

City Council of Peachtree City
Minutes of Meeting
December 18, 2008
7:00 p.m.

The City Council of Peachtree City met Thursday, December 18, 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 Recognition

Penelope Harbour with the Employer Support of the Guard and Reserve program presented Mayor Logsdon with a framed Employer Statement of Support for employees serving in the National Guard and Reserves. City employees Rob Todd of the Police Department and Ricky Howard of the Fire Department, members of the National Guard/Reserves, also attended the presentation. Gail Sparrow of the Honor Flight Fayette Program recognized Major Mike Dupree and Captain Terry Ernst of the Police Department for serving as volunteers on the November trip to visit the World War II monument with some of Fayette County's World War II veterans.

Public Comment

Keep Peachtree City Beautiful Director Al Yougel announced that Fayette County's Earth Day activities would be held April 25, 2009, at Drake Field. The City would host the event, which rotated annually. A media event for the kick-off was planned on January 29.

Agenda Changes

There were none.

Minutes

Boone moved to approve the November 20, 2008, regular meeting minutes; December 2, 2008, workshop minutes; and the December 4, 2008, regular meeting minutes as written. Haddix seconded. The motion carried unanimously.

Election & Oath of Office – Mayor Pro-tem

Sturbaum moved to appoint Boone as the Mayor Pro-tem. Haddix seconded. The motion carried unanimously. Logsdon administered the Oath of Office.

Consent Agenda

1. Annual Indemnification Resolution
2. Authorization of Legal Organ – *Today in Peachtree City*
3. Consider Appointments – City Attorney – Ted Meeker
4. Consider MOU with Clayton International
5. Consider Appointment to Airport Authority – Mike Brady, Zaheer Faruqi,
Bill Rial (alternate)
6. Consider Stormwater Maintenance Agreements
7. Change in Licensee, License Representative, and Management – China Café Waikiki
8. Consider Revision to Logo Use Policy
9. Consider Request to Modify Planning Commission Schedule
10. Consider Cancellation of January 1, 2009, Regular Meeting

11. Consider Appointments to Recreation Commission – Shayne Robinson, Eric Imker, Michael LeDonne (alternate)

12. Consider Resolution and Agreement for Deposit Account and Bank/Corporate Services – RBC Bank

Plunkett moved to approve Consent Agenda items 1–12. Haddix seconded. The motion carried unanimously.

Old Agenda Items

06-08-08 Public Hearing – Consider Amendments, Specific Permitted Uses in Multiple Zoning Districts

a. *Sec. 1006 GC, General commercial district (to be continued)*

b. *Sec. 1006A LUC, Limited use commercial (to be continued)*

Plunkett moved to continue “06-08-08 a. Sec. 1006 GC, General commercial district and b. Sec. 1006A LUC, Limited use commercial” indefinitely. Sturbaum seconded. The motion carried unanimously.

c. *Sec. 1009 OS, Open space and conservation district*

City Planner David Rast noted that, based on feedback at the December 2 workshop, the Open Space (OS) zoning would be divided into two categories – OS-Conservation (OS-C) and OS-Public (OS-P). The intent of the OS-C zoning district was to preserve the property. The permitted uses would include undeveloped, natural land; paved, multi-use paths or natural surface trails; boardwalks, scenic overlooks, playgrounds and/or picnic areas; archaeological or historic sites, and cemeteries established prior to the adoption of this ordinance. The conditional uses would include a building, facility or land for the distribution of utility services, subject to review and approval by the Planning Commission and all easements approved by City Council; stormwater detention facilities, subject to review and approval by the Planning Commission; and telecommunication towers and associated equipment, as identified within the Telecommunications Ordinance. In addition, Rast said the proposed amendment would limit the height of buildings in OS-C zoning districts to 10 feet to keep them in scale with the natural environment, which allowed the pump stations and lift stations that already existed and any new improvements. The Telecommunications Ordinance identified open space as a viable location for telecommunications towers and equipment, and it was kept as a conditional use. There would be several requirements that had to be met before the use would be approved.

Rast said there were a number of areas that could be zoned OS-P, including public property such as the City Hall complex, and churches. The OS-P designation included uses owned by the City, the Board of Education, and Fayette County, as well as detention facilities. The permitted uses in OS-P zoning would include undeveloped, natural land; paved, multi-use paths or natural surface trails; boardwalks, scenic overlooks, playgrounds and/or picnic areas; archaeological or historic sites; cemeteries established prior to the adoption of this ordinance; building, facility or land for the distribution of utility services; building, facility or land for non-commercial park, recreation, thoroughfare, or open space purposes; public or private boat dock, fishing pier, boathouse and related accessory concession and support facilities, where permitted through deed restrictions; and public and/or private golf course, including clubhouses, swimming pools, tennis courts or other associated activities located thereon, but not including miniature golf courses.

The conditional uses would include a building, facility or land for the distribution of utility services, subject to review and approval by the Planning Commission and/or City Council; stormwater detention facilities, subject to review and approval by the Planning Commission and/or City Council; telecommunication towers and associated equipment, as identified within the Telecommunications Ordinance; church or other place of worship with numerous conditions regarding setbacks, parking, and on-site sewage disposal.

Rast said the Planning Commission reviewed the changes on December 8 and voted unanimously to forward the changes to the Open Space ordinance to Council with a recommendation for approval.

The public hearing opened.

Phyllis Aguayo noted that proposed amendment included a provision for suitable walls or fences and suitable plantings between residential properties and other uses. Rast said the wording referred to the conditional use for a church. He briefly went over the setbacks, adding that the requirements for a church had not changed and were the same requirements identified in each of the zoning districts though the conditional use. The intent of the wording was to supplement the 20 feet between the parking and the adjoining property line with fencing or evergreen plant material. Aguayo added that churches were now used more intensely than just Sunday morning. She asked that more buffering adjacent to residential property be considered. Rast said they could look at it, but they would have to go back and amend each zoning district if Council or the Planning Commission felt it should be done. Plunkett asked if the proposed buffers were similar to what they were looking at to separate commercial and residential uses. Rast said the buffers would go up to 75 feet for those uses. Staff and Planning Commission had not studied buffers between churches and other uses, but a separation of uses should include churches. Rast asked Council to continue the agenda item, so it could be studied.

The public hearing closed.

Plunkett moved to continue "06-08-08 c. Sec. 1009 OS, Open space and conservation district" indefinitely. Sturbaum seconded. The motion carried unanimously.

12-08-04 Consider Amendments to Personnel Policy

Acting Administrative Services Director/City Clerk Betsy Tyler noted the revisions that had been incorporated since the December 8 Council meeting. The proposed changes included the following:

- *Page 2 – Revisions to how the policy is amended, as suggested by the HR attorney that reviewed some of the language.*
- *Page 7 – Paragraph E - removed the "to ten" option for the formal survey frequency.*
- *Pages 19-20 – Reduction in Force language suggested by the Human Resources attorney was to remove the second paragraph as the basics were covered in the first paragraph.*

- *Page 24 – Reasons for disciplinary action amended to reflect arrest/indictment versus allegations.*
- *Page 24 – Reinserted language about outside work for a supervisor, but limited it to the immediate supervisor and left the option for Director/Chief approval to address concerns about conflict/coercion.*
- *Page 35 – Clarification that full-time employees are eligible to use up to 24 hours per year of sick leave for family members; part-time employees who earn sick leave would be eligible for 12 hours per year.*
- *Page 36 – Military pay supplement limited to 18 months of active duty.*

Sturbaum moved to approve the amendments to the Personnel Policy as recommended by staff. Boone seconded. The motion carried unanimously.

New Agenda Items

**12-08-07 Public Hearing – Consider Step 1 Annexation Application, 379.493-acre
Wieland Tract in Wilksmoor Village**

Rast noted that the Step 1 request was a re-affirmation of the annexation and zoning that Council had approved on May 3, 2007. Richard Bacon, general counsel for John Wieland Homes & Neighborhoods, asked Council to consider and approve the Step 1 annexation request for the 379.493-acre tract his client called Connector Village. Bacon referred to the lawsuit that had been filed challenging the 2007 annexation and rezoning, saying that they believed the City and the developers would prevail. He continued that there was a lack of funding for senior judges in the state, and no progress had been made on the lawsuit for a long time. They were going back through the process to re-affirm the annexation and rezoning, and the first step was the Step 1 application.

David Worley, who identified himself as the plaintiff in the lawsuit against the City, asked if the fee had been paid for the application. Rast said it had. Worley noted that it had not appeared that the fees were not paid for the Scarbrough tract Step 1 annexation application re-affirmed by Council on November 20, 2008. He asked how someone could apply to annex property already in the City. According to Bacon's statement, the tract was annexed in May 2007. Since that time, Wieland had paid the property taxes. The City's position in the litigation was the tract had been properly annexed. There was nothing in state law or City code regarding reaffirmations or clarifications of annexations. The property was either in the City, or it was not. By approving the request, Council would be saying the property was not in the City. The only explanation was the City was trying to slide something by the citizens. By saying the annexation was being tweaked or reaffirmed, people would not know that the original annexation was completely illegal and needed to start all over, which would be the best course to take. Worley continued that the City had created a geographic island, which was forbidden by state law. The City should start the process over, and let people discuss it.

Aguayo reiterated the concerns she had when the property was originally annexed, noting the tremendous impact on City services, schools, and roads. There might be short-term benefits to annexing the property, but the long-term benefits would be poor for the City. Since Council was reviewing the annexations anyway, they should review the plans and decide if it had been a good

idea in the first place. The plan did not meet the step-down zoning intentions of the Comprehensive Plan. She also asked how much it cost the City to annex the property again.

The public hearing closed.

Haddix said the issues had been laid out. He moved to grant the Step 1 annexation request for the 379.493-acre Wieland tract in Wilksmoor Village. Boone seconded. The motion carried unanimously.

12-08-08 Public Hearing – Consider Request to Re-name Husky Drive to FieldTurf Drive

Rast gave a brief history of the area in Southpark industrial development, noting that the Husky building had been the first in Southpark. The developer, Peachtree City Development Corporation (PCDC-now Pathway Communities), constructed a portion of one of the internal roads in the development and requested the name Husky Drive. The road was 285 feet from the entrance to Southpark to just beyond the entrance to the building. Husky sold the building and property to FieldTurf Tarkett USA, who had requested the road be renamed. Rast said he explained the process for changing the street name, and the process had been followed. The name was forwarded to Fayette County E-911, who approved the change. The affected property owners had also been notified, including Sequoia Golf, which had no problem with the change, and Pathway Communities. Pathway had expressed concern because of their marketing materials, which showed the road as Husky Drive. Rast continued that the request was not precedent-setting. The City had several roads named after companies, including TDK Boulevard, Cooper Circle, Gardner Park, Paschall Road, and World Drive. Staff recommended approval of the request.

Matt Forshee, the Fayette County Development Authority (FCDA) president and chief executive officer, introduced Joe Fields from FieldTurf and Tim Dunlap of Sequoia Golf. He pointed out that the street came to an end at the FieldTurf building. The FieldTurf building was the only physical structure on this section of road, although both Canongate and Pathway owned property along the road. FieldTurf had moved their headquarters to the City, and this was the only request they had made. There was no longer a Husky presence in the City.

Fields, the chief executive officer for FieldTurf, said that, whether the street name changed or not, FieldTurf was happy to be in the City. Their manufacturing plant had always been in Dalton. The product was used in 22 stadiums, including the Georgia Dome, and more than 5,000 fields worldwide.

The public hearing closed.

Logsdon asked how much of an inconvenience the name change would be for Pathway's marketing. Forshee said that he did not have a dollar amount. Pathway had two tracts along the road, and they had talked about developing the larger tract, either as residential or office. In Forshee's opinion, it was a minor marketing issue.

Boone moved to approve the name change of Husky Drive to FieldTurf Drive. Plunkett seconded. The motion carried unanimously.

12-08-09 Consider Ordinance Amendment – LSMV Use

Plunkett moved to approve the ordinance amendment for LSMV use. Sturbaum seconded. The motion carried unanimously.

12-08-10 Consider Equipment Lease Financing Agreement

Sturbaum moved to approve the equipment lease financing agreement, agenda item 12-08-10, and adopt the resolution. Haddix seconded. The motion carried unanimously.

12-08-11 Consider Budget Adjustments for FY 2009

Logsdon noted there was an additional document on the dais – a memo from Leisure Services Director Randy Gaddo dated December 16, 2008, with the subject, "Operating Hour Changes: Kedron and Library." Finance Director Paul Salvatore noted that Council and staff had discussed the adjustments at the December 2, 2008, workshop, and Council had concerns about reducing the hours at the Library and Kedron Fieldhouse. Gaddo's memo outlined the proposal for the two facilities, which would not disrupt service during the busiest hours. Logsdon asked if the same amount of savings would be accomplished as the earlier proposal. City Manager Bernard McMullen said there would be an increase in the savings.

Plunkett said closing the Library earlier on school nights (closing at 8 p.m. instead of 9 p.m.) cut the usage for students, which had the second highest numbers for usage. Due to after school activities and practices, many students did not start their homework until 7 p.m. Sturbaum said the Library could open later, then close later. Plunkett asked staff to look at the later hours.

McMullen said the new hours would be implemented at the Library on January 1, and Kedron would begin after February 13, which was the date youth basketball ended. Logsdon said they should at least try the new hours. If there was an outcry from the public, they could open the hours up. Plunkett said she wanted to know the usage at the Library during the 8-9 p.m. hour. Haddix said they also needed to look at whether the people using the Library during the later evening hours were there because it was more convenient or because they needed to use the facility later. McMullen said he understood the question, but did not have the ability to answer it. He added that Gaddo also had staffing issues to consider. Plunkett suggested that there be a trial period of 90 days for the hours. Haddix said that, if there was a need, the library hours could be adjusted by 30 minutes or so.

Plunkett moved to approve the budget adjustments for FY 2009. Sturbaum seconded. The motion carried unanimously.

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

City Engineer Dave Borkowski said staff recommended that Council sign the signal application for the signal at SR 54/Line Creek Drive. He continued that the Thomaston district office of the Department of Transportation (DOT) had approved the traffic impact study for a stop-and-go signal at the location. The next step in the process was for the local municipality to sign the

application requesting the signal, basically agreeing to pay for the installation and utility costs for the signal. Borkowski noted that the City's development agreement with Capital Cities Development covered the costs of design and installation. Borkowski said the City had agreed to not oppose the signal in paragraph 14 of the development agreement. Borkowski read paragraph 14 of the development agreement:

The Developer, at his own option and expense, may request approval from the Georgia Department of Transportation (GDOT) for the installation of a traffic signal at the entrance to the development from SR 54. Said signal shall be installed on decorative poles and mast arms identified within the SR 54 West Design Guidelines. The cost of the signal warrant analysis, construction plans, equipment, lane improvements, and installation shall be the sole responsibility of the Developer. The City shall not oppose the installation of such a traffic signal. The City and Developer shall cooperate and work together with the GDOT for the abandonment of the right-of-way currently know as Line Creek Drive owned by the State of Georgia or GDOT. Developer shall reimburse the City for any and all costs associated with such abandonment.

Borkowski went over the levels of service (LOS) for traffic in the area, both with and without a signal at Line Creek Drive. He noted that an LOS of F was bad and meant extreme delays, C was in the middle, and A was the best. According to the traffic impact study conducted by LAI Engineering in November 2008, the existing level of service at the traffic signal at MacDuff Parkway was an A and an E at Planterra Way. If there were no development built in 2009, the LOS would be B at MacDuff Parkway and F (88.3) at Planterra Way. If the retail development was built in 2009, but the Line Creek Drive intersection was left without a signal and there was a full access driveway at Line Creek, the LOS at MacDuff Parkway would be C, while Planterra Way's LOS would be an F (108). Borkowski continued that, if the retail center was built with right-in, right-out access at Line Creek Drive, the LOS at MacDuff Parkway would be F (290.3), the LOS at Line Creek Drive would be F and D. The LOS at Planterra Way would be F (685.3). If the retail center was built with the recommended signalized intersection at Line Creek Drive, the LOS for MacDuff Parkway and Line Creek Drive would be B, while the LOS for Planterra Way would be a better F (72.9).

Boone was concerned that right-in, right-out access could be a safety issue with drivers making u-turns at MacDuff Parkway, which would cause accidents.

Plunkett asked what could be done so the Planterra Way intersection would not have a LOS of F. Borkowski said they had not looked at that.

Borkowski clarified the issue about distance between signals. Part of the issue was that DOT had many policies and design manuals, and there were several references to the distance between signals. The DOT Access Control Manual recommended a 600-foot minimum in urban areas on an interstate, but that standard did not really apply in this case. In a reference to median cuts, the DOT recommended that "full median openings to be spaced at 1,000-ft in urban areas. However, median openings may be spaced less than 1,000-ft, and greater than 660-ft, in urban areas if there are minimal left turn volumes." Borkowski believed those were measurements used when the

road was widened since there were approximately 600 feet between MacDuff Parkway and Line Creek Drive and Line Creek Drive and Planterra Way. Another DOT manual (Regulations for Driveway and Encroachment Control) recommended a minimum of 1,000 feet between signalized intersections in urban areas, but allowed for less spacing if an alternatives analysis showed better operations could be achieved with less spacing. Staff recommended Council sign the signal application.

Plunkett asked the distance between the existing intersections. Borkowski said that, measuring off the GIS, there was 600-615 feet between the intersections.

Mike Whalen, a resident of Planterra Ridge, said he had marked off a distance closer to 500 feet using an unsophisticated method. He asked Borkowski if he had specific measurements. Borkowski said the measurements were taken off the City's Geographic Information System (GIS), using the aerials. The end of the curb radius from Planterra to the end of the curb radius from Line Creek was approximately 600 to 615 feet. Whalen asked why the measurement was not more accurate. Borkowski said it was off an aerial photograph. Whalen said there were five lights within a relatively short distance, and it did not seem to have been well thought out. Whalen, referring to a recent newspaper article, asked Haddix if his questions to DOT had been answered. Haddix said nothing was ever clear with DOT, he still believed a light should not be placed at the intersections. He noted that this request was just part of the process. DOT had turned down the signal request from the developer twice.

Rich Granger said the traffic study had not shown anything about the impact on SR 54 itself, and there would be a greater impact during rush hour when the turn lanes were not long enough currently for people trying to make left turns. Borkowski said rush hour had been factored into the study. The standard for traffic studies for signalized intersections was to present the information as one unit, rather than breaking it down into the lane approaches.

Boone noted that appropriate synchronization of the signals would help the flow of traffic. He asked if DOT would be able to properly synchronize the signals, even after the Line Creek Drive signal was installed. Borkowski said that was part of the overall plan. The signals would be progressive during rush hours. Plunkett asked if the City would make synchronization of the lights part of its request for the signal.

Haddix said the citizens did not want the light or the retail development that was the purpose for the light. The purpose of the light was to enable an oversize development that would not be allowed under General Commercial (GC) zoning. People would not go there because it was hard to access. Without the light, the developer would be left with a single driveway coming out to eastbound SR 54. Big boxes would not locate there. Haddix had spoken to business people leaving the Target area, who said they would not move to the retail center due to the poor access in the area now. The developer could not turn a profit without the big boxes.

Plunkett and Haddix asked what businesses could go in the retail center without the Special Use Permit. Rast said, without a Special Use Permit, the developer could build anything currently identified within the City's GC zoning. Plunkett asked for clarification on how big the

development could be. Rast said any development over 150,000 square feet required a Special Use Permit. Single-tenant buildings could be up to 32,000 square feet with no additional review. Plunkett asked if the developer could access Planterra Way. Rast said that could not be done without Council's approval. The road would have to cross over a City-owned greenbelt. The access to the retail center had to be at the existing intersection. Plunkett asked if a development could be turned down because there was already too much empty commercial space in the City. Rast said no. Plunkett asked if the development could be denied because it would create more traffic. Rast said it could not. Haddix asked Plunkett if she would locate a business in a cubby hole with that kind of access. Plunkett said she would not, but it was not her property. The economy would turn around.

Logsdon said Council was being asked to sign the application for the signal. Council had agreed not to oppose the light, and the development agreement stated Council would not oppose the light. If Council did not approve signing the request, then Council opposed the signal, which would violate the agreement in his opinion. The LOS condition would be disastrous without a light no matter how big the development was. Without the Special Use Permit, the City would not have the controls over the development that were needed to make it a quality development. Logsdon continued that he and Haddix disagreed on whether the developer would build without the Special Use Permit. Haddix felt they would not build, but Logsdon believed the developer would move ahead. In Logsdon's opinion, it was in the City's best interests to install the light. Plunkett said they were really stepping beyond the development agreement. She had a lot of questions that needed to be answered before she was willing for the City to request the light. The request should include synchronization of the signals along SR 54 West. The City needed to do whatever it could to ensure the traffic did not back up on SR 54. It was dumped in Council's lap by the developer. Logsdon said he felt it was DOT dumping it in Council's lap. Sturbaum said he would like to talk to DOT more about their concerns and get some clarification.

Tim Lydell, a Cardiff Park resident, encouraged Council to approve the signal request. Lydell recalled working with other citizens to help develop the current plan for the retail center, noting that the first plan had been abysmal. He continued that the development could end up looking like Lexington Circle, and the City did not need another one. They would have liked for the tract to stay green, but the developer had a right to build as long as he conformed to the City's laws. Lydell said he lived in the area and went through the traffic everyday. The City had gotten the best development possible, and he asked Council not to make the problem worse.

Chris Garris, who lived off of MacDuff Parkway, asked Borkowski if the calculations for the LOS would remain the same even if the square footage of the center decreased. Borkowski said the calculations in the study were based on 175,000 square feet per Capital City Development, to be conservative. He added that the developer could build up to 150,000 square feet of space without any special approvals or a light. Garris asked if the signals on SR 54 West could be synchronized before the signal was installed to see if that helped traffic flow. Borkowski said synchronization was part of the permit process with the DOT, and DOT would maximize the traffic flow through the corridor. Part of the problem was that the SR 54/SR 74 intersection was not fully operational yet. The presence detectors had not been working, and the signals were working on straight time.

Richard Spain asked City Attorney Ted Meeker if the City was legally obligated to pursue the light. Meeker said yes, he had been consulted and had had private discussions with each Council Member individually, but he could not disclose the discussions. Spain asked Council if they would allow the City Attorney to speak on the matter. Meeker asked Council to keep the discussion private. Plunkett noted the discussion pertained to a legal, binding agreement. Spain asked Logsdon if the City was legally obligated to sign the signal request. Logsdon said, in his opinion, yes.

Bob Morris said he avoided the area and wondered how much time another light would add for those traveling the route. He continued that there needed to be another column in the study with the time that it took to travel from just east of Planterra Way to just west of MacDuff Parkway. He said it seemed as though the City had lost control of the ability to do what it wanted to do. Logsdon said the Special Use Permit had given the City more control than it had over past developments, but there was a dilemma on how to ask for the signal. Boone said the focal point was the application. The DOT still had to approve or disapprove the request.

Sturbaum moved to continue "Agenda Item 12-08-12 Consider Signing DOT Signal Application for Line Creek Retail" until the first meeting in February to answer the questions about the measurement of the road between the lights, the impact on Planterra Ridge, and the synchronization of the lights, the back-up of traffic onto SR 54, and to check on some finance numbers. Plunkett added that McMurrain should pay the costs associated with the application upfront, then she seconded the motion.

McMullen asked for clarification on some items. The best way to get accurate modeling for Planterra Way would be to pay for another model. One of the restrictions on the development was there be no connection to Planterra Way. He asked Council if that restriction was to be kept in place in terms of additional modeling. The Council Members said yes. McMullen added that, at staff level discussions, one of the ways to improve traffic flow in the area would to enter the new development through Planterra Way.

Plunkett asked Borkowski whether the request for a signal was a standard form or if it could be tailored to specific criteria. Borkowski said DOT always welcomed the City's input. Plunkett said they had looked at the issue based on what was best for the development. Now, they wanted to look at what was best for the City. Borkowski said the additional modeling would not get done by the next meeting. Council agreed to put the item on the February 5 agenda and move it to a later date if needed. Borkowski said he would talk to the engineer to see what was needed.

The motion carried unanimously.

12-08-13 Consider Drug Task Force Agreement

Plunkett moved to approve agenda item 12-08-13. Boone seconded. The motion carried unanimously.

12-08-14 Consider January 2 as Additional City Holiday

McMullen noted January 1 fell on a Thursday, and other municipalities and the County had granted its employees January 2 as an additional holiday. He was just putting the request before Council.

Boone said his concern was the expense; he had a problem with paid time off. Haddix asked if the employees could take the day off without using their vacation time. Logsdon asked if it could be done without any negative impact on employees' attendance records. McMullen said if January 2 was not a paid holiday, then it was considered leave without pay. The employees would need to use their vacation or comp time. He said there could be minimal staffing with a liberal leave day.

No action was taken.

12-08-15 Consider Alcohol Ordinance Amendment – Approval of License Changes

Tyler said the proposed amendment was a housekeeping change. The Mayor and Council granted new alcohol licenses and approved any changes to licenses. If the amendment were approved, the City Manager would sign off on any changes to an alcohol license. All the clearances would still go through the Police Department.

Plunkett asked Meeker how changes to licenses were handled in other municipalities. Meeker said the requested change either met the requirements or it did not, which made the approval more of an administrative process. Plunkett asked if part of putting it on the agenda was to publicize the change, so anyone with any knowledge of anything could say something. Meeker said background checks were always run on any changes to a license. Tyler added that legal notices were run and signs were posted only for new locations. Logsdon said this would only apply to administrative changes on licenses. Plunkett asked why the change was being considered. Logsdon said Council brought it up, and it would streamline the process.

Haddix asked which had less paperwork and less administrative time. Meeker said the proposed ordinance.

Boone moved to approve the amendment to the alcohol ordinance regarding approval of license changes. Logsdon seconded. The motion carried 3-2 (Haddix, Sturbaum).

12-08-16 Consider MOU with FCDA and NCR

Sturbaum moved to approve the MOU with FCDA and NCR, agenda item 12-08-16. Plunkett seconded. The motion carried unanimously.

12-08-17 Consider Appointment of Council Representative to Fayette County Board of Health

Plunkett moved to have Mayor Logsdon continue to serve as the Council representative to the Fayette County Board of Health. Boone seconded. The motion carried unanimously.

12-08-18 Consider Appointment of Council Representative to PCTA

Plunkett moved to appoint Logsdon as the Council representative to the Peachtree City Tourism Association. Boone seconded. The motion carried unanimously.

Council/Staff Topics

Discuss Council Assignments to Commissions/Authorities

Logsdon noted the Council assignments to commissions and authorities for 2009, noting that last year Council Members had started serving as liaisons to the City's authorities and commissions. Ideally, over a four-year period, a Council Member would serve on four different boards, which would give Council and the board a better understanding of each other. Plunkett would serve as the liaison with the Recreation Commission, Boone was assigned to the Development Authority of Peachtree City, Haddix would work with the Water and Sewerage Authority, and Sturbaum would serve with the Peachtree City Airport Authority.

CSX Bridge Path Connections

Rast went over the timeline for the construction of the connections, noting that it would be 220 days before the DOT could even start the construction. (A copy of the PowerPoint presentation is included in the official meeting file.) If the City funded the entire project, then the time would be cut in half (110 days). The City's share of the grant for the project was \$50,000, and 60-90 days of the timeline had to do with requesting the allocation of the grant funding. It would cost the City \$250,000 to fully fund the construction. Staff would continue to pursue the DOT process unless directed otherwise.

Logsdon asked if SPLOST money could be used for the project. Meeker said he would review the SPLOST resolution to see if it was possible. Logsdon said if SPLOST money could be used, then he wanted to move forward. Plunkett asked, if SPLOST money could not be used, whether 110 days was worth \$200,000, since it had taken so long already. Rast pointed out the DOT could freeze all its funding. Haddix suggested Council gamble with the 110 days. Unless SPLOST funds could be used, Plunkett added.

Tyler reported that the City Manager had sent the latest draft of the citizen survey the day before the meeting. The survey asked for input from the residents for the FY 2010 budget process. Faced with a potential two mill tax increase to keep services at the current level, the survey would ask residents whether they preferred to cut services, raise taxes, or a combination of both. There would also be questions about City amenities and their usage. There would be some demographic questions so the City would know who was responding, as well as questions on how residents got their information. The residents would also be asked questions regarding their perceptions of the City, including crime and safety and dealing with City staff. She hoped to have the responses finalized prior to Council's Retreat in March. Council directed Tyler to move forward.

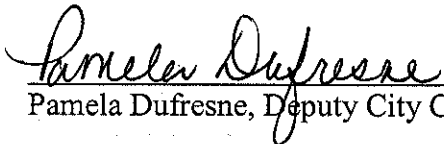
Sturbaum reported that there had been a lot of criminal damage in Planterra Ridge the previous night. The tires were punctured on six vehicles, the tires were cut on a City police cruiser, eight mailboxes were damaged, and some garbage cans went missing. Sturbaum said the behavior was totally unacceptable. He hoped those responsible would face the maximum punishment once

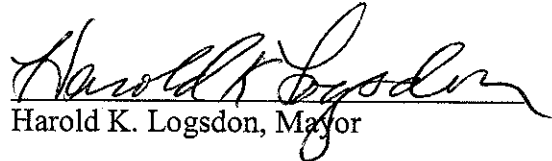
they were apprehended by the Police Department. The amount of money it would cost the citizens, including the replacement costs and increased Public Safety costs, was unacceptable. They would be caught and punished. Logsdon added that mail had been stolen out of mailboxes in his neighborhood. Boone asked if there were any leads on the Planterra incident. Police Chief Skip Clark said not yet, but they did have leads on the mailbox thefts in Morallion Hills. Plunkett asked if something could be placed in the newspapers reminding people stealing mail out of mailboxes and damaging mailboxes were federal crimes, which had additional ramifications.

Plunkett moved to convene in executive session for personnel at 9:25 p.m. Haddix seconded. The motion carried unanimously.

Haddix moved to reconvene in regular session at 10:05 p.m. Sturbaum seconded. The motion carried unanimously.

There being no further business to discuss, Sturbaum moved to adjourn the meeting. Haddix seconded. The motion carried unanimously. The meeting adjourned at 10:07 p.m.


Pamela Dufresne, Deputy City Clerk


Harold K. Logsdon, Mayor