionally taken a passive approach and required neighbors to raise concerns before acting on a case-by-case basis. There needed to be uniform standards and enforcement, he stated, established with broad public input. The last City Manager said he did not want resident input, and Larson noted that was why the recommendations from the Multi-Use Path System Citizens Advisory were not available on the City website. They needed to change to the best practices recommended by the Federal Highway Administration for routine resident discussion to make safe streets, roads, and paths. City Policy 10-1, Traffic Calming, should be revised to restore transparency and trust by using a best practices speed management approach that included an appointed citizen advisory group.

Agenda Changes

None

Minutes

December 15, 2022, Regular Meeting Minutes

December 15, 2022, Executive Session Minutes

King moved to approve the December 15, 2022, Regular Meeting Minutes, and the December 15, 2022, Executive Session Minutes. Prebor seconded. Motion carried unanimously.

Quarterly Reports

Learnard said these reports contained summaries from each department and were available on the City website.

Consent Agenda

- 1. Resolution # 01192023-CA1 Call for election and setting of qualifying fees**
- 2. Legal Organ – Fayette County News**
- 3. FY-23 Budget Amendment- Lake Peachtree HOA donation for Lake Peachtree fish restock**
- 4. FY-23 Budget amendment – Insurance Reimbursement – Lightning damage**
- 5. Acceptance of the GMC Proposal for Professional Services for the Unified Development Ordinance(UDO)**
- 6. Proposal to change GIS Technician position to a second GIS Analyst position**

Destadio made a motion to move item 5 to Council/Staff Topics for further discussion and to approve Consent Agenda items 1-4 and 6. Prebor seconded. Motion carried unanimously.

The Mayor noted that item 3 was the acceptance of \$2,000 to match the City's expenses in restocking Lake Peachtree with sterile carp that would combat hydrilla, an invasive species.

Holland, referring to item 1, said he would like to see the City investigate conducting its own elections, rather than contracting with Fayette County. He commented that he believed it would result in savings for the taxpayers. Destadio added that the City Attorney had told them this would be possible.

Old Agenda items

11-22-03 Variance – Transitional Yard Buffer – 100 McWilliams Drive

Planning and Development Director Robin Cailloux said this item was tabled from the November 17 Council meeting. The property was an existing lot at the corner of SR 74 North and McWilliams Drive currently zoned Office-Institutional (OI). The proposal was for a 5,000 square foot medical office building, a reduction from the previously proposed 7,500 square feet. She explained that a transitional yard setback was an undisturbed buffer required between any residential zoning and non-residential zoning district. The site plan showed where the undisturbed buffer would lie, and where it would be if the request to encroach it by 30 feet were granted. A standard lot in the OI district would have a setback that allowed parking within 10 feet of the property line.

Since the last meeting, she continued, the developer had met with residents of the subdivision that this lot abutted and had obtained a letter of support from that subdivision.

Was this the request that was tabled on Prebor's recommendation? Destadio asked. Told that it was, he thanked Prebor, saying it was a good idea.

Architect Jefferson Brown, representing the applicant, said they hosted a meeting with community residents on December 17. The site plan they had presented was a result of that meeting.

The conditions staff recommended with the initial report were still being recommended, Cailloux remarked. They called for additional evergreen landscaping within that buffer, sight lighting limitations to a maximum of three feet high, a 75-foot wide public access easement for a future multi-use path, and interparcel access to the south.

Destadio said this was tabled due to concerns from the residents and confirmed with Brown that they had a good meeting and resident concerns were satisfied.

Prebor said he, too, was pleased with the result and said his question with variances were how the people most affected by it felt. He thanked Brown for making the effort to meet with the neighbors.

King had no questions.

Holland commented that he considered variances in terms of whether it was a need or a want. In this case, he said he was comfortable with the changes they had made and the conditions staff had attached.

Destadio moved to approve Old Agenda item 11-22-03, Variance-Transitional Yard Buffer-100 McWilliams Drive with conditions identified by staff. Prebor seconded. Motion carried unanimously.

New Agenda items

01-23-01 Resolution #01192023-NA1 Kelly Drive Road Abandonment and Disposal

City Attorney Ted Meeker said, as outlined in his memo, this had been discussed for at least 18 months. Former City Manager Jon Rorie and the Planterra residents had discussed selling a portion of Kelly Green. There was a review of traffic while Bernie McMullen was serving as the interim City Manager, and residents had regularly appeared before Council to express their concerns about safety.

With all this in mind, Meeker went on, they initiated the process of abandonment of at least a portion of the road. Notice was given to the adjoining property owners, which were the golf course and the Planterra Ridge HOA, and there was a 30-day option for them to acquire it. The golf course declined, but the HOA expressed interest. The purchase price was in the memo and had been agreed to at a staff level but needed Council approval.

Before them tonight, Meeker continued, was a resolution to make all that happen. The City would be abandoning a portion of Kelly Green, which would then be transferred to the HOA. At that point they could put up a gate. There was a savings clause in the resolution where the City would retain easement rights for the cart paths that were in the right-of-way that was being abandoned, along with any utilities located underground.

Destadio said he thought it was unfortunate that Peachtree City residents would not be able to travel through this portion of Planterra Ridge, but they should realize they were the cause of the problem. It was documented that vehicles had gone through Planterra Ridge at speeds of 60 to 80 mph, and that was unsafe. It was a shame to have to block off a road to public access, but it was the fault of the citizens, he stated, adding that this was a good idea.

King also concurred with this plan, reflecting on the comments they had heard from children and their parents reflecting on their inability to safely play in their front yards. Folks were getting off work at 4 p.m., which was the time the proposed gate would shut, until around 5:30. The gate would stop the cut-through traffic of folks who worked on Kelly Drive and Huddleston Road. He said he did not blame them for wanting to get home, but he could not put children's lives at risk. He apologized to the Planterra homeowners in attendance that it had taken 18 months to get this done.

Holland said he understood the danger and was glad they were doing something but, he asked Meeker, would the City resume ownership if the HOA went out of business? Meeker replied that there was no reversion in the agreement, but, like any other public right-of-way, they could reacquire it if necessary.

What about maintenance? Holland inquired, saying he believed Meeker had said the HOA would be required to maintain it. Did the City have recourse if it were not maintained to City standards? It would be a private road, Meeker answered, and that would be something the HOA would have to take up among themselves.

The Mayor mentioned in the State of the City address that they were working on making Huddleston Road two lanes going west, which would help with traffic. The traffic that previously cut through Planterra was primarily headed to Coweta, and Prebor said the Huddleston improvements would enable them to get there faster. He concurred with this proposal.

The Mayor did not. She acknowledged it was not an easy problem, and said she appreciated the children and adults who had brought this issue before Council. However, she stated, she believed she had an obligation to represent the City as a whole.

She was concerned that this agreement was permanent with no stipulations as to what happened next. It would be up to the HOA. Would they operate a gate? Put up a wall? Put up a fortress? Would it be open certain days? Certain hours? One direction? Two directions? They had no way of knowing. This was the sale of a portion of a road to an HOA, Learnard commented, and an HOA was made up of people with families and jobs. She did not know about the undertaking of operating a gate. To let only residents through at certain times was actually a bigger undertaking than most of them realized.

Again, she stated, she felt she had to look out for the City as a whole, and there were so many unknowns that she could not support this. That was a difficult thing for her to say, Learnard remarked, because she recognized the problem.

King moved to approve New Agenda item Resolution #01192023-NA1 Kelly Drive Road Abandonment and Disposal. Destadio seconded. Motion carried 4-1, with Destadio, Holland, King, and Prebor voting in favor, and Learnard voting against.

Public Hearings

01-23-03 Rezoning for 949, 951, 975, 976, 986, 1000, and 1001 Crosstown Drive and 555 – 575 Hwy 74 S from GI and LI Industrial to GC General Commercial

There were seven properties at the intersection of SR 74 and Crosstown Road that the standard passerby might be surprised to learn were zoned Industrial, Cailloux began. These properties were McDonald's, Wendy's, a hotel, an auto repair shop, an empty car wash, and two gas stations, which were all uses typically found in a Commercial zoning district.

Staff approached Council in the late summer last year with a concern that redevelopment would be hindered if these properties remained in the Industrial zoning. That zoning did not match the character of the corridor; of particular concern was the fact that Industrial uses did not have a height limitation. Council initiated the rezoning, and it was discussed by the Planning Commission at its December 12 meeting.

Cailloux presented some reasons why staff thought a change to the zoning that matched the current uses was in order. The commercial uses in place now were considered "grandfathered," she stated, which meant they could not expand, were limited in the amount of money they could invest in the property, and, if they discontinued use for one year, could not reopen as a commercial use. Rezoning to Commercial would allow these existing businesses to continue to operate in the current manner.

The Future Land Use showed these properties as Commercial; there was one parcel across the intersection marked as Industrial. As part of the Braelinn Village Center, Commercial was the appropriate zoning. Cailloux again stated there would be no land use changes because of this

rezoning. The Planning Commission, she reported, gave this unanimous support at a December 12 workshop.

The Mayor opened the public hearing.

Keith Larson said he lived in the area and felt this was a "no brainer" that gave them a chance to correct a situation created over the years and ensure the future well-being of Braelinn Village. This change would allow business owners to re-invest as appropriate instead of being limited, as they were now, to spending no more than 50% of the depreciated value on renovations. Larson said that limit would allow this area to deteriorate. He noted that the space for a car wash had been empty for a long while. What could be done there? Their hands were tied. They needed a common zoning suited to the commercial center of the village so the residents and the businesses could prosper.

Suzanne Brown, speaking in opposition, said she had been present for the two prior presentations on this topic. Just before Christmas she submitted an Open Records request for correspondence between the City and all the properties in this rezoning and received copies of building permits and correspondence for the hotel and older, irrelevant correspondence for the car wash property, but nothing regarding the other five properties.

The hotel was purchased on August 9, 2022. Four building permits to improve were approved between October 3 and November 3 totaling \$1,170,000. In both the Council and Planning Commission presentations, she stated, they were told the cap for renovations was 50% of the depreciated value, making it about \$900,000. But by November 3, the approved permits exceeded the cap by about \$270,000.

Over the next nine days, Brown said, signs were posted about the rezoning and the dates of the public hearing. Nothing was mentioned about exceeding the cap in either the City Council information session or the Planning Commission workshop. Did they tell the Acting City Manager? Did they tell the people in charge of the motel LLC? City staff should have gone to the LLC and explained the issue and asked them to apply for rezoning to General Commercial (GC), which would allow them to complete the renovations without a cap.

Before posting signs, Brown continued, Planning staff should have sought guidance from City Council and the City Attorney. She felt they blindsided Council with the request. She cautioned Council that she could not expect openness, honesty, and transparency from them if they were not getting it from staff.

Brown said she did not support this because of what she said was the lack of openness, but she did see how it would benefit the hotel owners and the owners of the car wash property. She stated she was sure they would approve this, but she hoped they would work on the issues of openness, honesty, and transparency.

No one else wished to speak, and the Mayor closed the public hearing.

Destadio said he was not opposed to this after meeting with Cailloux and the City Manager. He asked Cailloux to explain the disparity between the amount of the permits and the value of the property.

Cailloux said there was a duplication that occurred on the website. They could enter information manually when issuing a permit and could also upload a pdf with handwritten information. The information entered manually was different than what was on the paper. She looked only at the manually entered information when she wrote the first memo. When it came to light that there were differences in numbers, she opened the pdf and saw those numbers. The people who reviewed the building permits and the plan reviewers looked only at the pdf, she explained.

So, Destadio asked, it was the system at fault? It was a duplication of efforts, Cailloux said, so it could have been a typo or just an error that was made.

Destadio said he did not disagree with this rezoning, but why did they have to rezone all of them? The City Manager had said he thought it was better to do them all at once, but Destadio said he would like to see them pick and choose. Rezone the car wash and the hotel, then work on the others. He said he understood it would be more labor for staff but thought that would be a better approach.

Holland said he had no problem with a changeover to GC; his issue was the flawed data. Was the rezoning requested by the current owners once they knew the limit of their construction value was reached? Holland asked, and Cailloux said "no." He asked if anyone from the City suggested to them that they request a zoning change?, and she again said they did not.

Holland also said the data was flawed due to a bookkeeping error, and he wished they had the correct data from the beginning. He again stated his support for rezoning to GC.

This was long overdue, King said, noting he had lived in Peachtree City for 35 years, and those properties had always been commercial. He certainly did not want a five-story storage facility sitting on one of those lots. Everything in that area was commercial. Over the last few years, they had entered into a process of looking at their ordinances and trying to make things right. He stated that he agreed with Cailloux and Curnow that picking them one at a time would be a waste of effort.

Prebor recalled that Cailloux had mentioned McDonald's could not expand under the current zoning. If someone owned a business there, they would have let it go into ruin, and that is not what they wanted for the City. He thought they should revisit the rule about 50% of depreciated value in the future. If someone wanted to spend more, they should not stop them. He was in favor of the zoning change tonight.

Learnard asked Curnow to confirm that there were six building permits on the property and combined they were still under the 50% or less depreciated value.

That was correct, he stated. They did some additional research with information from the Fayette County Tax Assessor based on the price of the building. The current value was \$2.6 million, and 50% of that was \$1.3 million. The current permits were at \$1.1 million. Curnow said he also asked their building official to go out that day and do some inspections to confirm that the contractor doing the work was meeting that \$1.1 million limit.

King moved to approve New Agenda item 01-23-03, Rezoning for 949, 951, 975, 976, 986, 1000, and 1001 Crosstown Drive and 555 – 575 Hwy 74 S from GI and LI Industrial to GC General Commercial. Prebor seconded. Motion carried unanimously.

Council/Staff Topics

1. Updated Branding Initiatives – The Fred Amphitheater

Laura Valente of Premier Events Live noted they had a great working relationship with Peachtree City, and she wanted to go over some of the highlights of the last few years. In 2018, the City awarded the management contract of The Fred to PPR, which was a joint venture of three companies. RCS Productions did all the talent booking and artist management, and Valente introduced RCS owner Steven Moore and General Manager Todd Elmore. FreshTix handled ticketing, Valente continued, and Premier Events looked after marketing, concessions, and sponsorships. She commended Carol Kelley's work as The Fred's General Manager.

In 2018, Valente stated, the venue got a new roof and new paint. They upgraded signage and replaced awnings, along with reconfiguring the entry gate. 2019 saw the replacement of all the seats in the reserved seating area. All shows were cancelled in 2020 due to COVID. By 2021, they were cleared for a season of socially-distanced concerts, she reported, and were allowed to go to full capacity by mid-season. In that year, they replaced the picnic area with the new plaza area and upgraded the restroom area. Last year's big project was the addition of ticketed pub tables in the main concourse. They also revamped the cart path used by the courtesy shuttle.

In 2022, The Fred hosted 14 shows, and eight were sellouts. Most of the 26 sponsors from last year had already signed up for this season, Valente reported. The Atlanta Symphony partnered with them for a concert, and they also added an improv show. In preparation for the 2023 season, they had renovated the lawn seating area by leveling the tiers and installing new stairs, railings, and sod. Valente promised there were a few other projects in the works that would be announced later.

Tonight, she wanted to acquaint Council with the new branding package they were rolling out after several years of research and planning. The goal was to create something with a clean and contemporary design, that indicated the venue's rustic setting. Five bids were submitted, and four of those were from the Fayette County area. They chose Country Fried Creative of Peachtree City.

Country Fried Creative owner Joe Domaleski said this was exciting because it meant so much for them to have chosen a local firm. He reflected that he knew Fred Brown and learned a lot from him in his work with the Chamber of Commerce. He also enjoyed attending concerts at The Fred. In creating the new logo, Domaleski said they wanted to honor the traditions while creating something fresh that reflected Peachtree City. With that, he unveiled the logo, thanking them for the opportunity to create something for the city where their business was located.

Valente acknowledged that everyone wanted to know who the artists would be for the 2023 season and said that announcement would be coming February 20.

2. Acceptance of the GMC Proposal for Professional Services for the Unified Development Ordinance (UDO)

This was the item moved from the Consent Agenda. Cailloux explained they had budgeted for the UDO since 2020, but it was postponed because of COVID, then last year's update of the Comprehensive Plan. Bids were solicited in October, and Cailloux said they received two from reputable companies that had done similar projects. They selected Godwin Mills Cawood (GMC) not

only because they were the lowest bidder but because they had done a UDO for communities similar to Peachtree City, with a highly-educated, highly-participatory populace.

Prebor asked Cailloux to explain for the public just what was being done. She said there were multiple chapters in their code of ordinances that staff and the public needed to access. The first ordinances were adopted in 1977, and there was a complete overhaul in 1985, but the ordinances had not been comprehensively redone since then. They had been altered, but in a piecemeal fashion, Cailloux remarked. They were hundreds of pages long, and it was difficult to focus on one topic because the information was scattered. This lack of organization made it easy to create conflicts when amending ordinances.

A UDO took all that information and pulled it together into a cohesive document. It would still be long and full of "legalese," Cailloux cautioned, but there would be graphics and a logical progression. She said you would start at the beginning of the chapter and proceed through the process. This was a tool used in many communities, some far different from Peachtree City and others very similar. It could be tailored to fit the community.

It was not, Cailloux emphasized, an overhaul of the zoning and development regulations. They would not be adding any new districts or changing the zoning of anything. It would not include any rezoning on the map. It was just an organizing of those ordinances.

Destadio said he was in favor of the UDO, but he would like to see some changes, such as to the overlay district in The Avenue, where the approved paint colors were no longer manufactured. Lexington Circle and Wilshire Village were built out. It seemed to him that they should not only consolidate but add to the contract and do away with those outdated standards.

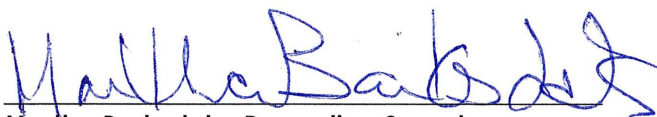
The Mayor asked for a motion, but Meeker said they must wait to vote at the next meeting.

King moved to adjourn to executive session at 7:57 p.m. to discuss pending or threatened litigation and the purchase, sale, or lease of real estate. Destadio seconded. Motion carried unanimously.

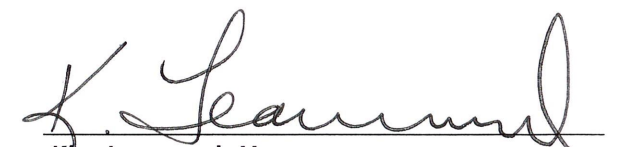
Prebor moved to reconvene on regular session at 8:24 p.m. Holland seconded. Motion carried unanimously.

There being no further business, King moved to adjourn the meeting. Prebor seconded. Motion carried unanimously.

The meeting adjourned at 8:24 p.m.



Martha Barksdale, Recording Secretary



Kim Learnard, Mayor