

City Council of Peachtree City
Meeting Minutes
Thursday, November 16, 2023
6:30 PM

Call to Order

The Mayor and Council of Peachtree City met in regular session on Thursday, November 16, 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.

Pledge of Allegiance and Moment of Silence

Announcements, Awards, Special Recognition

City Manager Robert Curnow commended the Chief and the Police Department for achieving accreditation from the Commission on Accreditation for Law Enforcement Agencies (CALEA) for the 10th time.

City Clerk Yasmin Julio introduced the new Peachtree City Navigation app, available on Apple's App Store and Google Play, saying they had been working on this for several years. Assistant City Manager Justin Strickland remarked that it took the efforts of staff, app developers and testers to reach this point, overcoming a number of issues to achieve a successful turn-by-turn navigation program for the multi-use paths.

Public Comment

None

Agenda Changes

None

Presentation

A. Pavement Condition Index Update - 5 Year Street Analysis

Public Works Director Jonathan Miller presented the results of the Infrastructure Management Services (IMS) road assessment. Field testing and data collection was completed in August 2022, and the final report was issued in August 2023. The evaluation showed the City had about 207 miles of road with a total network value of \$231 million. The 2017 evaluation was for 193 miles valued at \$155 million. Inflation was the primary cause of the jump in value, Miller remarked.

When the first road analysis was done in 2017, the pavement condition index (PCI) was 61, and the backlog was almost 10%. He explained that a backlog was any road with less than a 40 PCI. He also listed steady state cost, which was the amount of money that needed to be applied each year to maintain the same PCI and backlogs over a five-year period. In 2017, that number was \$2.8 million.

In the 2022 study, the PCI had jumped to 83, and the backlog dropped to 4.9%. Steady state was \$2.6 million a year, even with inflation, which Miller said

illustrated the point that the better the network was, the less it cost to maintain it.

Peachtree City's network consisted primarily of residential streets, with only about 10 miles considered commercial or industrial. Miller showed the PCI for each classification, saying there was still some work needed for commercial and industrial, but that was just 10 miles of the 207 and could be made up quickly.

Miller noted that they had spent about \$25 million on paving since 2017, which was about 45.5 miles of paving, with half of that being the more costly full-depth reclamation (FDR). When compared to cities of similar size, Peachtree City had the lowest PCI and the backlog was also compared favorably.

For 2023, Council approved an \$8.7 million bid for 14.3 miles of paving; 7.5 of that was FDR. The current completion schedule would add another .5 miles to that, but it was still estimated to come in at or below the bid amount, Miller reported. He presented a map that showed all of the streets paved from 2018 to present. At the end of 2023, he said, the average PCI would be 84, with a backlog of 4.5%. About 13% of the roads would have a PCI below 60, and 50% would be between 90 and 100.

The budget scenarios for the next five years showed what would happen if they maintained the steady state. Special Purpose Local Option Sales Tax (SPLOST) spending was typically about \$5 million a year, and if that continued, the PCI would be 87 PCI with no backlog by 2028. Anything between \$2.6 million and \$5 million would be an improvement to the network, he stated.

This year, 6.5 miles of multi-use paths were paved, with 6 miles being repaved and the rest being the new paths along Stagecoach and in Longboat. Upcoming projects included a new path or crossing on the east side of Robinson Road and a new path on Holly Grove from Aster Ridge to Wilshire Pavilion, which was part of the Path Master Plan.

Prebor commented to King and Learnard that they could appreciate how the road situation had improved over the past decade. King noted that SPLOST made this happen because most of the SPLOST money went to paving.

Destadio and Holland commended Miller and his department.

Minutes

King moved to approve the November 2, 2023, City Council meeting minutes and the November 2, 2023, Executive Session meeting minutes. Prebor seconded. Motion carried unanimously.

A. November 2, 2023 City Council Meeting Minutes
APPROVED 5-0

B. November 2, 2023 Executive Session Meeting Minutes

APPROVED 5-0

Consent Agenda

Destadio moved to approve Consent Agenda items A and B. Holland seconded. Motion carried unanimously.

A. Resolution #11162023 - C - A Ethics Recertification

APPROVED 5-0

B. Shared Access Agreement and Easement with 2714 HWY 54 W

APPROVED 5-0

Old Agenda Items

None

Public Hearings

A. 11-23-05 Annexation and Zoning of 11.3 acres at the end of Deanwood Terrace from MHP Mobile Home Park in unincorporated Fayette County to LUR Limited Use Residential in Peachtree City

Planning and Development Director Robin Cailloux used an aerial photograph to show the location of this property, indicating the areas that were in the City and those in the County. This property was currently part of the Shiloh Mobile Home Park, cut off from the front portion of the park by a tributary of Camp Creek. The only access would be through Towson Place, a development currently under construction in the City.

They were requesting to rezone from Mobile Home Park (MHP) in the County to Limited Use Residential (LUR) in the City to allow up to 21 single-family lots by extending a road from the portion under construction. She noted that this property was included in the 2014 Growth Boundary Study.

The County's MHP zoning would allow an estimated 41 lots for mobile homes or any type of modular dwelling. Surrounding zoning in the County to the east was Residential (R-70) and AR, with two- and five-acre minimum lot sizes. The Limited Use Commercial (LUC-33) zoning in the City incorporated mixed-use development off of Governor's Square. The part in development now, Towson Place, was the single-family portion and would have up to 94 lots averaging 6,000 to 7,000 square feet each. The applicant was requesting to rezone to LUR, but with the same conditions that applied to the LUC-33.

The Future Land Use (FLU) in the County's Comp Plan showed this property designated for mobile homes with an environmentally sensitive area along the tributary. Nearby in the City was single-family cluster (SFC), which was three to six dwelling units per acre and multi-family as part of the mixed use in Governor's Square, with commercial along the main corridor. Cailloux said the requested lot

size conformed with the SFC.

As far as impacts of this request, Cailloux stated that this property would be serviced by the Fayette County Water System and would access public sewer through Peachtree City Water and Sewerage Authority (WASA); there was an existing line that ran through the tributary area. The Police had indicated there would be no significant impact, and Fire/EMS said the same, reporting they already had an automatic aid agreement to this property, so they provided services whether it was annexed or not.

The roads would be built by the developer to Peachtree City standards. Cailloux said staff had contacted the mobile home park because the City was trying to find an alternate location for a path along SR 54 and buying the rights from the cemetery would be very expensive. The park owners had said they would be open to working with the City, but, Cailloux explained, the City did not have a plan or location yet. When they did, the developer had agreed to build a path to City standards.

The Comp Plan set standards for protecting natural areas, and this development met that policy by separately platting and preserving the land along the tributary with buffers. The individual lots did not contain those areas. Cailloux said the SFC density was an appropriate land use because this was within a 15-minute walk of the village center. It could meet the housing policy if the homes had first floor bedrooms and baths and low-maintenance siding.

Next, Cailloux outlined budget impacts. With the average cost for providing City services at \$1,379 a year, the fair market value of a dwelling unit would need to be \$570,407 to recoup the cost through property taxes alone. These homes would be similar to those in Towson Place, and recent contracts on those were north of \$1 million, Cailloux stated. With the land undeveloped, the owners were paying about \$704 in total taxes. Putting 41 mobile homes on the site would bring in about \$2,765. Peachtree City would get none of that, even though Peachtree City Fire/EMS served the area. If annexed and developed as proposed, total taxes would be \$216,606, with \$43,147 going to Peachtree City.

The Planning Commission held a public hearing and recommended denial to City Council by a 3-2 vote. Should Council vote to approve this annexation and rezoning, staff had some recommended conditions:

1. Development shall take place substantially in conformance with the Conceptual Plan as prepared by Rochester & Associates, dated August 11, 2023, which is incorporated herein by express reference. Any substantive change to this plan or any conditions of this section shall require a new rezoning action.
2. Permitted uses:

- No more than 21 single-family lots.
- Accessory uses per Section 908 of the Zoning Ordinance

- Publicly owned buildings or facilities
- Customary home occupations per Section 907 of the Zoning Ordinance

3. No conditional uses shall be permitted within this zoning district
4. Front setbacks shall be ten feet for the main structure and 20 feet for garages.
5. Rear setbacks shall be ten feet for the main structure and 20 feet for garages.
6. At least 75% of the houses shall have a main-level bedroom and bathroom.
7. Houses shall be faced with either brick, stone, cementitious stucco, or cementitious siding.
8. Each elevation visible from a public street shall include architectural detailing similar to the front elevation in order to avoid creating a blank wall.
9. The maintenance of all internal parks, landscaped areas, sidewalks, subdivision entrances, and community amenity areas shall be the sole responsibility of the homeowner's association, and a note to this end shall be placed on the final plat.

Attorney Steven Jones, representing the applicant, presented an overlay of the entire mixed-use development, indicating the residential in the back and the 11 acres being considered for annexation. This LUR would be a continuation of the LUC-33, he noted, but would be solely residential. Jones displayed renderings and elevations of the homes currently under construction in Towson Place.

Photos of the existing mobile home park illustrated what this property was zoned for. Jones stated that when Towson Village was zoned, one of the conditions was a stub-out onto this property and to the property to the east in anticipation that they would be annexed and developed, consistent with the 2014 Growth Boundary Plan.

Another overlay showed the connection to the existing sewer line and the environmentally sensitive areas that were outside of any lots, along with the proposed 21 lots.

He again noted they would be adhering to the conditions adopted when Towson Village was zoned LUC-33. Jones noted the mix of commercial and residential and said the amenity package would serve this area as well.

Jones said he was aware that annexations had been a topic of discussion among Council and asked to address the merits of this annexation. Firstly, he noted it was consistent with the 2014 Annexation Plan and the current Future Land Use Plan, along with being consistent with the goal of providing housing options. As far as encouraging alternate modes of transportation, Jones stated they were in discussions with staff and intended to join the multi-use path network by building a connection to Stagecoach Road. Annexation would enable the City to collect ad valorem tax to offset the services provided. He pointed out that Peachtree City already provided Fire/EMS to this area, but the County now collected the Public Safety portion of the ad valorem tax. Annexation would bring that money back to the City. If the homes sold at the \$1 million price point, they would almost double the break-even mark on ad valorem taxes.

As previously stated, the annexation of Townson Village contemplated this development with the stub-out plan, Jones continued, and this was a natural extension. He said this would be an improvement over the MHP use currently permitted on the property with lower density and a better final product while increasing the supply of homes in the area. Like Towson Village, this would support the commercial redevelopment of Governor's Square and Peachtree Court. He closed by asking Council to approve this request.

The Mayor opened the public hearing, asking first for those who wished to speak in favor.

Roch DeGolian said he and his wife owned nine of the 11 buildings in Governor's Square and seven and a half acres on Peachtree Court. While he acknowledged he had a vested interest, he also pointed out the property tax benefits of this development to the City, County, and the Board of Education. The most important benefit, he remarked, would be the boost to the local economy. All those new families would be buying groceries, fuel, and local services, which would provide jobs and income to citizens, not to mention the sales taxes they would be paying.

Sasha Benefield said she grew up in Peachtree City and still worked here. She noted that the aging inventory in the real estate market in Peachtree City. New construction was needed to attract more people to the city and boost local businesses, she remarked. This annexation met all of the City's requirements, and the builder had pledged to construct all roads, utility connections and so on. This seemed to be a natural use for this property, and she asked Council to approve it.

No one else wished to speak in support of the annexation, and the Mayor called on those who opposed it.

A Pleasant Grove resident said she did not exactly oppose this, but she wanted to know why the Planning Commission voted to recommend denial. She was concerned about the homes being close together, saying it seemed to be a way to get apartments without calling them such.

Suzanne Brown said she could only support annexation for industrial use. She did not believe tax revenues would pay for City services and road paving. Brown also disputed that this was near a village center and said it should be lower density because it was on the outskirts of the City. She added it was unacceptable to build houses close together.

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

If Peachtree City did not annex this property, King observed, it would be developed in the County, perhaps at a higher density than the 21 lots now proposed. Referring to Brown's comment, he said they did not want to annex this for industrial use because it was surrounded by residential. This property was going to be

residential, whether annexed or not.

He said it was a boon to bring it into the City, both for the tax money and the connection to Towson Village. They would be supporting this property with Police and Fire in any case.

One thing that had been overlooked was the five-year effort to get path access to the Publix on the south side of SR 54. The property owner would not sell it or grant an easement access, and it would cost \$1 million or more to run a path along 54 by the cemetery. The easement discussed here over to Stagecoach would help get students from the north side of 54 to the middle school.

For all those reasons, King said he was in full support of this.

Prebor agreed, saying that refusing to annex would not keep this property from being developed. If Peachtree City had to serve it with Fire and Police, it made no sense not to annex and get the tax money. He told King he was glad he mentioned the path access, noting the SPLOST project list called for developing a path in this area.

He remarked that if an annexation was positive in the cash flow, why would they not do it? They needed to protect their borders and annexation did that.

Destadio said he agreed with most of Prebor's comments. He did not agree with some of the things in the Comprehensive Plan, such as the designation of this as a village center, but it was in the Plan, even though he did not consider it a village center.

The SFC designation seemed to be squeezing houses together, and he was surprised they were continuing to do that, but if that was what was being purchased, then it was a case of supply and demand. Was SFC now a Land Use designation? Destadio asked Cailloux, and she said it had always been the designation in that area. That was too bad, Destadio remarked.

Destadio agreed that this property would be developed in the County at a higher density if they did not annex it, and he said he was fine with that and would vote "no" on this.

Learnard requested that Cailloux explain the differences between SFC and LUR and LUC-33. She said LUCs and LURs were zoning districts, while SFC was a Future Land Use designation. They were closely tied together in Peachtree City. The property was zoned for housing that met that designation, so this was the FLU given to it. At the end of the day, Learnard remarked, they were looking at 11 acres and 21 homes, and Cailloux said that was correct.

Holland asked Jones if the developers owned this property, and Jones said it was

under contract. Holland said he did not notice any green space designated on the plan. This area was part of Towson Village, which had an amenities area with green space included, Jones replied, but Holland remarked there was no green space in the newer area.

Holland then noted he was concerned that all of the trees had been cut down where Towson Village was being constructed, saying he believed their ordinance prohibited that. City Attorney Ted Meeker said he did not know; he would have to check the ordinance. He did know that stormwater required a certain amount of sediment control be applied to the property. Right now, Meeker pointed out, this property was in Fayette County, so their regulations applied.

Holland then said he thought the landscaping in Towson Village was poor. Learnard asked if he had a question. He asked Jones if the same type of landscaping would be done in this portion of the development? Jones said they would follow the same landscaping plan, but the builder and the site developer would comply with all City ordinances, and he was not aware of any instances where the existing subdivision had been cited for non-compliance.

The 2014 annexation plan had a large rectangle in this area designated for potential annexation, but they had just carved off a piece for this addition to Towson Village. Holland thought they should be talking about annexing the entire area.

King explained that when they annexed the Towson Village property about four years ago, the owner of the mobile home park did not want to be annexed. Since then, the park had been sold, and the current owner was the one selling these 11 acres. Jones said that was correct, and Holland asked if the owner had discussed annexation for the remainder. Jones did not know, but pointed out that this property was separated from the mobile home park by the tributary and was a natural fit to join Towson Village.

Holland said he was not in favor of annexation piece by piece, and he did not think they should go against the Planning Commission.

Destadio broke in with a point of order and asked if they were at a point where they could vote? Learnard agreed it was time. She noted that the only reasonable access to this property was through Towson and this was in the 2014 Growth Boundary Study. It was a reasonable site plan, and she was in favor.

King moved to approve Public Hearing item 11-23-05, Annexation and Zoning of 11.3 acres at the end of Deanwood Terrace from MHP Mobile Home Park in unincorporated Fayette County to LUR Limited Use Residential in Peachtree City with the requested conditions. Prebor seconded. Motion carried 3-2, with Learnard, King, and Prebor voting in favor; Destadio and Holland against.

B. 11-23-06 Zoning text amendment to create a Short Term Rental permit and approval process

This public hearing was the continuation of a long process, Cailloux remarked, starting in April 2022 when Council said short-term rentals (STRs) should be regulated and charged staff with creating an ordinance for the purpose of protecting the health and safety of visitors and residents of Peachtree City and preserving the residential character of the neighborhoods. It was presented as a Council/Staff topic that June and again discussed in May, June and August of 2023. In August, Council asked staff to proceed with the public hearing and adoption process as required by law.

The Planning Commission held a public hearing on September 25, at which time they wanted additional opportunities to consider it, so it came back October 9 as a workshop item. Now, it was before Council for their required public hearing. Cailloux said she would be presenting highlights of the current draft that was in their packet, noting that this was version #10 of the ordinance. They would review the Planning Commission's recommended changes, the Council would hold the public hearing and discuss the ordinance and take action.

The ordinance created an STR permitting process, which did not currently exist. All existing STRs would be required to get a permit; none would be grandfathered in. Any residential property could be an STR; the whole house could be rented or just bedrooms or a basement. It could not be a detached structure or a recreational vehicle. It did not have to be owner-occupied. No sub-leasing would be permitted, and there would be a cap of 1.5% of the total residential structures in Peachtree City, which would put the limit at about 200 right now. Permits would be issued on a first-come, first-serve basis.

As the draft ordinance was written now, a local contact person must be designated. That person must be at least 21 years old, available at all times, and able to be on the property within one hour if requested by the City. They could be a licensed managing agent but did not have to be. As now proposed, the City would mail this contact information to all residences within 500 feet of the property.

This draft ordinance set standards for STRs, Cailloux continued. Parties or special events would not be permitted at an STR. Parking must be off the street on a paved surface, and garbage must be screened from public view. Only bedrooms as defined by the International Building Code could be used for sleeping, with a maximum of three persons per bedroom. Noise and parking regulations must be posted on-site, along with the phone number for that local contact person.

The application process required a criminal background check on all property owners/LLC agents. The STRs would have to pass inspections by the Fire Marshal and Code Enforcement. A copy of the guest occupancy agreement had to be submitted with the application. There was a \$400 application fee, and the permit would be good for 365 days. There would be a \$75 late fee if the permit was

allowed to expire past 30 days.

The enforcement policy was "three strikes and you're out" over a 12-month period. Each violation resulted in citations and \$1,000 fines, while the third violation also meant that the permit for that location was revoked for 24 months and the owner or local contact (whoever was found guilty) could not apply for another STR permit within 24 months. It would not affect that person's other STRs, just the property which it was cited.

The Planning Commission had a wide range of opinions, Cailloux observed, but they compromised and voted unanimously to move this item forward to Council with some recommendations. They unanimously agreed to recommend that the application and renewal fees be increased to \$500. Most thought the fines should be tiered at \$500 for a first offense, \$750 for the second, and \$1,000 for the third, but Commissioner Felicia Reeves said all fines should remain at \$1,000.

Four Commissioners suggested the minimum age of the contact be increased from 21 to 25, with the reasoning being that you can not rent a car under age 25. They were unanimous in saying the language about the local contact should be adjusted to say they should be within 20 miles or one hour of Peachtree City. Three Commissioners said the distance for the required notification of neighbors should be reduced from 500 feet to 200 feet. Commissioner Kenneth Hamner wanted the requirement removed entirely, while Reeves supported keeping it at 500 feet. The 200 feet was based on what they did for rezonings, Cailloux remarked.

The Commissioners unanimously agreed that an Occupational Tax Certificate should be required. They discussed eliminating the background check requirement, but decided to keep it, although Hamner favored eliminating it.

The Mayor opened the public hearing, asking first for those citizens who were in favor.

Carl Panke stated he did not know Council was looking at STRs, and he did not believe many other citizens knew either. He understood there was no ordinance currently, and he was in favor of regulations. His neighbor was renting his basement as an STR, and there was a problem with parking. Panke was concerned that STRs could be concentrated in one neighborhood. He would support a background check. Panke also noted enforcement would be challenging, but he was encouraged there would be some vetting.

No one else wished to speak in favor, so the Mayor called for those who opposed this, saying they had a total of 10 minutes to speak.

Mike Murtaugh said they had previously owned an Airbnb house and now had mid- and long-term rentals. He stated that the infamous Smokerise party house was not an STR, but a rental that was then sublet. He said there had been no Police calls to

STRs in the past 12 months and no code violations issued. More than \$75,000 had been put in Peachtree City's coffers in the past year through lodging taxes paid by STRs. He noted that these visitors to Peachtree City were spending money at local businesses. Murtaugh thanked Council for seeking input from STR owners and hoped they would create an ordinance that was manageable, fair, and equitable to all members of the community.

Fayette County Board of Realtors President Angela Yoder said her organization was concerned that this ordinance would limit property owners' rights to rent out their property by treating it as a privilege that required a permit, rather than an inherent right of property ownership. She said the proposed STR ordinance could violate a section of Georgia Code that said no local government was authorized to perform inspections or investigations of rental properties unless there was probable cause to believe there had been violations to applicable codes. It went on to say that in no event could a local government require the registration of residential rental property.

Yoder said her organization felt the definition of managing agent was too vague and needed to say the managing agent should be a licensed Realtor or real estate agent. She mentioned concerns about criminal activity and noted there were ordinances to take care of that. She, too, stated that Police had not mentioned any problems.

Another resident said she had been a resident for 32 years and an Airbnb owner for nine years. She said the fees were exorbitant and if they were imposed she would have to close her STR business and move because she could not afford to keep her house.

Chris Anderson mentioned Peachtree City's low crime rate, saying there had been no Police calls or code violations to the existing STRs. He stated this legislation was meant to correct a problem, but that problem did not exist. He also mentioned that the Smokerise house was not an STR. If this ordinance was approved, Anderson said, the fees would put many owners out of business.

Holland stated there were just two minutes left and asked if they could extend the time allotted for speakers? Learnard said they could not because they did not extend for the other side. Prebor said he believed they could make and approve a motion to extend for both sides. He suggested they wait and see if it would be needed.

Kathy Valencia introduced herself as a resident of Smokerise and a Fayette County Magistrate Judge. She said there was criminal activity going on at the house in Smokerise for two years. The lack of Police calls might be because people feared retribution if they called the Police. Police also had to catch the criminals in the act. Valencia said she had signed many warrants for shootings, sex trafficking, and other criminal activities at STRs. Peachtree City needed regulation, especially in

neighborhoods with no homeowners' associations. She said she would like to see the 500-foot notification area increased.

Time expired, and Prebor moved to extend the time allotted by five minutes. King seconded. Motion carried unanimously.

Valencia thanked Cailloux for mentioning at the Planning Commission hearing that even a piano teacher giving lessons at home was required to obtain an occupational tax certificate. It was important to have a record of what was going on in a neighborhood. She said she understood there were many responsible STR owners in the City, but an ordinance was needed to control those where were not. She noted that Savannah had restricted its STR permitting, and College Park no longer allowed STRs. Two counties that abutted Lake Oconee had stopped STRs.

Sue Murtaugh said her husband had reported facts, not conjectures. She noted that she had confidence the Peachtree City Police could handle any problems. She asked if the permitting fee was \$400 per rental, saying some people had more than one. Murtaugh also mentioned that the Smokerise house was not an STR.

Sean Freeman said his family bought a house with the intention to Airbnb part of the property and use the proceeds to fund home improvements. He also said the Smokerise house was not an STR. Freeman called the concern about STRs "fearmongering" and stated they had had great guests. It would be a travesty, he concluded, to limit the amount of STRs based on fear.

Learnard then circled back and asked if anyone in favor wanted to use the extended five minutes to speak.

Panke again said he felt regulation and vetting was needed. If they waited until there were problems, it would be too late. He said these neighborhoods had been home to families for years, but now the STRs meant unknown people were cycling in and out. He did not think property rights meant owners did not have to vet those they were leasing to. These STRs were not within the plan of the community.

Valencia said she favored the ordinance with a few tweaks. She noted that you had the right to rent your property from the standpoint of what you bought. If you bought it as single-family residential, you had the right to rent it as such, not as a hotel for transients.

Julio told the Mayor they needed another vote to extend time because it was no more than five minutes per person.

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

King said he was struck by a comment the chairman of the Planning Commission made during its public hearing; he said it was a solution looking for a problem.

STRs were not what was experienced in Smokerise. By and large the guests at STRs were good people, King said, adding that the city benefited from the money they brought in. The online platforms vetted the properties before they were listed, and he said he saw this ordinance as being somewhat punitive, although he did agree that STRs needed to be registered with the City.

Destadio said he agreed that this was over-regulation. He thought there should be a committee that included STR owners to work with staff and come up with an ordinance.

Learnard asked how he felt about the "light touch" regulation King suggested that included only a fee and registration to create a database? Then in the new year, they could look at other potential actions such as notifying the neighbors. She commented that there were STRs that had been operational for years without the City's knowledge, but she thought they should know what was there.

King said he would like to have seven or eight of the owners who had spoken to have input into an ordinance. Destadio told him that is what he recommended. King said he wanted to get it done right the first time.

Holland agreed, saying it was too harsh and the fees and fines were too expensive. He thought the STR owners could be relied on to take care of the properties.

How did they arrive at the \$400 permitting cost? Prebor asked Cailloux. She said \$75 was for Fire Marshal and Code Enforcement inspections, and the fee also included the shared cost of the third-party monitoring program, plus the cost of the background check for a total of \$409. However, if they eliminated the background checks and the inspections, there would be no City costs.

Prebor suggested dropping the inspections to once every two years. He also mentioned that, even if people could check the STR locations on the City website, he thought it would be good to send letters to neighbors.

Learnard remarked that she owned a small house in Michigan where she stayed when visiting her son and rented it as an Airbnb when she was not there. She said she had one bad guest in a year and a half; neighbors reported it to her, and she got him out. Learnard said Peachtree City's existing ordinances should be enough to handle any problems.

She asked Curnow what would be the best means to get citizen input? She said she was not sure a committee was needed, but more of a good ongoing conversation. Learnard noted that compromise would be necessary, pointing out that she and Prebor had been on opposite sides, but were trying to work together.

Curnow said Council seemed to be making the assumption that staff was making these recommendations, and that was not the case. These recommendations had

been derived over 10 individual meetings at which staff was asked to put together recommendations based on Council's feedback. He asked for further direction as to what Council wanted "STR lite" to look like before he could entertain bringing in a committee to discuss this.

Learnard asked King if STR lite meant having all STRs listed on the City website and addresses available through an online portal. King again said he wanted Council members to sit down with STR owners and come up with workable regulations. That left it very open-ended for staff, Learnard replied, but King said he was not asking staff to do anything.

Curnow suggested a town hall meeting to get input from residents. Meeker added that citizens could have input at a workshop, too. King said they had heard from citizens already in the meetings.

Holland agreed that a lot of citizens had talked, but had not made concrete suggestions, such as Prebor's suggestion about inspections every two years. Meeker pointed out that the fee was tied to costs, so if they struck things like background checks, that cost would be removed.

If they were talking about a town hall or workshop, Curnow stated, Council needed to come up with the parameters of the regulations. Council should figure out what they agreed on, then bring in people to talk about how that format should work.

Holland suggested forming an advisory group to get input, but Learnard noted that Curnow had had all kinds of input. Council needed to be specific and give staff a framework with which to begin. Curnow said that was correct, noting it was taking up a considerable amount of staff time to keep presenting revisions. He would like to know what their top three criteria were, for instance.

They could reduce the fee in half by requiring permitting and inspections every two years, Prebor proposed. Getting rid of the occupational tax would cut \$107 off the fees. He said \$200 a year, which was the \$400 permitting fee divided by two, did not sound exorbitant.

So fees were on the list, Curnow noted, going on to mention safety and registration as other topics they might want to entertain conversations about, along with the fine structure. He asked Council to come back with their version of STR lite to give to staff. Learnard said they could do that, and Prebor suggested they just get it started right then.

Council agreed that a permit would be required. It could be applied for online, and the information would be available to the public online, Cailloux said, explaining there would be a map online and when a location was clicked, it would show the permit number and address.

Did they agree that there should be a local contact aged 25 or older who should be within an hour travel time or 20 minutes of the STR? Learnard asked. Prebor noted that someone could legally enter into a contract at age 18, so why were they asking for 25? Holland said 18 would be suitable. Learnard suggested 21, and they agreed on that.

Prebor said he thought the City should notify the neighbors. King remarked that was the responsibility of the STR owners, and Learnard said they could go to the website. Prebor said he wanted to be notified. King asked Murtaugh in the audience if they notified the neighbors, and he said they did. It was one of the best practices that responsible citizen-owners followed, he remarked. Prebor asked if he thought Council should make it a requirement? Murtaugh said anyone who was concerned could check on the database. He went on to say it was illegal to notify neighbors about convicted sex offenders or drug traffickers. The STR letter would just create fear and pit neighbor against neighbor, he concluded.

Holland said it should be left as a neighborly thing. Learnard said this was something they would have to figure out later.

Would there be a public forum on this before December 31? Meeker asked. Council said they believed there could be. Did they want to continue this until the December 7 meeting? Meeker asked, but Curnow said staff would not have time to put anything together by then; it would have to be in the new year.

Meeker noted there would be two new Council Members in January who had not had the benefit of the public hearing. They could vote this down now and begin again in December. It would be best to vote to deny this because they would more than likely be holding another public hearing and have to advertise it again, Meeker stated.

Destadio moved to deny Public Hearing item 11-23-06, zoning text amendment to create a Short-Term Rental permit and approval process. Prebor seconded. Motion carried unanimously.

New Agenda Items

A. 11-23-07 Peachtree City Tennis Center Operations

Strickland began with an overview of the Tennis Center, noting it had 24 tennis courts. Six were covered hard courts, six were clay courts, and 12 were outdoor hard courts. The Center currently offered annual memberships, court rentals for non-members, lessons and programming for all ages, tournaments, and a pro shop.

There were about 400 members. In the summer, around 100 people a day used the center; in the spring and fall, it went up to about 200. Programs and lessons averaged about 3,200 participants annually.

In 2009, the City entered into a one-year contract with Sequoia Tennis Management with automatic renewals for up to 15 years. It was due to expire in December 2024. Strickland explained that he was referring to the management company as Sequoia because that was the name on the contract. It had since changed its name to ClubCorp and now was called Invited.

Sequoia provided day-to-day operations, grounds maintenance, staffing and payroll, programming, and furnishing of operating equipment and supplies. The City was responsible for capital improvements/repairs, debt service, and court resurfacing.

Under the terms of the agreement, the City received \$24,000 per year or 3% of the gross annual revenues, whichever was greater. The City received \$24,000 at first, Strickland remarked, but since then the average had been \$30,213. The City's average expense had been \$213,813 annually, a loss of about \$180,000 a year. Since 2018, Sequoia had average revenue of about \$1.2 million, with expenses of around \$1.1 million, for a net revenue of about \$126,000.

Council allocated \$1.7 million of the American Recovery Act money for facility improvements at the Tennis Center that included interior remodeling, roof replacements, new HVAC, and lighting upgrades. These projects were still being completed, he stated.

Sequoia had given notice that they would not be renewing the contract with the City effective December 31, 2023, and staff was recommending transition of the operational management to the City. This would start immediately and be effective January 1, 2024.

There was a very short turnaround, Strickland remarked, and the City had to get computers, printers, balls, and all the equipment they needed to run the facility. The Center would not close, and they were aiming for a seamless transition. This would include the City taking responsibility for day-to-day operations, grounds maintenance, staffing and payroll, programming, and furnishing of operating equipment and supplies.

Right now, they wanted to keep all programs and fees the same, but would be evaluating at a later date, Strickland continued. The Pro Shop was one thing that might change. He said the City was not equipped to sell merchandise, and the Pro Shop was not a huge money-maker.

The recommended operating budget was \$1,187,981, which should be self-sustaining. They did not want to use any City fund balance or surplus from the general fund, although there might be a negative revenue in the first year because of all the start-up costs. The goal would be to set excess revenues aside for capital improvement needs at the facility like they did at the Amphitheater. Staffing would

require three full-time positions including the manager and nine part-time positions. This worked out to 7.5 full-time employees, about the same number as the Kedron Aquatic Center.

Strickland thanked Assistant Recreation Director Cathy Wilder for her efforts in getting this plan ready, saying it had required a lot of work from many people to create a plan they felt confident in for this quick transition. They were asking Council to approve the budget amendment and the personnel additions.

Council agreed the City should take it over, with King saying they could adapt the plan as it unfolded. Destadio asked if the number of employees was about the same as what they had at the Tennis Center now? Strickland said they had a few more because the pros were on the staff. The City's plan was to contract with the pros.

Learnard presented a letter from a citizen who said she was speaking for 80-plus Tennis Center members who were grateful for the seamless transition. The Mayor asked about the Pro Shop, and Strickland said they would be selling some things, but it would not be as robust as what they had now. Holland asked if they could sub it out to a third party, and Strickland said that was a possibility.

Strickland said some members of Sequoia management were present and he wanted to thank them for running the Center for the past 14 years. Learnard agreed that they had run good programs.

King moved to approve New Agenda item 11-23-07 Peachtree City Tennis Center Operations and the budget amendment for \$1,187,981 and the addition of 7.5 full-time employees. Holland seconded. Motion carried unanimously.

B. 11-23-08 Police Vehicle Purchase

Police Chief Janet Moon asked Council to approve the purchase of nine Ford Police vehicles from Allan Vigil Ford for fleet replacement vehicles. They had asked for 10 vehicles in their budget that was approved but had to reduce the number to nine due to inflationary costs. The purchase would be for Ford Police Interceptor Utility SUVs and Ford F-150 Responder. Allan Vigil Ford held the State contract pricing for Police vehicles.

Moon said this request was only for the replacement vehicles; they would be coming back to a future meeting to request vehicles for the additional head count in this budget and the accessories to outfit them. Tonight, the Chief said her request was to purchase nine replacement vehicles in the amount of \$474,009 from Allan Vigil Ford.

King moved to approve New Agenda item 11-23-08, Police Vehicle purchase of nine replacement vehicles in the amount of \$474,009 from Allan Vigil Ford. Destadio seconded. Motion carried unanimously.

Council/Staff Topics

Executive Session

King moved to adjourn to executive session at 8:41 p.m. to discuss personnel matters. Holland seconded. Motion carried unanimously.

King moved to reconvene in regular session at 10:17 p.m. Holland seconded. Motion carried unanimously.

New Agenda Items (Cont'd.)

A. 11-23-09 City Manager Contract

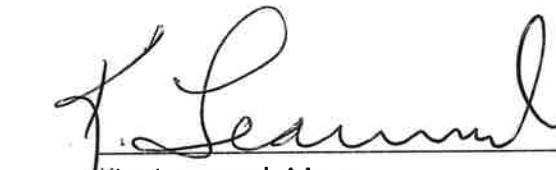
**Motion to approve City Manager contract with one change to \$240,000 for the yearly salary
APPROVED 5-0**

Adjourn

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

The meeting adjourned at 10:18 p.m.


Martha Barksdale, Recording Secretary


Kim Learnard, Mayor