

City Council of Peachtree City
Meeting Minutes
Thursday, November 18, 2021
6:30 p.m.

The Mayor and Council of Peachtree City met in regular session on Thursday, November 18, 2021. Mayor Vanessa Fleisch called the meeting to order at 6:30 p.m. Others attending: Terry Ernst, Mike King, Kevin Madden, and Phil Prebor.

Announcements, Awards, Special Recognition

None

Public Comment

Suzanne Brown expressed her dissatisfaction over the State House redistricting that divided Peachtree City over three districts and Fayette County into four. She also decried the fact that no City Council members were present at a public hearing to protest the new districts.

Agenda Changes

None

Minutes

King moved to approve the November 4, 2021, regular meeting and executive session minutes. Madden seconded. Motion carried unanimously with Fleisch abstaining due to her absence from that meeting.

Consent Agenda

- 1. FY22 Budget Amendment - Ballistic Shields Police Grant**
- 2. Capital Improvement Plan Purchase - Fire Department Administrative Vehicle**
- 3. City Manager Employment Agreement Amendment**
- 4. T-Mobile - Fourth Amendment to Ground Lease Agreement**
- 5. FY22 Budget Amendment - Early Retirement of Debt**

Ernst moved to approve Consent Agenda items 1-5. Madden seconded. Motion carried unanimously.

Old Agenda items

None

New Agenda items

11-21-02 Crabapple Lane East - Traffic Concerns

City Manager Jon Rorie said he first wanted to talk about the possible closure of Crabapple Lane to vehicle traffic. He showed a county map, pointed out that, while Brooks and Woolsey were well separated from the other municipalities, the boundaries of Fayetteville and Peachtree City were growing closer along SR 54. But, it was the Tyrone/Peachtree City border that he wanted to discuss.

Rorie presented the 2019 Fayette County Master Path Plan, which, he noted, had never been presented to the Peachtree City City Council for approval. He said he had been told that was because the County knew they would not approve it.

An aerial photo and a diagram of traffic counts on Kelly Drive, Kelly Green, and Dividend Drive illustrated the issue with cut-through traffic through Planterra. It had been a problem for years.

The City spent \$737,000 to enhance traffic flow at Planterra Way, SR 54, and The Home Depot. Roughly 20% came from the Special Purpose Local Option Sales Tax (SPLOST), but the rest came from Peachtree City. The key to traffic management was to control access points. The Planterra traffic had caused years of headaches.

Rorie went on to discuss the long-term consequences of growth, saying Peachtree City had decided not to annex land along Crabapple Lane and in the Dogwood Trail area, but growth was coming. They needed to think about that and the consequences. If they did nothing today, they would suffer the consequences in the future.

They had heard about this issue from residents of Kedron Hills, Kedron Estates, even residents from in and around Tyrone. Based on the current cut-through traffic and the prospects for future growth in that area, it was in the best interests of Peachtree City residents to take action to close Crabapple Lane to vehicle traffic effective December 1, 2021. That was staff's recommendation and had been vetted through legal.

Madden moved to close Crabapple Lane to vehicular traffic effective December 1, 2021. King seconded. Motion carried unanimously. Motion carried unanimously.

Rorie showed a video clip from a workshop meeting Tyrone held to discuss cart path access along Crabapple Lane. In the video, Tyrone Mayor Eric Dial said they were in the design and acquisition phase of constructing a path along Tyrone Road. He went on to add, however, that his priority in constructing a path network was to help Tyrone businesses and feed Tyrone. They had an obligation to keep people in Tyrone, even though he would like to see a connection to Peachtree City. But it was not the town's responsibility to get people to Peachtree City; their responsibility was to get them to downtown Tyrone. Rorie said he felt Dial's comments made Tyrone's position clear.

Peachtree City's Multi-Use Path Master Plan had a goal of creating a network so Peachtree City residents could access all locations in the City. There were a few gaps, he admitted. The purpose of the network was to provide access, not convenience. There were challenges, such as navigation over railroads, through wetlands and greenbelts, and around trees. It was a 100-mile linear park. The Plan was presented to Council as part of this year's budget process.

Residents said the path network was Peachtree City's number one amenity, and they were willing to pay more in taxes to maintain it. Many places were trying to duplicate it. Fleisch and Cailloux reported that people called, and even visited, from all over the country to find out about the path system. Even Fayetteville, Tyrone, and Fayette County were trying to duplicate what Peachtree City had and were trying to access Peachtree City's path network. That was okay, Rorie stated; he wanted them to come into Peachtree City, but it was not his responsibility to make sure they could get into Peachtree City. His responsibility was the network for Peachtree City residents.

Rorie presented the north connectivity portion of the County's path master plan, indicating that it showed a path connection via Crabapple, as well as a side path that led to SR 74 and south to Peachtree City; this also included a \$3 million bridge. The south connectivity portion showed Redwine Road and Robinson Road, with some tunnels and bridges as connections.

Who paid for all this? A Peachtree City tax bill for a home valued at \$363,300 showed that house was taxed by Fayette County at 4.277 for every \$1,000 of appraised value. Everyone in Peachtree City paid

taxes to Fayette County. They also paid 6.232 per \$1,000 to the City. Every dollar collected in ad valorem tax in Peachtree City went to Public Safety. Peachtree City residents also paid taxes to the Board of Education and for 911 services. This example home paid a total of \$4,512 a year or \$376 per month for the pleasure, or the burden, of living in Peachtree City. So who helped pay for paths in Fayette County? Peachtree City taxpayers. They paid for everything on the 100-mile path network and also helping to pay for connections into the City.

Rorie read an email he received from a Fayette County resident regarding a bridge on Redwine Road that sat between Fayette County and Peachtree City. It was constructed by Fayette County and at the time of construction it was known that Peachtree City would not take on any liability for maintenance. The email said the bridge was dangerous and patched with plywood. The writer urged Rorie to "stop this political grandstanding with Fayette County and fix this problem." Another writer urged him to use the higher cart registration fees to repair path bridge connections from the County into the City, while another also mentioned the Redwine Road bridge as needing repairs and accused the City of using the increased fees from non-residents as a "cash cow" for additional income. They said it was negligent to ignore the bridge since it connected into their path system.

The south connectivity project included a path down Redwine from Fayetteville. It was planned to be extended through a Federal aid project matched by Fayette County dollars. There was to be a tunnel at the Starr's Mill school complex, but the Board of Education did not want that. Then owners of property adjacent to that proposed tunnel site requested and were granted annexation into Peachtree City. The planning of the south connectivity project was ongoing.

The side path on Dogwood Trail to SR 74 was indicated in the County Transportation Plan, but Rorie doubted if they would be successful in getting State permission to build a side path along the highway.

Moving back to the south side, Rorie showed a side path planned along Peachtree Parkway to access the path network from Redwine without going through Timberlake. Another connection went with a yet-to-be path on Redwine, then along SR 74 to Publix. He noted that Peachtree City residents would be paying twice for these connections. They currently had an intergovernmental agreement with the County to relocate the Starr's Mill tunnel further north under Redwine at Robinson Road. It would cost about \$1.5 million. Peachtree City taxpayers were also paying for paths along Robinson Road that would enhance connectivity on the network and to the tunnel specifically. They wanted and supported those connections, Rorie continued, but they needed to be in the right locations.

He moved on to discuss funding for these projects. South Peachtree Parkway Path and Bridge was listed on the Master Plan, but had no funding source identified. The other projects were the same. The total cost would be about \$1 million. The South Peachtree Parkway project would be a partnership between the County and the City, while the path along SR 74 was Peachtree City's.

An example of a Tyrone tax bill for a \$360,000 house showed the taxes at about \$4,000 a year with an effective tax rate of 31.232 mills. The effective tax rate in Peachtree City was 31.049. It cost more, taxwise, to live in Tyrone, with fewer services, he noted, saying the expectation was for Peachtree City to continue to subsidize that.

Maintenance and operations expenses for the 100-mile Peachtree City path network totaled about \$3.2 million a year. The Georgia Department of Transportation (GDOT) paid nothing; neither did Coweta County, Fayette County, the Atlanta Regional Commission (ARC), or SPLOST shares from other municipalities. There were 239 at-grade crossings that were being identified, signed, and painted. They were working to finish the Best Buy tunnel and had just finished the Gateway Bridge, which wound up

costing about \$4.2 million. They had switched the path resurfacing from asphalt to concrete, which cost more but lasted longer. Peachtree City had to pay for Public Safety and Public Works personnel to patrol and maintain the path network. They paid people to pick up litter and work as Code Enforcement. Once again he pointed out Tyrone's lower tax rate and that none of that money went to Peachtree City for the path network.

The next project, now in engineering, was a high-intensity activated crosswalk (HAWK) signal at Lake Kedron. Traffic counts determined the sites for these HAWK signal crossings and about 6,000 cars a day passed by this crossing on Peachtree Parkway. It would cost more than \$150,000, and neither GDOT nor Fayette County was paying anything.

Rorie showed the location of the City's most recent annexation, the Longboat subdivision, on a map. The residents there said they wanted to pay an average of about \$1,000 a year in order to be able to connect to the Peachtree City path network. That annexation was also part of the Growth Boundary Study from 2014. Another project was on SR 54 East across from Walt Banks Road and involved building a path around the church and in front of the cemetery. The cost was already nearing \$800,000 and they had not even started acquiring much of the property they would need to go down Carriage Lane to the new Booth Middle School. It was a SPLOST identified project and would definitely be a cost overrun. All of these projects were being done to improve connectivity up to SR 74; they were for network, not convenience.

When it came to Crabapple, Rorie recalled that people said Peachtree City just needed to charge more for cart registration for non-residents. That was right, he said; if people were going to access this number one amenity that Peachtree City taxpayers paid \$3.2 million a year for, they needed to pay a fee based on some type of tax equity. There were two ways to calculate it. In the first method, you could take the \$3.2 million and divide it by the number of Peachtree City golf carts, which was 10,608. That came to \$301.65 plus a \$15 registration fee, for a total of \$316.65. That was what everyone resident who registered a cart paid. It also could be based on housing units. There were about 14,735 housing units in Peachtree City. Divided into \$3.2 million, the total was \$217.17. Add the \$15, and the amount was \$232.17. They needed to decide which method to use to charge people outside the City or they could keep subsidizing it for the use of others.

Rorie showed a list all the expenses that added up to make that \$3.2 million. It did not include \$300,000 for vehicles and machinery. Maintenance and resurfacing cost \$700,000; it took \$45,000 a year to keep the trash cans emptied. Fleisch pointed out that police patrols were not figured into the list, and Rorie said it was not, but they were tracked. However, the police were saying in the path advisory group meetings that it did not really make sense to have more patrols on the paths, since they did not greatly deter incidents.

Now it was time to connect the dots. Crabapple Lane was a problem in terms of vehicle access, but it also was a point for Fayette County to access the system. The Cart Path Master Plan and the Fayette County Transportation Plan, which had not been approved by Peachtree City, was supportive of these access points as long as they were not through subdivisions.

Ernst pointed out that the projected closing date on the slide should read 2022, not 2021.

Rorie read from the minutes of an April, 2021, Fayette County Commission meeting when a developer requested that the County make Crabapple Lane a designated cart path. The Commission Vice Chairman asked if Peachtree City had any objections. Rorie stated that it was rejected via the Fayette County Transportation Committee when the Peachtree City representative did not support a path

connection along Crabapple Lane. They told them to follow the Transportation Plan and create a side path along Dogwood to SR 74. Rorie said there was another route that could go through the Dogwood Church property, if the church would let them. Rorie pointed out that there were challenges with any proposal.

At the County Commission meeting, County Engineer Phil Mallon said he contacted Rorie about the proposal, and Rorie told him they understood that Crabapple Lane was a county road and they could designate it a path if they so chose. County Commissioner Eric Maxwell recalled that Peachtree City had at times uses berms or humps to prevent entry and could do this again. Maxwell acknowledged that it was always a problem going between the County and Peachtree City, but County residents wanted to use the paths. Rorie said that was fine, if the County provided the right connectivity.

County Administrator Steve Rapson, the minutes continued, said Peachtree City had a reciprocal arrangement with Tyrone about golf carts that said if a citizen was a resident of Fayette County they could pay a higher fee and use the path system. Rorie said they did not have a reciprocal agreement with Tyrone; it was eliminated years ago. Rapson said the County's position was that it developed property and wanted the connectivity to the paths. He stated there was some sensitivity as to where connection points would be and that Peachtree City had the right to block or build a berm to block access to their road.

What this meant, Rorie summarized, was that the developer was in the unincorporated County, but wanted access to Peachtree City's paths. Commission Vice Chair Edge Gibbons said he lived in Kedron Hills, and carts and cars already used Crabapple to get into Peachtree City. They would continue to do so whether they approved this request or not, so he was not going to vote against it. The motion passed the Board 5-0, even though, Rorie noted, it was opposed by Peachtree City on the Transportation Committee. Peachtree City never got a say on the Transportation Plan because it was never presented to them. Basically, the County was saying they would do what they were going to do so they did not have to spend money to build a side path along Dogwood Trail. Tyrone had made it clear their priority was to get people into Tyrone, not Peachtree City.

The developer who made the request to the County, Madden observed, was selling homes with the promise of full access to the Peachtree City path network. Every new house built in Peachtree City paid an impact fee of \$4,308, which went to the path system. This developer was promising his homebuyers all the benefits of Peachtree City for free.

Fleisch noted there was a path bridge spanning SR 74 on Peachtree City's plan. If Council was in agreement, she stated, she would like to remove that project. They already had a tunnel, so this would not serve Peachtree City. Council agreed.

Rorie summarized by saying Peachtree City taxpayers funded the number one amenity that people were trying to duplicate. There were multiple conflicts on the path system between walkers, cyclists, and cart users. That was inherent in a multi-use path system. The key was to control and maintain it. With that in mind, Rorie's recommendation was to close Crabapple Lane to golf cart traffic effective June 1, 2022. That gave Fayette County and Tyrone a six-month window to install the side paths along Dogwood Trail as identified in the Fayette County Transportation Plan. He was aware that was a short timeframe and said they would be willing to work collaboratively to make this a reality.

Secondly, he said they should increase the annual non-resident fee for path use and registration. He reminded Council that he had presented two methods of calculating the fee, and said they would have to decide. There might be other methods and doing nothing was a decision as well. Staff

needed direction in order to print brochures and begin registration in January. That was done with an outsourced contractor, which was another path expense.

Council might want to consider requiring liability insurance for all carts effective January 1. He was not asking them to take action that night, but to give him direction if they wanted him to look into it further. If you were going to drive on Peachtree City's 191 street miles with a weapon, you were required to have insurance, and he could not understand why it was not a requirement on the 100 miles of cart paths with something that could be a weapon, as well.

King said he had no issue with the closing date, but acknowledged that it would be difficult for Tyrone and Fayette County to meet that deadline. He said imposing it would require them to come to Peachtree City for an extension, if needed, and to state their progress. Then Council could decide if they wanted to extend it beyond June 1, 2022.

Prebor asked about the path near the old World Air building. King said it already existed and came out at Dogwood Church. It was an old roadbed, Rorie commented. All that was needed was to get permission and make the connection. There would be a few challenges, such as ditches, but Peachtree City had to deal with those types of challenges, as well. They were not saying they did not want people from Tyrone to come into Peachtree City, Prebor remarked, they were just saying they should use the path that was already there.

Exactly, said King, noting they could change the speed limit temporarily on Dogwood Trail to allow for golf carts. He had seen golf carts on Ellison Road, which was on the northeast side of Tyrone.

They spent \$200,000 per mile to resurface cart paths, Fleisch stated, with the goal of resurfacing nine or 10 miles a year. Tyrone had budgeted \$566,000 for cart path construction. That did not take the purchase of easements into account; Peachtree City just bought an easement for \$200,000. It could get expensive, especially through commercial areas. Last year, Peachtree City spent \$4.7 million, including the bridge, on cart paths. That was basically half of Tyrone's General Fund budget. Peachtree City used some money from SPLOST, she noted.

Ernst noted that winter was coming, and Tyrone and the County could run into weather problems. He suggested they start work the next day.

During the years of the economic downturn, the Mayor recalled, there were years when they paved nothing. They had come a long way, and that was why people wanted to be there. Connectivity was improved. The ultimate price for the HAWK signal at Crosstown was close to \$300,000 because of the rock work required. She hoped the one on Peachtree Parkway would not be that expensive. They had spent a lot of money on improvements, and the \$165 they charged was a drop in the bucket, Fleisch commented. \$165 times 1,000 carts didn't even cover the cost of resurfacing one mile.

They had been contemplating for a long time just how much time to allot for building the side path, Madden stated. Giving them six months allowed Tyrone time to begin the project, then, if needed, they could ask for an extension, which Peachtree City could grant if they felt there was sufficient progress. The Peachtree City Council had been accused of all sorts of "nasty" reasons for closing the road, Madden continued, but they had offered other solutions to a problem that did not affect its residents. Tyrone would finally find out how much it cost to build and maintain a golf cart path. Peachtree City would welcome anyone who wanted to enter the city via that path. They would have to pay for it; they would no longer be the "cash cow" for Fayette County. Peachtree City paid 40% of the taxes in Fayette County. It was interesting to hear the arguments from Tyrone residents who wanted

to come to Peachtree City and use the amenities for nothing, Madden remarked, pointing out that if Fayette County helped pay for this path, it would be some of Peachtree City residents' tax dollars that were being used.

Madden moved to close Crabapple Lane to golf cart traffic effective June 1, 2022, to allow adequate time for Fayette County and Tyrone to install side paths along Dogwood Trail as identified on the Fayette County Transportation Plan. King seconded. Motion carried unanimously.

King asked if they could delay voting on the registration fees for two weeks? Fleisch said the problem with that was the delay on the outsourcing of the printing of the registration forms. She asked Assistant Finance Director Kelly Bush if that would be a problem? and she said it would be. Fleisch asked Bush to think about adding an educational component to the registration materials, letting people know about the 100 miles of paths, and the tunnels and bridges they had to maintain. They also should include that the value of the path system was about \$25 million.

If they had to decide now, King said he would favor using simple arithmetic by dividing the \$3.2 million by the number of carts now registered, including those of non-residents, and making that the non-resident fee.

Prebor favored the smaller number because, he said, it divided it by each house. It was not just golf carts using the paths; there were bikes and runners. If a non-resident wanted to bring a cart into Peachtree City, they should pay what each Peachtree City household paid.

Ernst suggested rounding off that number, which was \$232.17, to \$250, including the \$15 registration fee. It would be \$235 plus \$15 to equal \$250, Rorie stated.

Madden moved to increase the fees for non-resident golf carts to \$235 a year, plus \$15, for a total of \$250 per cart, beginning January 1, 2022. King seconded. Motion carried unanimously.

Fleisch said they would discuss liability insurance at a later date because they needed more information. She asked City Clerk Yasmin Julio if they could insert some stronger wording into the registration information to encourage people to get insurance? Rorie said he could have some information on insurance by the December 2 meeting, but Bush said there would not be time to get it into the forms that were being printed.

A lot of people thought their homeowners' insurance would cover them in case of a golf cart accident, Ernst said. It did not; listing the cart on the homeowners' insurance covered it for theft, but not liability in an accident.

Golf cart liability insurance was inexpensive, Madden added. His family paid \$12 20 years ago; now it was \$17 for half a million dollars in liability insurance.

Rorie said having insurance was just common sense, and he did not know if they needed to regulate common sense, just encourage it. Fleisch said they could just use the words "strongly recommend" rather than "encourage." They could just work on the language and not legislate it.

11-21-03 Reclassification of 5 Part-Time FF/EMTs to 2 Full-Time FF/EMT – Paramedic

Interim Fire Chief Clint Murphy noted they were still struggling to hire part-time firefighters/emergency medical technicians (EMTs). They briefed Council on this in the spring, and the situation had not improved, so now they were asking Council to let them reclassify funds from the part-time budget to

the full-time budget in order to hire a full-time firefighter/EMT and a full-time firefighter/paramedic. This would be an equal amount. Right now, he stated, it was hard to find part-time employees, but they did have some people who were interested in full-time positions.

Ernst clarified that, as it now stood, there were no full-time openings. Murphy said that was correct. This change would allow them to hire two people full-time by eliminating part-time positions.

King moved to approve New Agenda item 11-21-03, Reclassification of 5 Part-Time FF/EMTs to 2 Full-Time FF/EMT – Paramedic. Prebor seconded. Motion carried unanimously.

11-21-04 Public Hearing - Variance - Front Setback - 243 Valley View

Planning and Development Director Robin Cailloux said this property was in a cul-de-sac on the south side and backed up to a greenbelt abutting the Kroger/Kmart shopping center. A Code Enforcement officer on patrol discovered that work had been done without a permit by the homeowner. The homeowner submitted a permit with a survey that showed the front porch addition encroached into the setback by about seven feet. She displayed an aerial photo taken in January 2020 that showed the house without the porch and a photo taken recently showing the house with the porch addition. The applicant had submitted documentation that the addition met the minimum building code.

The ordinance required that a variance be judged by six criteria. There were no special conditions that would result in a hardship if the variance was not granted, and the regulations did not create an unnecessary hardship. There were no exceptional circumstances, and granting the variance would give this lot a privilege other lots did not have. It would not present a detriment to public health, safety, or welfare. It did not conflict with the Comprehensive Plan, which encouraged reinvestments into property.

The applicant was not present to speak. Cailloux said there was a significant language barrier with the property owners, but staff had done their best to communicate with them. Fleisch asked if the neighbors had weighed in? and Cailloux said they had asked the applicant to provide letters of support, but they had not.

The Mayor opened the public hearing. No one wished to speak in favor or in opposition, and she closed the hearing.

Prebor said he was always interested in what the neighbors had to say on any variance request, and that was not provided here. He suggested they table this until the applicant could provide letters of support from neighbors. Separately, he stated, they needed to talk about this situation, which happened far too often.

Ernst asked how Code Enforcement happened to catch this? Cailloux said they were patrolling the neighborhood and saw the work had been done without a permit being posted. They tried to touch each subdivision once a week, so they knew this porch had not been there a week before. This was a simple porch addition and could have been done in a weekend, she remarked.

Could they table this without advertising it again? Fleisch wondered. If it was tabled, Cailloux said she would ask Julio, who spoke Spanish, to reach out to the applicant and explain what they needed. City Attorney Ted Meeker asked if they were put on notice that it was this evening? and Cailloux said she spoke to them and a notice of the hearing was posted on their property. Prebor said they should get a letter in Spanish.

Cailloux said the next meeting would be December 2, and it would not have to be advertised again.

Fleisch said they should continue it to the 2nd.

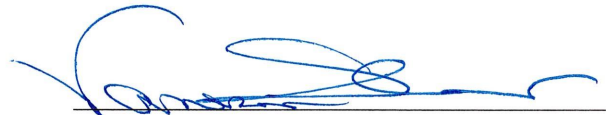
Madden asked if they were new to the community? Cailloux said they had been here awhile and were business owners.

King moved to table New Agenda item 11-21-04, Variance - Front Setback - 243 Valley View until December 2. Prebor seconded. Motion carried unanimously.

There being no further business, Madden moved to adjourn. Ernst seconded. Motion carried unanimously, and the meeting adjourned at 8 p.m.



Martha Barksdale, Recording Secretary



Vanessa Fleisch, Mayor