City Council of Peachtree City
Minutes of Meeting
January 15, 2009
7:00 p.m.

The City Council of Peachtree City met Thursday, January 15, 2009, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Council Members present: Steve Boone, Don Haddix, Cyndi Plunkett, and Doug Sturbaum.

Announcements, Awards, Special Recognitions

Mayor Logsdon read a proclamation for Kiwanis Week, January 19-25. Keep Peachtree City Beautiful Director Al Yougel and Connie Biemiller of Fayette County Earth Day accepted a proclamation for Earth Day on April 25. Building Official Tom Carty presented the Builders Awards for 2008 – Job Site Safety Award, The Bridge at Peachtree City First Baptist Church, Batson-Cook, Construction; Superintendent of the Year, Mike Kellicutt, Chadwick Homes; Best Commercial Site, The Bridge at Peachtree City First Baptist Church, Batson-Cook Construction; Builder of the Year, Chad Floyd, Chadwick Homes.

Public Comment

Keep Peachtree City Beautiful Director Al Yougel reported that almost 900 Christmas trees were collected during "Bring One for the Chipper Day" on January 3. He continued that the date was too close to New Year's Day, and he had hurriedly gotten the word out about the event. He said the communication would be better next year.

Agenda Changes

Plunkett moved to move New Agenda Item 01-09-02 to follow the Consent Agenda. Sturbaum seconded. The motion carried unanimously.

Minutes

Boone moved to approve the January 3, 2008, executive session minutes and the December 18, 2008, regular meeting minutes as written. Sturbaum seconded. The motion carried unanimously.

Monthly Reports

Plunkett noted there were people on commissions and authorities that were not meeting the attendance requirement and asked what was happening. City Manager Bernard McMullen said that staff was working on procedures to address the issue.

Consent Agenda

1. **Consider Resolution Calling for Municipal Election**
2. **Consider Turf Management RFP – TruGreen Ltd. Partnership**
3. **Consider Stormwater Maintenance Agreements**
4. **Consider Approval of Revision to PCTA Bylaws and Articles of Incorporation**
5. **Consider Budget Amendments – FY 2009**
6. **Consider Amphitheater Rental Fee & Agreement**

Logsdon noted there were additional documents on the dais for Consent Agenda items #4 and #6 – additional changes to the PCTA bylaws and Articles of Incorporation and a memo to City Council dated January 8, 2009, with the subject, "Consider Amphitheater Rental Fees & Agreement."

Plunkett pulled #4 and #6 off the Consent Agenda due to the new information. Plunkett moved to approve Consent Agenda items #1, #2, #3, and #5. Boone seconded. The motion carried unanimously.

4. Consider Approval of Revision to PCTA Bylaws and Articles of Incorporation

Plunkett said that Haddix had concerns about the changes, which she felt were addressed in the additional document on the dais, and asked Haddix if he had looked at those changes. Haddix said he had.

Plunkett moved to approve the revisions to the PCTA bylaws and Articles of Incorporation. Boone seconded. The motion carried unanimously.

6. Consider Amphitheater Rental Fee & Agreement

Logsdon asked if there had been a rental agreement in place before. McMullen said the Tourism Association (PCTA) had one, but the City had not. The City had modified the PCTA agreement.

Plunkett asked how the rental agreement would work with non-profit organizations. Amphitheater Director Nancy Price said those requests would be addressed individually. The fees could be waived. The request would go through Leisure Services Director Randy Gaddo and the City Manager. Gaddo clarified that the recommendation would come to him from Price, then it would go to the City Manager.

Sturbaum asked if there was a fee waiver for for-profit entities. Price said it was only for non-profit groups. Plunkett added that, when the PCTA ran the Amphitheater, requests to rent the facility had gone to the PCTA. She questioned whether the Recreation Commission should consider the requests. Logsdon said he did not have a strong preference, but he preferred the City Manager make the determination. Plunkett said that having the approval go through the PCTA had given non-profit organizations the opportunity to pitch their program to the board, and the voting members decided whether the program was in the best interests of the community. The PCTA had discussed the procedure and had been working on a policy since non-profits could make a profit on an event. Haddix said he was not opposed to what was being asked, but the City should be consistent in how requests were handled. Plunkett agreed, adding that there were costs to use the facility even though rental fees were waived.

Boone asked how many requests for fee waivers were expected. Price said there could be many requests to use the facility, especially if the rental fee could be waived. In Fayetteville, if the city wanted to partner with a non-profit group for an event, then the fee was waived and the city received a percentage of the gate.

Logsdon reiterated that the decision should remain with the City Manager. The Council would have better control. He did not want to give the facility away all the time. Boone said the recommendation would come from staff to the City Manager, who could always discuss the request with Council. Haddix agreed, adding that a policy needed to be in place. Plunkett said there was no reason for Council to know if the fees were waived or not. Logsdon said the rentals could be part of the Monthly Reports. McMullen said the information could be included in the Leisure Services report.

Sturbaum moved to approve the Amphitheater rental fee and agreement. Haddix seconded. The motion carried unanimously.

<u>New Agenda Item</u>

01-09-02 Consider Reduction in Workforce, Public Works and Leisure Services

McMullen addressed Council, presenting an update to the Five-year Plan with revised numbers for 2010. According to the Five-year Plan presented earlier to Council, there would have been an approximate $3.3 million deficit. The estimate had been adjusted to $3.5 million. The reason for the change was that the projections had always included a slight increase in the tax digest, but based on discussion with the County, the projection had been zeroed out in 2010 and 2011. The numbers staff had used were optimistic. The revenue the City projected for 2009 ($25.9 million) was based on the adjusted Local Option Sales Tax (LOST) revenue. An adjustment of $700,000 had been made to the LOST projections in December. The first month of LOST received was 8.5 % below projections. If that continued, there would be an additional shortfall in the neighborhood of $500,000. On the expense side, there was no increase reflected in contributions to the pension fund, which was down $3 million since May 2008. McMullen expected the City would have to contribute a higher amount to the pension fund than was budgeted. Logsdon asked if the City was trying to keep the pension fund fully funded. McMullen said no, it was at about 70%.

McMullen continued that it would be a challenge balancing the budget in FY 2010. Staff recommended outsourcing landscaping for Public Works and Leisure Services and the right-of-way mowing for Public Works effective January 31. The right-of-way mowing had already been outsourced on SR 74 and SR 54, and the City had seen a significant savings and there had not been a significant change in service. The services had just been re-bid, but there had not been a recommendation yet if there would be one contract or multiple contracts. The cost of outsourcing would be 38% to 43% of the in-house costs. They had hope to outsource the services by attrition, but there had not been much attrition in those areas. With the current budget issues, the City needed to move forward. The estimated savings would be $840,000 annually.

McMullen continued that the employees did have other duties aside from landscaping and grass cutting. Those expenses were included in the savings estimate. There would be a change in the level of service, but those savings had not been included in the estimate. For example, the frequency of mowing would be reduced in some areas. The $840,000 estimate was based on what was done currently, so that number would increase. Staff was also looking at simplifying the landscaping at subdivision entrances, since a great deal of time was spent on tht. Homeowners associations would have the option to maintain their own entrances.

Logsdon said this was a tough decision. All in the private sector had gone through this at one time in their lives. He opened the floor for comments.

Employees who spoke included Ken Williams, James Kuhn, Harold Layton, Donald Jordan, Keith Crowley, Art Swahlen, and Randy Gaddo. Their comments included the following:

- There were concerns that the cost savings could not be estimated since they did not know what the outsourcing cost would be.

- There were comments concerning whether a contractor would provide the same services and would be responsive to emergency situations.
- There were questions regarding whether the City payroll was large enough to pay for all the subcontract work, such as emergency tree-cutting.
- A contractor or subcontractor would not care about the City like the current employees did.
- There were questions as to how residents would feel about the reduction in service due to the employee cuts.
- The City needed to keep its efficient and productive workforce and not dismantle their productivity since their professional services helped bring people to the City.
- There were concerns on how the reduction in force would affect the City's emergency operations plan, specifically concerning emergency shelter.
- Seniority and quality of work should be taken into account during a lay-off.
- Other City employees had not been asked if they were willing to take a pay cut.
- If jobs were on the line, employees were willing to take a pay cut.
- In Leisure Services, the crew that would be cut supported the 45 special events held each year.
- There were concerns that other options had not been looked at.

Others who spoke included Shayne Robinson, Recreation Commissioner; Juan Matute; Joe Kuebler, Peachtree City Little League (PTCLL) fields & facilities coordinator; Phil Consolino, PTCLL president; Marino Fuentes, Peachtree City Running Club (PTCRC) race director; Kim Bramblett, TriPTC race director; Jeanie Etheridge; Chuck Micallef; Christy White; Frances Meaders; George Martin, PTCRC; and Judy White.

- The residents had hoped for more open discussion regarding budget cuts.
- There were no other options on the table, and everyone had been blindsided.
- The citizens needed to know exactly what services would be affected.
- There were concerns as to how future budget cuts would be handled.
- The Little League called the contracted mowing on the sports fields a fiasco. Improper maintenance of the sports fields was a safety concern, not just aesthetics.
- The sports associations had been talking to Recreation about getting more involved in taking care of the fields and had not gotten past first base.
- All the sports leagues should be involved in the discussion.
- There was concern about working with the Recreation Department on special events and how the loss of employees would affect that.
- People wanted to move here after attending special events.
- A cut in the quality of services would affect home sales.
- The City should cut back, not eliminate positions.
- If positions were eliminated, they should be done by seniority.
- There was concern about how public safety employees could be affected.
- There were questions as to whether early retirement had been considered.
- The community was challenged to come together and solve the problem.
- The human asset was valuable; the City needed to go back to the drawing board.
- Contracting out could bring in undesirable people to the City and could affect safety and crime.

- Residents got a lot for what they paid in City taxes.
- Every department's budget should be looked at again.

Logsdon said there had been much discussion on the budget. He trusted that staff had done the due diligence necessary for the decision. He was not sure having more public hearings would serve anyone well, other than to increase everyone's anxiety.

Plunkett pointed out that more cuts in the budget needed to be made. It was a long way from $840,000 to $3.5 million. Sturbaum referred to the Five-year Plan, noting that the City also needed to take action now to solve problems down the road. Council might need to raise taxes and look at private-public partnerships. The City did not want to end up with substantially reduced services.

McMullen said he had spoken with the directors about the additional duties the employees had. Some of those duties could be taken care of with other contracts. Other arrangements would be needed for some things. It would not be right the first time. He had asked the directors to do the best they could to ensure everything was covered. A new position would be created with the responsibility to work with contractors. The additional duties included tree inspection and removal, landscaping design and planting, pest control, and special projects such as painting. The exteriors of buildings were already contracted out. Currently, 65% of the costs of the crews were fixed, including salary and benefits. If the City did not have the money to do things in the future, then they would not be done.

Plunkett asked how much the millage rate had to increase to make up a $2 million deficit. Financial Services Director Paul Salvatore said it had to increase a little over one mill. Plunkett verified that the millage rate would increase from 5.53 to 6.53. Salvatore said yes. McMullen added that one mill was $1.8 million, a 20% tax increase. Plunkett said that it would not solve the problem. McMullen said that was correct; a 40% increase in the millage rate was needed. Boone said that would be real a burden on the taxpayers in this economy. Haddix added the state was also pulling exemptions. Sturbaum said Council had the infinite dilemma – reduce costs or raise revenue.

McMullen addressed a comment regarding early retirement for eligible employees. He noted that early retirement had been considered; however, those retirements would affect the public safety. Staff was trying to maintain the staffing in those departments. The City would have to backfill 50% of the positions that were vacated by employee retirements.

McMullen was asked how much of a pay cut employees would have to take. He said a furlough one day a week was a 20% pay cut. Plunkett said that could not be done with Public Safety employees, which left approximately one-third of the workforce. McMullen said that furloughing every employee except Public Safety would save approximately $1.2 million. In addition, if people were working 20% less there would be a 20% decrease in the services being done. Logsdon said that would only be $1.2 million of the $3 million needed. Sturbaum said services would have to be cut in order to balance the budget. Logsdon said there was no easy answer. All the options had been explored. No one had said to raise taxes 40% or lower pay 40%, which would be a one-time fix. They had to work on managing it a little bit at a time. Sturbaum said budget adjustments and cuts had also been made after reviewing the minutes closely. Haddix said it had not gotten better, and there were people concerned that an increase in taxes would cause them to lose their homes.

McMullen went over the recommended severance package, which included six weeks of pay at the current pay rate, medical insurance for the employees for an additional six weeks, and access to the Employee Assistance Program for three months after the effective date. He continued that the state's Department of Labor (DOL) had agreed to come to the City and provide unemployment information, and a group meeting was planned with one of the temporary agencies. Human Resources would meet individually with each employee to make sure they understood their benefits. After the six weeks of medical insurance ran out for the employee, they would be eligible for the Consolidated Omnibus Budget Reconciliation Act (COBRA) for continuation of health insurance. Families would immediately be covered by COBRA. The language for any contracts that would go out would include language that the City employees be considered for positions.

Sturbaum said this was probably the hardest decision the Council would have to make. Haddix said it was not a question of if someone would get hurt, but who was going to get hurt. There was no winning position, but something had to be done.

At 8:43 p.m., Sturbaum moved to convene in executive session for personnel matters. Haddix seconded. The motion carried.

The meeting reconvened in regular session at 8:51 p.m.

Logsdon said that McMullen would provide some additional information to the public. (Copies of the documents are included in the official meeting file.) McMullen showed the estimated savings through pay cuts and furloughs. The projected budget deficit was $3,540,557. The projected savings through outsourcing was $840,000, leaving a projected deficit of $2,700,557. If no Cost of Living Allowance (COLA) or raises were given in 2010, the City would save $700,000. The total for salaries was $12,397,881. The total for salaries with Social Security/Medicare was $13,346,319. In order to take care of the additional deficit, the City would still need to cut everyone's pay 15% with the outsourcing. If the services were not outsourced, then everyone's pay would have to be cut 20-21%, in addition to no raises. The Fire and Police Departments would not be included in a furlough plan. A furlough one day a week in all the other departments would save $1,215,963. Everyone would have one day off, which meant a 20% pay cut. The savings from a combination 12.5% pay cut and a one-day per month furlough would be $1,984,896.51. Public Safety pay would also be cut 12.5%, and everyone else would receive a 17% pay cut when the furlough was included. If there were no savings from outsourcing, those numbers would increase another 10%, close to a 30% pay cut.

Logsdon said there were no easy answers. Etheridge asked if attrition had been counted at all. McMullen said that the budget assumed there would be vacancies. This year's budget had earmarked $614,000 in savings, the majority due to attrition, which would be difficult to make because no one was leaving.

Meaders said people did not realize the property tax bill included County and Board of Education taxes. McMullen explained that a one mill increase on a $250,000 home would cost the homeowner another $100, and a two mill property tax increase would raise the taxes approximately $200 per year. Logsdon said there had been a 0.25 mill increase two years ago, and people would still not talk to him. Etheridge asked if a survey had been sent to the residents. Logsdon said yes. She suggested waiting for the surveys to come back before any decision was made. Logsdon said the earliest the millage rate could be increased was July/August for 2010. McMullen said the property tax bills would go out in October/November and would be due in December. Logsdon said a two mill increase in City taxes would solve the problem. McMullen said it would be a 40% increase in City property taxes. Logsdon pointed out that 65% of a resident's tax bill went to the Board of Education; the remainder was split between the City and the County. All entities would probably increase their taxes. Boone said the only offset to property tax was the Local Option Sales Tax (LOST). It was important to shop here rather than spending money in other counties.

Boone moved to table New Agenda Item 01-09-02 Consider Reduction in Workforce, Public Works and Leisure Services until Council had enough information and got the citizen surveys back to know whether or not to consider a millage increase. Plunkett asked if there was a suspense date for the surveys. McMullen said he had planned to have the results for Council Retreat on March 6-7. Plunkett asked if there was a way to verify the surveys were from residents. McMullen said the surveys asked for an address to clarify what area was represented and to ensure there were no duplicates. Plunkett asked if the survey had anything on it about how much money the City needed to provide certain services. McMullen said the survey was not that specific and had already gone to the printer. It could only be changed on the website surveys. Haddix seconded the motion. Logsdon said there needed to be an end date in the motion. Every day the Council delayed the decision the City got deeper in the hole, and the City would not go bankrupt on his watch. Plunkett said she wanted the employees surveyed the next day to see if they were willing to take a voluntary 25% pay cut. It was to be an anonymous survey to go to all employees. Logsdon said the survey should go to all employees. Boone amended his motion to table the agenda until the second meeting in February (February 19). Haddix seconded the amendment. Boone said the citizens had to understand that Council had to levy millage to balance the budget, and they had to pay for services that were provided. Plunkett said the services would be provided, but at a reduced level. The motion carried unanimously.

A short break was called at 9:16 p.m.

<u>**Old Agenda Items**</u>

12-08-12 Consider Signing DOT Signal Application for Line Creek Signal

City Engineer Dave Borkowski noted that staff had been asked to provide more detail at the December 18, 2008, meeting. They followed up with LAI Engineering, who had done the study.

Rick Lindsey, attorney for Capital Cities Development, reminded Council that the development agreement for the commercial project had been signed in February 2008. The Georgia Department of Transportation (DOT) right-of-way issues had been resolved, and the developer had worked on the signal for the entrance, which had been resolved with DOT. The developer had spent a lot of time based on the good faith of Council. The developer had met DOT's requirements, and now the City had to submit the application for the signal. He said the developer had relied upon the promises made by the City and Council in moving forward, and all they needed was the application to be signed. Lindsey introduced Harry Graham of LAI.

Graham told Council that, prior to working for LAI, he spent 23 years working for DOT, primarily in the Thomaston office, which served the City, and in metro Atlanta. His experience included traffic signal design, timing, and review. (A copy of Graham's PowerPoint presentation is included in the official meeting file.)

Graham discussed the project scope and definitions used in the study conducted by LAI. The corridor was studied from MacDuff Parkway to Planterra Way, and the PM (afternoon) peak hours represented the heaviest traffic volume period of the day therefore creating the worst projected traffic conditions. He continued that the historical growth rate of traffic on SR 54 was three percent annually. The volumes looked at included the existing volume (August 2008 traffic), 2009 No-Build (2008 plus three percent growth and Shoppes at the Village Piazza volumes), and 2009 Build (2008 plus three percent growth, Shoppes at the Village Piazza volumes, and Line Creek retail center volumes). There were 708 total trips during the PM peak hour, including 227 pass-by trips, with a net of 481 new trips (231 enter, 250 exit). Line Creek retail center would only generate 481 net new trips to the roadway. Graham said all the analysis was done with the existing 150-second cycle length. Boone asked Graham if he was referring to synchronization of the lights when he talked about timing. Graham said he was, adding that he had driven the corridor twice that day and felt the timing could be improved. He said all the detectors had to function for the signals to work properly.

Graham continued that the distance from the MacDuff Parkway signal to Line Creek Drive was 782 feet, and the distance from Line Creek Drive to Planterra Way was 819 feet. The corridor concerns for the synchronization analysis included traffic backing up through the area(corridor level of service (LOS), travel time, queue lengths, delay) and the technical data analysis.

The existing LOS and travel time for eastbound traffic of LOS C, with a travel time of 74.9 seconds including stop time and an arterial speed of 18.1 miles per hour (mph). The LOS for westbound traffic was B, with a travel time of 42.2 seconds and an arterial speed of 25.5 mph.

The corridor LOS and travel time for the 2009 No-Build scenario was LOS D for eastbound traffic, with a travel time of 83.3 seconds including stop time and an arterial speed of 16.3 mph. The LOS for westbound traffic was C, with a travel time of 48.1 seconds and an arterial speed of 22.3 mph. The projected 2009 Build LOS and travel time was LOS D for eastbound, with a travel time of 86 seconds and an arterial speed of 15.8 mph. The westbound LOS was also D, with a travel time of 60.9 seconds and an arterial speed of 17.6 mph.

Graham explained the V/C ratio was the ratio of traffic volumes on a roadway versus the available capacity of the roadway. He continued that an average vehicle took up approximately 20 feet of queue space, measured front of vehicle to front of vehicle. The difference between the queue with the No-Build and Build scenarios was eight feet [562 feet (No-Build) and 570 feet (Build)]. The difference between the two scenarios for westbound traffic queues was 90 feet [1561 feet (No-Build) and 1471 feet (Build)]. Ninety feet was equal to 4.5 vehicles (2.25 vehicles per lane).

Graham continued with the corridor technical data analysis, noting that the existing LOS at MacDuff Parkway was A with an 8.7-second delay and a V/C ration of 0.82. At Line Creek Drive, the LOS was C for the northbound lane (20.6 seconds), the southbound lane (21.7

seconds), and the eastbound lane (20.5 seconds) with a V/C ration of 0.63. Planterra Way currently had an LOS of E with a 62.4-second delay and a V/C ratio of 1.52. The 2009 No-Build scenario would have a LOS of B (16.3 seconds) and a V/C ratio of 0.95. Line Creek Drive would remain unsignalized and the north and southbound lanes would have an LOS of E. with a delay of 36.3 seconds and 38.6 seconds respectively. The eastbound lane would have an LOS of D with a 25.8-second delay, while the westbound lane would have an LOS of B with a 12.5-second delay. The V/C ratio for the intersection would be 0.67. Planterra Way would have an LOS of F with an 88.3-second delay and a V/C ratio of 2.52. The 2009 Build with the signal at Line Creek Drive would have an LOS of B (19.8 seconds) with a V/C ratio of 1.02. Line Creek Drive would have an LOS of B (16.9-second delay) with the signal and a V/C ratio of 0.88. Planterra Way would have an LOS of F with a 72.9-second delay and a V/C ratio of 1.96.

Graham said LAI recommended the signal be installed at Line Creek Drive to improve the efficiency of the signal at Planterra Way, adding that additional improvements to SR 54/Planterra Way were limited due to the physical restraints of the area. He continued that the DOT controlled the signal timing on SR 54, and LAI recommended that the City request DOT to study the SR 54 corridor and improve the timing plans. He added that improving the timing plan for SR 54 would cause a delay on the side streets, but those vehicles would be able to move along on SR 54 if the timing plan was improved.

Graham looked at the concerns about u-turns if Line Creek Drive were not signalized, adding that the Institute of Transportation Engineers (ITE) guidelines estimated the number of vehicle trips that would be generated by a proposed development. The trips were determined based on the type of land use and square footage, which was done regardless of the site design or access. The estimate for MacDuff Parkway was 223 u-turns with a delay of 290.3 seconds and 178 u-turns at Planterra Way with a delay of 684.9 seconds.

Graham noted that there were eight potential traffic signal warrants that had to be met for a light. Three of the eight were currently met. Plunkett asked if, since three of the eight warrants were met, DOT would put the light in at the Line Creek intersection anyway. Graham said that DOT liked to have cities involved, pointing out that someone had to pay for the power to the signal. DOT would maintain and operate the signal, but the City would have to pick up the electric bill. By submitting the application, the City agreed to do that. Plunkett asked when the light would have to go in due to safety concerns. Graham said the safety operation at the intersection was the critical matter. There would be liability for not putting in a signal at a location that had been pre-approved by DOT as a safe location for a median opening, which was already there. Plunkett said DOT had not anticipated the land use of commercial development. Graham agreed.

Borkowski said that, based on what happened with the signal at SR 54/Stevens Entry, the City had asked DOT to look at the intersection. DOT said the intersection met the warrants, but required the City had to pay for the installation. Plunkett asked if DOT could force the City put a light at the Line Creek intersection. Borkowski said he did not know. McMullen said that, once the City was aware the warrants justified any roadway modification that was not done, the City's liability increased.

Haddix said there were fundamental flaws in what was being said. When the developer originally asked DOT for the signal, DOT turned down the request and said to close the median so there would be no left turns at the intersection. It was an assumption that people would make u-turns, but the history in the City said that assumption was wrong. He noted that, when SR 54 was widened, a successful restaurant went out of business when the median was closed and did not come back until there was a median cut. The traffic study showed the people would come and make a u-turn to get to the proposed development. Plunkett asked Haddix why he assumed the median would close. Haddix said the original projection was to close the median in 2007. Logsdon and Plunkett said they were not aware of that. Plunkett added that would solve the problem.

Logsdon said he found the master plan for the SR 54 West area, which had been put together before he took office, and the light was part of the plan. (A copy of the master plan was shown on the screen and is included in the official meeting file.) Haddix said the drawing shown on the screen lacked something. He referred to another drawing in the same document that showed a secondary (service) road going all the way to Huddleston Road. Both documents were part of the Livable Centers Initiative (LCI). Plunkett said she had not seen anything that advocated closing the median cut.

Graham said he left DOT 18 months earlier and explained that Line Creek Drive had a median cut because the DOT had agreed to provide certain access as part of the negotiations with property owners for the road widening. By providing the median break, they assured that certain safety benefits would be built into the roadway to eliminate the need for u-turns because they knew that u-turns were more dangerous. The median opening was pre-determined as a safe location to install a median break. If a traffic generator was approved adjacent to the roadway that would meet the federal standards, then a traffic signal would be allowed at the location. His client had a facility that would generate the traffic to meet the warrants to justify a signal, and he asked that Council approve their request.

Haddix read the following from an unnamed document – "We have recommended LAI re-evaluate the site for development and re-submit a study that evaluates several different alternatives including right-in, right-out access, accessing the development at Planterra and MacDuff, and closing the median opening." Graham said that was from a letter he received from Michael England at DOT, who was one of his employees at one time, and he fully understood what was in the letter. Graham continued that, also in the same letter, England recommended that they look at access at Planterra Way and MacDuff Parkway, which was part of the consideration for a right-in, right-out access. Graham pointed out that, since those accesses were not available, it meant the right-in, right-out would not function well, which would force a more unsafe maneuver, a u-turn, to occur. Plunkett referred to the master plan drawing, which showed access to MacDuff Parkway, and also a signal at Line Creek Drive.

Beth Pullias referred to the drawings of the master plan for SR 54 West, adding that the plan did not show all the development in the area that caused the LOS of F. She said that what was on the master plan was not what was there now. Plunkett pointed out that the lighter green areas on the map were proposed commercial areas. The Livable Centers Initiative (LCI) intended SR 54 West to be a commercial corridor, which was a deviation from the traditional village concept. Pullias said that, as shown on the plan, there should not be an LOS of F. Another light would make the corridor worse. Logsdon said that, according to the experts, the light would make the delay at Planterra Way less. Pullias said it would not do that for the entire corridor.

Graham said that the corridor timing could be improved, but at a cost. The green time was supposed to be deployed based on the number of vehicles coming through an intersection. The side streets were absorbing as much as 40% of the green time currently, so the delays on the side streets would increase so the traffic on SR 54 would flow better. The trade-off was that drivers would not stop at every light once they got onto SR 54. Borkowski added that DOT said they would do a corridor timing study once the work at SR 54/SR 74 had been completed.

Graham said that LAI had also looked at the license plates when conducting their study. Fayette County tags had been on approximately 70% of the vehicles and 29% had been Coweta, Henry, Clayton, Gwinnett, or Fulton. The corridor primarily serviced County residents. There was also a commercial area under development just to the west in Coweta County. DOT could improve the corridor, but they would need permission to increase the wait on the other roads. Haddix said that at least twice a day there were times he could not get out onto SR 54 at Flat Creek Road because the traffic was backed up to the Wyndham Conference Center and Hotel.

City Planner David Rast went over the master plan for the area that was a result of the LCI study done in 2001. (A copy of the PowerPoint presentation is included in the official meeting file.) The Advisory Board was composed of staff, a Planning Commission member, members of homeowners associations, an Atlanta Regional Commission representative, property owners, and other volunteers. The study area was identified as the all the property north of SR 54 to the City limits, Centennial, Wynnmeade, Chadsworth, and the property south of SR 54. Several public meetings were held. Goals established for the master plan included alternative transportation, traffic circulation, and inner connectivity with the parcels. The service roads were designed with the goal to get the cars off SR 54 for travelers trying to go east and west through the City. Rast briefly went over the drawings and explained what was included in the drawing. Plunkett noted that the plan had anticipated the traffic signals, including Line Creek Drive, even with the service road connections. Rast said yes. He noted that the service road on the north side of SR 54 was in place pretty much the way it had been envisioned, from Huddleston Road to MacDuff Parkway. The vision for the service road on the south side was that it would extend from MacDuff Parkway to Huddleston Road. The Advisory Board noted that construction of the road on the south side of SR 54 required acquisition of portions of existing developments and recommended a cart path connection from Planterra to Huddleston Road as part of the improvements. The path connection was located south of the Tennis Center and connected to Huddleston Road, eventually connecting to the bridge. Rast said a road was envisioned connecting Planterra Way to Huddleston Road in the master plan. The service road was not included in the plan for the retail center due to property ownership issues.

Haddix asked about the wooded area next to Fulton Court, noting that it would have to be purchased for the service road. Rast said there were several tracts that had to be acquired for easements. The Advisory Board looked at connecting the road to Fulton Court towards the cul-de-sac, which would require the road to go through the Tennis Center area. The service road would be beneficial since it would keep traffic off SR 54. Plunkett asked if developers looked at the LCI master plan so they would know what the City was looking for. Rast said that Doug McMurrain, the Line Creek retail center developer, was a member of the advisory board. Plunkett asked whether people purchasing property in the area could have anticipated the lights based on the LCI master plan. Rast said they were aware signals were envisioned throughout the corridor, as well as the other elements of the plan.

There were questions from the audience regarding the service roads. Plunkett noted that there was a permanent land use restriction for Line Creek Nature Park that would prevent the service road connection from Shoppes at the Piazza to the Line Creek retail center. The plan for Line Creek retail center included a connection to a future service road. Haddix said putting the signal in without the service road was abandoning the master plan. Logsdon said he had not abandoned the service road, and he had told the Planterra residents that they would want it one day. He added that he had a continuous dialog with Pathway Communities about the lifting the deed restriction so the road could be completed. He had not gotten anywhere, but they were still talking.

Haddix said that, when the plan for the retail center had originally been presented, the Planterra Ridge residents had been unaware of the master plan for the service road. Plunkett said the entire road could not be built at one time due to the cost. She asked, if a service road were built, if it would be possible to make it so people using the service road could only make a left turn onto Planterra Way. Graham said it could be done, but Planterra residents would not be able to make a left turn to get to the service road either. Haddix said to plead the whole plan, not just the light. Logsdon said the City would not complete the plan all at one time. The evidence showed the traffic light would help. The idea of a frontage road was not being abandoned; it just could not be done right now. Council agreed that it would not oppose the traffic light. Haddix disagreed; Council agreed not to oppose the developer putting in an application for the light.

At 10:15 p.m., Plunkett moved to convene in executive session for pending or threatened litigation. Haddix seconded. The motion carried unanimously.

The regular meeting reconvened at 10:29 p.m.

Plunkett moved to extend the meeting past the 11:00 p.m. deadline if necessary. Boone seconded. The motion carried unanimously.

Plunkett moved to table Old Agenda Item 12-08-12 to February 5 and to hold a workshop on January 23 at 5:00 p.m. to discuss the access to Planterra Way. Boone seconded. The motion carried 4-1 (Sturbaum). Boone and Plunkett both asked that the HOAs for Planterra and Cardiff Park be notified.

New Agenda Items

01-09-01 Public Hearing – Consider Amendments, Transition Yard (Setbacks and Buffer Standards between Dissimilar Zoning Districts

Rast addressed Council, noting that transition yards were buffers between dissimilar zoning districts, specifically office/commercial zoning and residential zoning. The proposed amendment would provide a minimum separation between the two zoning districts. Currently, the minimum side setback depth in General Commercial (GC) zoning was 10 feet. If the commercial lot adjoined a residential zoning lot, the building setback would be 75 feet. Currently, the minimum rear setback depth was 20 feet in GC zoning, but would increase to 75 feet if adjacent to a residentially zoned lot. No automobile parking or service areas would be permitted within the required front setback depth of 40 feet or within 30 feet of the property line of any adjoining residential zoning lot. All parking and service areas must be separated from adjoining residential zoning lots by a suitable planting screen, fence or wall at least six feet in height above the finished grade. The required screen, fence, or wall must provide for a reasonable visual separation between the properties. No clearing would be allowed in a transition yard, which was to remain natural. Utilities would be allowed. If there was no vegetation in the transition yard, then there was language addressing the sight line, which said anything up to 10 feet had to be completely screened with evergreen plant material and/or a berm and fencing. The proposed ordinance was not a cure all, but the amendment did establish minimum standards.

The public hearing opened. Beth Pullias said the transition yard was a wonderful idea. The public hearing closed.

Logsdon said he liked the idea, but asked if the requirement would make some land unusable. Rast said it was hard to know, but there was a minimum acreage requirement for commercial/industrial/office developments. Logsdon's concern was that the buffer requirements could pose problems with meeting other requirements, such as parking spaces. City Attorney Ted Meeker said that the property would not be unusable because that would be a taking. The U.S. Supreme Court and the Georgia Supreme Court had upheld that buffers were not regulatory taking of property. If there were other issues, such as topography or lot size, involved, the variance process could be considered. The safeguards were in play for truly hardship situations.

Sturbaum moved to approve the amendment to Transition Yard setbacks and buffer standards between dissimilar zoning districts. Plunkett seconded. Plunkett thanked staff for their work on the amendment. The motion carried unanimously.

01-09-03 Consider Street Maintenance Agreement – St. Simons Cove
Public Services Director Tom Corbett said the request was from the St. Simons Cove HOA, and staff recommended approval. Plunkett clarified that the City would maintain the streets, and the HOA would reimburse the City. Corbett said yes.

Sturbaum moved to approve the street maintenance agreement with St. Simons Cove. Plunkett seconded. The motion carried unanimously.

01-09-04 Alcohol License – NEW – Four Seasons, Huddleston Road
Plunkett moved to approve the alcohol license for Four Seasons on Huddleston Road. Sturbaum seconded. The motion carried unanimously.

01-09-05 Alcohol License – NEW – La Hacienda, Lexington Circle
Boone moved to approve the alcohol license for the new La Hacienda at Lexington Circle. Sturbaum seconded. The motion carried unanimously.

01-09-06 Consider Traffic Ordinance Amendment – Parking Restrictions on Clover Reach
McMullen said staff requested this agenda item be tabled until February 5. Boone moved to table the parking restrictions on Clover Reach to February 5. Haddix seconded. The motion carried unanimously.

01-09-07 Consider PTC Stakeholders for Fayette County Transportation Plan
Plunkett moved to approve the stakeholders for the Fayette County Transportation Plan. Boone seconded. The motion carried unanimously.

Council/Staff Topics
There were no Council/Staff topics.

Sturbaum moved to convene in executive session for threatened or pending litigation at 10:49 p.m. Boone seconded. The motion carried unanimously.

Plunkett moved to reconvene in regular session at 10:58 p.m. Haddix seconded. The motion carried unanimously.

There being no further business to discuss, Sturbaum moved to adjourn. Haddix seconded the motion. The motion carried unanimously. The meeting adjourned at 11:03 p.m.

Pamela Dufresne
Pamela Dufresne, Deputy City Clerk

Harold K Logsdon
Harold K. Logsdon, Mayor