

City Council of Peachtree City
Minutes of Meeting
January 17, 2008
7:00 p.m.

The City Council of Peachtree City met Thursday, January 17, 2008, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Other Council Members present: Steve Boone, Don Haddix, Cyndi Plunkett, and Doug Sturbaum.

Announcements, Awards, Special Recognitions

Mayor Logsdon recognized the employee graduates of the ARC Management Development Program – Jimmy Freeman and Harvey Garcia of Public Works, Janis Hooper of Human Resources, and Cajen Rhodes of Kedron Fieldhouse. Mike Hunnicutt, Steve McCook, and Vicki Sanchez were recognized for 10-years of service. Logsdon and Building Official Tom Carty recognized the recipients of the City's annual Builders Awards. The awards and recipients included:

- Piedmont Homes, John Higgins – Builder of the Year
- Pete Waldrop, MAWAL Building Systems – Superintendent of the Year
- Comcast Building, Ravin Homes – Best Industrial Site Award
- PTC Kroger Fuel Centers, Betterton Construction – Job Site Safety Award
- Kedron Office Park, New South Construction – Best Commercial Site Award

Public Comment

Al Yougel addressed Council about the number of trash trucks on the City streets. He said they were a burden on the streets and to neighborhoods that maintained their streets. Some homeowners associations had contracts with one company, which help in those neighborhoods. He encouraged Council to seek a contract with a single company, which would benefit everyone.

Minutes

Plunkett moved to approve the January 3, 2008, regular meeting minutes as written. Boone seconded. The motion carried unanimously.

New Agenda Items

01-08-12 Presentation on the Honor Flight Fayette Program

Gail Sparrow and Mark Buckner of the Honor Flight Fayette Program, a 501(c)3 organization, gave a brief presentation on the program. (A copy of the PowerPoint presentation is included in the official meeting file.) Sparrow explained that the organization's purpose was to send World War II veterans to Washington, D.C., to see the World War II memorial. Many were unable to go due to advanced age or physical difficulties. The program ran on donations and provided the trip free of charge to the veterans. The cost for volunteers to accompany and assist the veterans during the one-day trip was \$300 per person. The need was urgent since approximately 1,200 of the veterans died every day. They hoped to take as many local veterans as possible. The first flight, an AirTran flight with space reserved for 70 people (including volunteers), was scheduled on May 14 at Hartsfield-Jackson Airport. Sparrow added that, once all the World War II veterans had all gone to Washington, the plan was to do the same with the Korean War veterans, then Vietnam veterans.

Logsdon asked how many veterans were in the County. Sparrow said they had contacted the Veterans of Foreign Wars Post 9949 and American Legion Posts 50 and 105 to get names of their World War II veterans. Boone suggested they also contact the Veterans Administration (VA) to get names. Sparrow said they had contacted the VA, but had not heard from them yet. City Manager Bernard McMullen asked Sparrow and Bruckner to leave brochures so they would be available at City Hall for anyone interested in making a donation or providing names and addresses of veterans.

01-08-13 Consider Future Floodplain Ordinance

Stormwater Manager Mark Caspar explained that the proposed ordinance was a Metropolitan North Georgia Water Planning District (MNGWPD) model ordinance. The City had been instructed to adopt the ordinance. It was consistent with the City's current floodplain ordinance, but the changes would require enforcement in the future floodplain. Anyone developing in a basin of 100 acres or more would be required to conduct a future floodplain assessment. The City was currently doing an assessment for 10% of the City each year in accordance with the Notice of Intent for the state as part of the Phase II development permit, and it was funded through the Stormwater Utility bond. The changes would affect two current development projects – the recent annexation area and the SANY Corporation project.

Boone asked if Coweta County also fell under the MNGWPD. Caspar said Coweta County was part of the area and had to follow the same requirements. Boone asked if that included open spray fields for septic systems. Caspar said the requirement for the wastewater plan was that the entity must establish a policy. He had researched it, but he had not found anything specifically spelled out.

Plunkett asked whether any grants would be available to aid in compliance with the mandated ordinance. Caspar said there might be, but there were already funds in the Stormwater Utility to cover it. The Cherry Branch and Willowbend Road basins were already completed, and they were ready to begin the assessment of the Flat Creek basin, which was one of the larger basins.

Phyllis Aguayo asked if the proposed ordinance would dilute the current ordinance. Caspar said it would not and was more stringent in some areas. Basins would have to be analyzed. If development would increase the floodplain in the future, then the developer would have to meet those standards. The City Engineer was responsible for enforcement, which would be done through the plan review process and the Building Inspector.

Dennis Chase noted that he sat on the Flint River Advisory Council for the MNGWPD. They spent over 18 months working on the model ordinance, which had gone through a very intense review.

Plunkett asked what would happen if Council did not adopt the proposed ordinance. Caspar said it would eliminate any potential for grants for stormwater-related projects. The ordinance was also supported by the Environmental Protection Division (EPD), which could make adoption of the ordinance a condition of the Phase II permit renewal.

City Attorney Ted Meeker recommended one change on page 17 [Section 1007.6(3) pertaining to variance procedures] – appeals should be addressed to Fayette County Superior Court rather

than Peachtree City Municipal Court. The Municipal Court was not the proper venue for the appeal. Caspar also asked that a change be made on page 14 under "Building Standards for Structures and Buildings within the Future-Conditions Floodplain" – the words, "including manufactured homes," should be removed from (2) Non-Residential Buildings. Caspar noted that the manufactured homes were residential and should not be included with requirements for non-residential buildings.

Plunkett moved to approve the future floodplain ordinance as described in the Council packet with the change on page 17 that the *writ of certori* be made to Fayette County Superior Court rather than Municipal Court and the "manufactured homes" language be removed. Haddix seconded. The motion carried unanimously.

01-08-14 Consider MNGWPD Stream Buffer Protection Ordinance

Logsdon noted there was an additional document on the dais – a copy of the ordinance with the section number corrected from 1016 to 1012. Caspar pointed out that the proposed ordinance was another required model ordinance from the MNGWPD that applied only to streams, not to lake buffers. The requirement was to establish a 50-foot undisturbed buffer and a 25-foot impervious area buffer from all streams. There were several grandfathered provisions, including anything currently approved, anything in the construction process, and any building that would be part of a project that was already approved and had two years to meet the requirements. It was slightly more stringent than the current ordinance, which was the state-required 25 feet for perennial and intermediate streams. The proposed ordinance included a definition of "streams" which was very detailed. The presence of streams would be determined at plan review by the engineering staff.

Plunkett asked if the ordinance would apply to Line Creek and if it would affect the commercial development on SR 54 West. Caspar said it would. McMullen added that the proposed ordinance would have affected the Flexxon commercial development, but it was already underway.

Boone asked why the lakes were exempted. Caspar said he did not know, but there would be a separate ordinance for the lakes.

Plunkett moved to approve the stream buffer protection ordinance to be found under Section 1012 instead of Section 1016. Boone seconded. The motion carried unanimously.

01-08-15 Consider Lease – Tourism Association

McMullen said the request was to approve the modification to the lease included in the agenda package. He noted that another modification would also be coming to Council. There was a lease in place, but there were other occupants in the building. The modification for consideration designated the spaces to be used by the Peachtree City Tourism Association (PCTA), Southern Conservation Trust (SCT), and the City. The floor plans were attached to the proposed lease modification. McMullen continued that the additional modification would come forward as soon as it was approved by SCT and would require the utilities to be paid based on square footage. He recommended adding wording that the utilities be paid based on the square footage identified in the floor plans.

Plunkett asked who used the common area next to the SCT area. Leisure Services Director Randy Gaddo said that area would remain a common area. The PCTA used it for social functions, and The Gathering Place used it for activities. To pay utilities, the square footage would probably be split into threes. Plunkett noted that if the common area was under the control of the PCTA, then alcohol could be served at PCTA functions. If the City was in control of the common area, then alcohol could not be served. Plunkett suggested the common area be put under the PCTA's control as part of their lease package. McMullen said that was a good point since the PCTA sometimes served alcohol at events. Plunkett asked if Council should approve this modification or wait for the other modification to be added. McMullen said nothing was time sensitive and suggested waiting.

Plunkett moved to postpone the agenda item until the PCTA had met and looked at the additional proposed modification. Boone seconded. The motion carried unanimously.

01-08-16 Consider Urban Reuse Water to Irrigate BSC and Meade Sports Fields

Gaddo requested Council let staff move forward with the plan to use urban reuse water to irrigate the fields at the Baseball Soccer Complex (BSC) initially and at Meade Field at a later time. He continued that the Water and Sewer Authority (WASA) had agreed to pay the costs for the infrastructure needed to get the water from the Line Creek plant to the irrigation pond. WASA would establish a usage rate that would allow the City to repay the costs over 15-20 years. The estimate was between \$2,000 and \$4,000 annually based on the current water usage rate at BSC. Urban reuse water was basically treated wastewater with a higher level of filtering and ultraviolet disinfection. The water was as clean, cleaner by some measures, as the water pumped from Line Creek to irrigate the fields currently. Minor modifications were needed at the Rockaway Road plant to bring the wastewater up to the same standards for use at Meade Field, as well as some piping. The other infrastructure was in place.

Gaddo continued that the Recreation Commission held three public hearings with authorities from WASA and the Department of Natural Resources (DNR) available to answer questions and recommended approval of the request. Gaddo said Chase had attended those hearings and brought up one issue regarding the reuse water. While the process was good, there was no guarantee that certain viruses found in water would be completely removed. Dennis Boswell, the DNR representative, noted that, according to all the research and reports, there had been no negative incidents after many years of use. Gaddo added that one of the new Recreation Commissioners had retired from Clayton County's Recreation Department and had a lot of personal experience with reuse water at Clayton County. Clayton County had irrigated with reuse water for 10 years on its fields with no negative incidents. Gaddo said the issue was risk management, and all of the sports associations had felt the risk was acceptable, especially under the drought conditions. The alternative would be to have unsafe fields that caused injuries. Staff would like to proceed with the plan and work with Chase to continue refining the treatment process further, possibly reducing the risk to zero.

Boone said the same viruses were probably found in drinking water. Haddix asked the difference between the reuse water and taking the water out of the stream. Gaddo said that depended on the standards that were used. In three measuring standards (total suspended solids, turbidity, and fecal coliform), the discharge reports showed that the reuse water was much better than the water taken from Line Creek for irrigation. Gaddo said he did not know what was in the

water taken from Line Creek, but he assumed the same viruses could be present as in the reuse water. (A copy of the information is included in the official meeting file.) Boone felt it was a great idea and noted that Planterra Golf Club irrigated with reuse water.

Plunkett asked if there would be a cost savings. Gaddo said there would not be a savings, but he could make up the difference in the budget. McMullen clarified that, at BSC, the City's costs were for the electricity needed to remove the water from Line Creek. The electricity costs would remain the same, and the water would be an extra cost. Gaddo said he had asked about the expense when talking to other cities with a water reuse program and had found a wide range of costs. One city paid nothing because it was a city water and sewer authority and city fields. Another city paid \$9,000 for two football fields and four or five baseball fields.

Sturbaum said he had spoken to someone with the City of Winder, and Winder had used the program for many years. Winder found the cost was a wash, and the program had been very successful overall.

Haddix asked if reuse water was exempt from the drought restrictions. Gaddo said it was exempt.

Beth Pullias pointed out that there were fields at Meade that did not need irrigation because they were located in the floodplain and remained green during the drought. She suggested that Council consider reallocating the money for irrigation of those fields at Meade for improvements to the park and to purchase the six acres from Dominion Partners that was adjacent to the parking lot since the City had the right of first refusal. Gaddo said that Pullias was correct about the lower fields, but the upper soccer and softball fields needed irrigation. They were not in the floodplain and were trampled during use. There was a well at Meade Field that was used for irrigation, but the drought restrictions prevented the City from watering those fields.

Chase said his concerns were not about how clean the water was after it was treated, but with the viruses that no system in the world cleaned out of sewage water. One method that killed viruses was to spend four to five days in open water. When reuse water was sprayed on the fields, the viruses could survive for seven to 14 days on the vegetation. The difference between the sports fields and the golf courses was that children played on the fields, and the viruses would have direct access to the bloodstream through open cuts and scratches. The Environmental Protection Agency (EPA) ratings stated that anything less than eight illnesses per 1,000 was considered safe. As far as the Centers for Disease Control (CDC), the parents would have to prove their children were sick because they were on the fields. If Council approved the use, then Council was accepting the risk. Chase reiterated that no sewer system could stop the viruses.

Aguayo asked why Council would want to take a chance with the health of children and urged Council to think carefully before making a decision. Boone noted that the parents felt there was more risk of broken bones if the fields were not maintained properly. Gaddo said there were no studies to support the safety of reuse water for irrigation. As with the integrated pest management program, the issue was risk management. The sports associations felt it was worth the risk.

Al Yougel said he walked at the BSC every morning, and he felt the danger from the animal excrement left on the fields was far worse than reuse water. He suggested that a public relations campaign be done if the program was implemented. He asked if signs would be posted regarding the reuse water. Gaddo said the City would be required to have signage by law.

Boone asked Chase if the sunlight and heat would kill the viruses. Chase said there was a time span to consider. One system that would kill viruses was to put the treated water in a slow-moving pond, a wetland or vegetative pond was better, for five days. It was not known why that worked, but it did. The risk was putting the reuse water directly on the fields. The City could build a wetlands area, then pump the treated water into the wetlands area where it would sit for the five days before the fields were irrigated. Gaddo said the water would be pumped into a detention pond first, but he did not know if it would sit there for five days before it was needed.

Boone moved to approve the reuse water to irrigate the BSC and to look at the possibility of irrigating Meade Field at a later date. Sturbaum seconded.

Haddix asked if the City would be monitoring the program and would look at new technologies. Gaddo said yes and added that they would try to do some of the things Chase suggested. He also would prefer the risk to be zero. Plunkett noted that the pipes should be a different color, and there should be appropriate signage. WASA General Manager Larry Turner said the water would be in purple pipes and nothing would be attached to the pipes to allow it to be used for drinking water.

The motion carried unanimously.

01-08-17 Consider Resolution Establishing Franchise Fees for State Cable TV/Video Franchises

Meeker pointed out that the General Assembly authorized state franchises last year, so companies, such as AT&T, could negotiate one franchise with the state, rather than with each individual community. AT&T had applied for the state franchise. In order for the City to continue to receive the franchise fees for customers who left the current provider, Comcast, the City had to have something on file with the Secretary of State's office setting the City's franchise fee amount, which would be done by approval of the resolution and ordinance. Plunkett asked if the fee would be the same as Comcast paid. Meeker said the fee would be the same as the current agreement with Comcast.

Plunkett moved to adopt the resolution to establish franchise fees for state cable TV/video franchises. Haddix seconded. The motion carried unanimously.

01-08-18 Consider Re-evaluation of Development and Impact Fee Ordinance

City Planner David Rast pointed out that the City's current impact fee ordinance was adopted in 1992. The ordinance was updated as different service areas were added and different projects were added to the Capital Improvement Element (CIE). Staff had been considering the potential of imposing impact fees on retail, commercial, and industrial development, as well as an overhaul of the ordinance. He said this had come to light during the committee work on the impact fees for Wilksmoor Village. The communities that had impact ordinances operated under stringent guidelines from the state. Staff would like to hire a consultant to evaluate the existing

ordinance to see how it could be improved and to come up with a new fee schedule for new development, including commercial and industrial. Ross+Associates was a specialist in this area. Staff spoke with jurisdictions that used the company, and staff met with Ross+Associates. The company sent in a scope of services for the work that needed to be done in the amount of \$12,400. Staff recommended Council allow the City to enter into a "not to exceed" contract with Ross+Associates to get the process underway. The timeline that was established would coincide with the Comprehensive Plan Update, so the ordinance could be included with the Comprehensive Plan update and amendment of the CIE that had to be submitted to state in a couple of months.

Plunkett asked whether a committee had been formed look at the impact fees for the West Village annexation. Rast said a committee was formed and recommendations were made. Logsdon added that the committee had looked at residential impact fees only for Wilksmoor Village. Plunkett asked if the company would be looking at those fees again. Meeker noted that, once the information was compiled by Ross+Associates, a committee would look at the impact fees as a whole. Plunkett asked if the fees could be assessed to new non-residential development. Rast said yes. Plunkett asked if re-development projects could be assessed an impact fee. Meeker said that, typically, impact fees were for new development. Logsdon said the City should ask Ross to look at the possibility. Plunkett felt that substantial re-development projects should be included. Meeker said there was not much property left for new projects. There were some capital projects left in the Public Improvement Program (PIP). The City needed to know how much of those costs could be attributed to new development as opposed to what was already on the ground. Ross+Associates would help the City determine if impact fees could help with those costs. McMullen said the City would still get the impact fees from the 800 acres that had already been annexed in the West Village. There was still another 200 acres in the West Village that could be annexed in the future. There were over 800 undeveloped acres of industrially-zoned land left. Haddix asked, if a site was bulldozed, whether what was built was considered new development or re-development. Meeker said he would have to find out what the state's impact fee law said.

Boone moved to approve the re-evaluation of the development impact fee ordinance to include everything in the discussion, including re-development, and to hire Ross+Associates at a cost not to exceed \$12,400. Sturbaum seconded. The motion carried unanimously.

01-08-19 Presentation of Updated Zoning and Land Use Maps

Rast noted that the maps were not being presented for action (a black and white copy of each map is included in the official meeting file), but as an update on where the project was. All the parcels in the City had been inventoried over the past three years. Tony Bernard and Tony Whitley had been working diligently to get the maps updated. There were a few small things on the proposed maps that would change. Council would be asked later to adopt the maps as the official zoning and land use maps, which would be the basis of updates as part of the Comprehensive Plan. Some tracts had been identified for rezoning and/or a change in the land use designation. Public hearings would be held on those, then the maps would be changed. The Planning Commission would hold public hearings on the maps, then they would come to Council for adoption.

Boone asked if the maps would take the City through 2015. Rast said they would bring the City into 2008.

Council/Staff Topics

Assignment of Council Members to Commissions/Authorities

Logsdon noted the following assignments – Plunkett, PCTA; Sturbaum, Recreation Commission; Haddix, Development Authority; Boone, Airport Authority; and Logsdon, Planning Commission. He added that the members would take turns attending WASA meetings.

Plunkett said she had received calls asking if the City's burn ban would be lifted. McMullen said Fire Chief Ed Eiswerth had recommended it be lifted. The state had recently lifted its ban, so the City would lift its ban.

Plunkett said she had received calls regarding the proposed development moratorium. She asked Meeker to clarify that the moratorium, if it had been approved, would only have applied to new construction. Existing approved plans would not have been affected as long as the footprint or site plan did not change. Meeker confirmed her understanding.

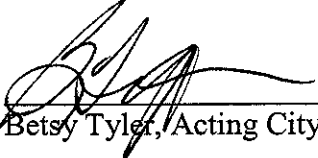
Plunkett reported that the PCTA recently met and had discussed the lease and the concert series. People had asked for more popular groups, but those groups booked later in the process. As a result, the concert line-up would not be announced until the end of January or first of February. If everything went as hoped for, people would like the changes.

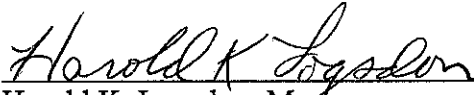
Sturbaum asked if there would be an estimate from Leo Daley regarding the Police Department repairs. McMullen said that a copy of the report was in Council's mailboxes. Leo Daley should have a cost estimate by the end of the next week. They were also developing building replacement costs.

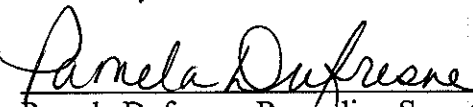
Boone moved to convene in executive session for a personnel matter at 8:29 p.m. Haddix seconded. The motion carried unanimously.

Plunkett moved to reconvene in regular session at 8:40 p.m. Haddix seconded. The motion carried unanimously.

There being no further business to discuss, Boone moved to adjourn. Sturbaum seconded the motion. The motion carried unanimously. The meeting adjourned at 8:42 p.m.


Betsy Tyler, Acting City Clerk


Harold K. Logsdon, Mayor


Pamela Dufresne, Recording Secretary