City Council of Peachtree City
Meeting Minutes
November 17, 2011
7:00 p.m.

The Mayor and City Council met in regular session on Thursday, November 17, 2011, in City Council Chambers. Mayor Haddix called the meeting to order at 7:00 p.m. Other Council Members present: Vanessa Fleisch, Doug Sturbaum, Kim Learnard, and Eric Imker.

Announcements, Awards, Special Recognition
Haddix thanked Dr. Anthony Slagel for his donation to the Police Department. Haddix recognized the graduates of the Advanced Citizens Police Academy and proclaimed National Hospice Awareness Month. Jamie McDowell of the Police Department was recognized as the October Employee of the Month, and Mike Rogers of the Public Works Department was recognized for 30 years of service to the City.

Citizen Comment
There was none.

Agenda Changes
There were none.

Minutes
Fleisch moved to approve the November 3, 2011, regular meeting minutes. Learnard seconded. Motion carried unanimously.

Monthly Reports

Consent Agenda
1. **Consider Budget Amendments – FY 2011**
2. **Consider Budget Amendments – FY 2012**
3. **Consider Resolution – 911 Prepaid Cell Charges**
4. **Certify Election Results**
5. **Consider Alcohol Ordinance Amendment – Sunday Package Sales**
6. **Consider Sole Source Name Brand Purchase of Bobcat T650**
7. **Consider Acceptance of GEMA Grant – Fire Department Haz-Mat Team**
8. **Consider Acceptance of GEMA Grant – Police Department CERT Program**

Haddix noted there were three additional documents on the dais. The final results of the November 8, 2011, Municipal Election were as follows:

City Council Post 1	
Steve Allen	1469 (41.61%)
Eric Imker	3039 (57.76%)
Write-in Votes	22 (00.62%)

City Council Post 2	
George Dienhart	2587 (93.80%)
Write-in Votes	171 (06.20%)

Special Election – Referendum to allow Sunday Package Alcohol Sales	
Yes	2836 (76.88%)
No	853 (23.12%)

Learnard moved to remove item 3 - Consider Resolution – 911 Prepaid Cell Service, from the consent agenda. Fleisch seconded. Motion carried unanimously.

Learnard moved to approve Consent Agenda items 1-2 and 4-8. Fleisch seconded. Motion carried unanimously.

3. Consider Resolution – 911 Prepaid Cell Charges
Learnard asked staff to provide more information on why the $0.75 charge was being imposed. Public Information Officer/City Clerk Betsy Tyler noted that Cheryl Rogers, director of the Fayette County 911 Center, was present. Tyler said that, because the various municipalities were in partnership with the County for a 911 Center, all the agencies had to adopt the resolution for the funds to go to the center. Tyler said the charge would be imposed whether the City adopted the resolution or not, but the funds collected would stay with the state rather than being returned to the Fayette County. Rogers confirmed this, saying that the charges were already in place, but that recent legislation allowed the money to come back to the counties rather than remaining in the state general fund.

Learnard moved to approve Consent Agenda Item #3. Fleisch seconded. Motion carried unanimously.

Old Agenda Items

09-11-04 Consider Amendments to Land Development Ordinance, Appendix B Vegetation Protection and Landscape Requirements – Tree Removal Permit Process
City Planner David Rast explained that staff was taking a new approach to an issue that had been discussed for over a year. Staff had been reviewing the tree removal process in hopes of making the permit process less convoluted. Several versions of an ordinance had been brought to Council with additional direction provided each time.

Several weeks ago, staff had combined the comments into a Frequently Asked Questions (FAQ) Sheet to distribute to citizens. If Council approved the FAQ, staff would modify the ordinance accordingly and bring it back to Council for adoption.

Currently the City required a permit for every tree over three inches in diameter, resulting in hundreds of permits reviewed each year. Staff feels that changing the size to six inches or larger for permits. Smaller trees not in any type of buffer would not require a permit.

With the simplified approach, staff was not recommending a fee with the permits. The procedures placed more of a burden on the property owners and tree removal companies. The application would include a list of trees to be removed, their size, and photographs of the property and surrounding conditions. Residents would also have to include the plat of the property, which was available with the City, approval by the relevant homeowner association (if one existed), and certification that the trees were on the applicant's property. If the trees were too close to the property line, a survey would also be required.

Rast said that the current process required Code Enforcement to visit every parcel with a tree removal permit. That was very time consuming, and the proposed change would only require a property visit if there was a specimen tree or if there was a question about the information submitted. Rast said the revised definitions and measurements were fairly standard among tree ordinances around the country.

Rast said staff would like to take the approach of visiting property owners when a specimen tree was involved but acknowledged that some specimen trees were too close to homes or causing damage to driveways. The limitations on when a tree would not be allowed to be removed would apply to dedicated buffer areas, and would require a staff visit.

Finally, staff was recommending a requirement to replace trees on the property, with a requirement of two trees at least two inches in diameter on every lot. Staff was hoping to take the approved FAQ and mold it into an ordinance and application that matched. Staff was asking for Council endorsement.

Learnard said the FAQ format was very concise and informative. She asked, once the ordinance was adopted, if that would eliminate the FAQ sheet. Rast sad staff would continue to use the FAQ format to help answer citizen questions.

Learnard asked how much staff time Rast thought it would save. Rast said it would eliminate 75 – 80% of staff time currently spent on tree removal permits. Haddix agreed that this was a major step forward.

Imker asked if it was possible to have the homeowner submit the application electronically. Rast said yes, the forms were web fillable for those who wanted to do so.

Learnard moved to endorse the FAQ and authorize staff to move forward with the ordinance amendment. Imker seconded. Motion carried 4-1 (Sturbaum).

10-11-11 Consider Purchase of Computer Workstations and Software (Dell Financial Services)

This item was continued from the October 20 meeting. City Manager Jim Pennington asked Council to continue the item indefinitely pending the technology assessment agreement to be discussed under New Agenda Items.

Learnard moved to continue the item indefinitely. Sturbaum seconded. Motion carried unanimously.

<u>New Agenda Items</u>

11-11-03 Consider Expanded Services with Fayette Senior Services for Recreation Programming

11-11-04 Discuss Changes and Usage of McIntosh Trail (Shakerag) Recreation Complex

Haddix noted there was a draft agreement in the dais.

Pennington said, since the reorganization of Leisure Services, staff had continued to review the recreation programming, looking at all the City's alternatives. One of those alternatives relating to the Gathering Place involved partnering with Fayette Senior Services (FSS). Pennington introduced Debbie Britt, the President and CEO of FSS.

Britt said she and her husband had lived in Peachtree City for 17 years, had raised their two children here, and were now raising grandchildren here. Her 89-year old parents had also recently relocated to Peachtree City. This was her home and her community.

Britt talked about the demographics of the area, noting that Fayette County was home to the third fastest growing senior population in Metro Atlanta, and the age 65 and older population was projected to grow 450% by 2040. Approximately 25,600 Fayette residents were age 55 and older (24% of total county population), and nearly 12,000 of Peachtree City's residents were age 50 or older (35% of Peachtree City population). Fayette Senior Services was established as a non-profit 501(c)(3) organization in 1978 and its mission was to make a meaningful difference in the emotional, social, and physical well-being of older adults; preserve their independence; improve their quality of life; and connect them to the community. The organization had 13 full-time employees, 14 part-time employees, and 260 volunteers.

Britt continued that FSS was the designated aging service provider for Fayette County and worked through a public/private partnership with Fayette County. The organization had been recognized as a successful model by state agencies. Their funding sources included charitable donations, programs, grants, fundraising, and public support, and their partners included local governments, Piedmont Fayette Hospital, Clayton State University, the Fayette County Chamber of Commerce, Kaiser Permanente, Fayette FACTOR, and Fayette County's faith-based community.

The responsibilities of FSS included the management and delivery of services, including the Multipurpose Life Enrichment Center in Fayetteville, nutrition programs (Meals On Wheels and Congregate), transportation, in-home services, information and assistance, care management, adult day care, home repair, and "ani-meals" (Meals on Wheels companion pet-food delivery).

Britt said FSS operated under the philosophy that high quality was a standard feature. She noted that best practices should be emulated, but only the best practices were right for this community. She also said that effective change started with small steps and that it was important to see the world through the eyes of the people served.

Britt said the County Life Enrichment Center in Fayetteville opened in 2008 with 38 members. The facility now served approximately 2,000 active members age 50 and older, with an average of 4,000 activity participations each month. The facility was membership-based and offered over 60 free and fee-based monthly programs, classes, and special events for active older adults. The facility's Ultimate Café won the 2010 Platinum Plate Award at the Fayette Chamber Community Expo and served 21,000 purchased meals to members in FY11.

Britt then explained the goal of the partnership with Peachtree City was to build on the success of the current recreational and special interest programming for active adults age 50+ and to explore new programs and activities to attract and retain the interests of a wide age range of older adults. She said this would create enhancements for the users of the facilities, and they were looking to add, not subtract, activities. The partnership would leverage the resources and professional expertise from both Peachtree City and FSS.

Part of the transition involved developing a detailed transition plan in collaboration with Peachtree City staff, and providing Council ongoing progress updates. The benefits of the public-private partnership that was being proposed included increased grant opportunities and community support, greater ability to increase volunteer support through coordination between both entities' existing volunteer base, and improved access to other services that Peachtree City residents were already using.

Fleisch asked if she could proceed with her presentation (Agenda Item 11-11-04) before the Mayor took public comment. There was no objection to her request.

Fleisch thanked Britt, Pennington, and Recreation Administrator Cajen Rhodes for all their work and said she looked forward to making the program a success for Peachtree City's senior population, which was about 35% of the community.

Fleisch said she wanted to put the decision before them in context and read the following statement:

In the Spring of 2010, Nancy Price, who runs both the amphitheater and the Convention and Visitors Bureau, came to Council and requested that she be able to expand from the box office area into the room next to hers that has the fireplace called the Annex. She presented her plans for the renovation and expansion so that the welcome center would occupy the entire first floor of the amphitheater building.

I think all of council was in agreement at that time to move ahead with the project. However, we all became aware that the annex holds a significant amount of recreational activities and we needed to find a place in the city to hold those activities. We heard different suggestions at that meeting including moving more activities to Glenloch, Kedron and even the basement of City Hall. But because we didn't have a clear plan or vision of where the activities would be relocated, we gave Nancy the go ahead to only renovate the box office area but with the thinking that it would be temporary because we could find a space in the city for these activities.

All of the alternatives I mentioned were not viable, mostly because there wasn't easy access for seniors, so they were all ruled out. Short of possibly renting vacant retail space, there was no answer at the time. That is when the expansion of the Gathering Place was discussed – it even became a question on a citywide survey. The plan to add to the Gathering Place was discussed at our February 1 workshop. The proposal was to add 3,750 square feet at a cost of $850,000 for a total building of approx 8600 square feet.

At that meeting, I called the Gathering Place a Senior Center. I was corrected and told that the Gathering Place was an Adult Recreational Facility and not a Senior Center. The Gathering Place has been operating under the Adult Recreational Facility premise for a number of years and it was appropriate for me to be corrected.

But then I began questioning why do we need an adult recreational facility and not a senior center if approximately 35 percent of the residents in PTC are aged 50 and above? In 1993 when the bond referendum was passed by the voters, we approved a senior center, not an adult recreational facility. It was clear after all, of the meetings, that additional space was needed for our senior population.

In Real Estate, we have a term in how we think about buildings and property "highest and best use." What if we used the Recreation Administration building as the new senior center? Perhaps the highest and best use of that building and our tax dollars would be to use it as the new senior center. It is approximately 4,200 square feet, clearly larger than the proposed expansion of the Gathering Place at 3,750 square feet, and without the cost of$ 850,000 to the taxpayer. Plus we would not be adding more infrastructure to the City that we would have to maintain. The other added benefit of converting the Rec. Admin building is that it has a basement with the possibility of an additional 4,215 square feet.

So what we have as a result of this partnership with Fayette Senior Services is senior programming utilizing over 9,000 square feet of city space, instead of 4,910, without building any additional structures across the City. Plus the possibility of finishing the basement at the Recreation Administration building, which would be a total of over 13,000 square feet of space specifically for seniors.

It is a win-win for the city – the senior activities held at the annex will move to the rec building. And Nancy will be able to use the annex space to expand her visitor center for the Convention and Visitors Bureau and build on her current successes. The welcome center will be a centralized location for information about the city and will feature the large map that PCDC had years ago.

I also looked at the Gathering Place Statistics. According to one of the estimates I got from the Gathering Place, they have 375 member cardholders at $10 apiece. For approximately the same time-period, 680 Peachtree City residents were members of Fayette Senior Services in Fayetteville at $25 apiece. We have a pool of approximately 12,000 Peachtree City residents aged 50 and above who would be eligible to join either the Gathering Place or Fayette Senior Services, and yet more PTC residents joined FSS at more than double the price plus the drive to Fayetteville!

The difference, I believe, is that we were focusing on being an adult recreational facility when the demographics clearly show that a significant amount of people in Peachtree City fit into the older category and require a different type of programming. We were doing fine for what we were doing but we weren't meeting a demonstrated need within our city. I looked at what we offered and what Fayette Senior Services offered, and they have a wider spectrum of activities. Our Gathering Place offers a number of activities, but having the adult recreational facility mission will not sustain it in the future, given some of the numbers that I have seen that show a declining membership card enrollment.

The other thing that is appealing about Fayette Senior Services is that they are a 501c3, a non-profit, and absolutely NOT a government agency. Anyone who has ever dealt with a government social service agency knows what a nightmare it is, and to have a 501c3 non-profit in charge of our senior programming is very advantageous.

As Debbie said this will be a transition. Will this transition be trouble free? Of course not – any kind of change has its challenges. But is this the right thing to do? Absolutely. We will be providing more services to the citizens than we, as a City, have been able to do at less cost, and it will be done by professionals who know how to do it and who are sensitive to the needs of our citizens.

I wanted to be sure to thank Nikki Vrana, who was our interim city manager, for being so supportive of my ideas and sharing them with Jim when he became our city manager in March. I am so glad that he has made this a part of the Recreation Reorganization. And I look forward to the great things that are in store for the Shakerag area.

Learnard asked how and whether the City would keep the programs currently offered at The Gathering Place. Fleisch said there would be a lengthy transition period to evaluate the current program, but the goal was to enhance programs, not take them away. Haddix agreed that the goal was to supplement the programming and open the facility to a wider spectrum of users.

Creighton Warren addressed Council, saying he had coached for years and served on the Commission on Children and Youth and the Recreation Commission. The 1993 Bond Referendum that built The Gathering Place, Baseball Soccer Complex, Kedron Fieldhouse, and other amenities was passed during his term on the Recreation Commission. Warren said he felt Peachtree City had a duty to find out what the County recreation budget was and make sure Peachtree City received a fair share of that budget. He said Peachtree City should keep management of The Gathering Place. The budget for the Fayetteville senior center came under the County's Recreation Commission, and some of those funds should come to Peachtree City.

Fleisch noted that the funds from the County had increased from the $50,000 of several years ago to $150,000 per year, but that amount had decreased for the last several years and was now at $114,000. Pennington added that the City would be in negotiations in 2012 for the House Bill 489

Jim Ryan said he had been a resident since 1987 and he was very proud of Peachtree City and very satisfied with the community. However, he saw a continuing diminishing role of Peachtree City in Fayette County. He did not disagree with Britt and thought she should encourage senior participation. However, there had been a lot of contention in the Recreation Department over last six months. He felt the Recreation Department had done an outstanding job. Ryan said that the matrix management system was applicable to leisure services programs and would diminish what had made Peachtree City an outstanding municipality in Fayette County and in Georgia. Ryan said Peachtree City should cooperate with FSS, but the people at the Gathering Place were happy to be there, having a good time. He was afraid this partnership was the wrong direction. He concluded that FSS programming was different from what Peachtree City Recreation had done in the past, which had been outstanding.

Jim Sherm said he had lived here since 1987. Over the last six years, he had been involved with Peachtree City's Senior Adult Council and with the FSS Senior Advocacy Council. The Senior Advocacy Council had tried to marry what was available through FSS but not available in Peachtree City due to transportation issues. He said the proposed partnership was a wonderful opportunity to marry the two programs and improve both. He said the need for the partnership was evidenced by the number of people from the City going to FSS because they offered programs the residents wanted. Said he saw what Debbie was trying to do as very favorable.

Haddix said he commended the idea of using the Recreation Administration Building as an expansion of Recreation programming. Sturbaum echoed that, saying it put the facility to use and allowed an expanded program.

Learnard asked if the card playing groups would be able to use that building, and Fleisch said that was the intention.

Imker asked for clarification of what Council was being asked to do. Fleisch said they were considering approval of the contract and Meeker said it was a year-to-year contract. Imker asked what changes would be needed at the Recreation Administration Building, which was currently a series of individual offices. Pennington said some of the offices were large enough to accommodate groups and could be used immediately, but there would be a minimal investment to open the space for a wider range of uses.

Warren noted that one of the big expenses associated with improving the Gathering Place was the kitchen, which did not currently allow for food preparation. Pennington said the proposal did not include preparation of food at the facility, but there would be a bistro with food prepared at the Fayetteville facility. The Peachtree City location would also assist in providing Meals on Wheels to the many City residents who received meals. Learnard asked Britt if Peachtree City was the largest client base for Meals on Wheels, and Britt confirmed that.

Learnard said the agreement was for adult programming, and the City would continue to owning the facility. However, there were elements that she would like to hear more about. Learnard asked if a Town Hall meeting might make sense to get the public's questions answered. Pennington said that was an excellent suggestion. If Council approved the agreement, FSS staff would begin shadowing City employees, and the real programming would not get started until March after the full plan had been developed.

Imker said seniors using The Gathering Place annex had less than acceptable restroom and storage facilities, and the Administration Building offered a big improvement to those issues. He felt seniors would be pleasantly surprised at the opportunities this partnership would offer.

Ron Williams asked how this partnership would be funded. Pennington said the contract called for a fee of $182,000 per year. The City currently spent over $200,000 on senior programming. While there would still be some ancillary expenses for utilities, the payment would be nearly the same while providing expanded services.

Ken Martin said he was getting older and asked what the City was doing to get more people interested in the facility. It needed to bring in more neighborhoods and churches to help educate the citizens on what was available.

Warren noted that Peachtree City had many volunteers participating in FSS and the sports programs.

Fleisch moved to approve the contract with Fayette Senior Services. Sturbaum seconded. Motion carried unanimously.

11-11-05 Presentation by Fayette County Development Authority

Brandt Herndon, President and CEO of the Fayette County Development Authority (FCDA), gave an update on the agency's 2011 activities. He said, despite the economy, they had worked on 21 projects with two announcements. In the third quarter, they had seven projects that were still considering a move to the area, and three were larger international corporations. He anticipated five of the seven would make return visits.

Four existing industries in Peachtree City were either expanding or considering an expansion. Universal Services was making a $60 million investment and would add 25 employees. Herndon said that existing industry generally created more jobs than new companies coming to a community did. He said the majority here were either maintaining their employment or slowly adding to their numbers.

The City had a strong and diversified industrial base, which was very beneficial. When he came to Fayette County two years ago, he looked at what product they had to sell aside from the great community. There were two buildings, but the lack of existing buildings in the 50,000 sq. ft. range was limited. The largest site available was one 50-acre site that would need to be subdivided due to the topography. This was something the City needed to think about in the future to keep Peachtree City and Fayette County in the game. Coweta, Henry, and Spalding Counties had product to sell and were having economic development successes.

Herndon said the FCDA was very aggressively and proactively marketing Peachtree City. One of the target industries was aviation services, and the FCDA had attended the National Business Aviation Association conference in Las Vegas and had some good leads to pursue. Herndon had also just returned from a marketing trip to China, and the addition of SANY meant that many of the Chinese companies were familiar with Peachtree City. Herndon also noted that the SANY Research & Development that was recently announced was a completely new project that had not been included in the original 2007 plan.

Herndon said China was continuing to open its economy and that provided a good opportunity for Fayette County as long as there was product available.

Herndon noted that the Photocircuits properties had been topics of discussion for several years, and two of those buildings had been purchased. The older building should be on the market in 2012. The owner of the newer building had a Phase II environmental study underway and could be on the market in 2012.

Herndon thanked Council for their support of the FCDA in working with prospects. He said his last day at FCDA was December 16, but Matt Forshee, his predecessor, was returning to the position and would be able to hit the ground running.

Fleisch thanked Herndon for the update.

11-11-06 Discuss / Consider Dissolution of the Development Authority of Peachtree City

Haddix noted two emails on the dais.

Learnard said there had been several conversations about the Development Authority of Peachtree City (DAPC) over the last year, and that economic development was critical to the future of Peachtree City. There were challenges, but also many opportunities. The previous year, Council agreed to hire a staff Economic Development Coordinator. However, the position did not work, and the City needed to look at what went wrong.

Learnard said she would not want to repeat the mistake of bringing in a professional in this job as a contract employee. She also felt they should reexamine placing the position under the Planning Department, feeling it should report to the City Manager. The third problem was placing an employee in the epicenter of a political firestorm with conflicting demands and expectations.

In March, Council had put the DAPC into "setback" mode with no funding. Learnard said her vision was to let the new EDC move forward unfettered to do a really good job. However, that did not work either.

Learnard said that as long as the DAPC existed, the conditions would remain the same, and bringing in another EDC under the same conditions would be a mistake and result in the same problems. Learnard said her final tipping point was a recent statement the Mayor made in the blogs, "EDC can also mean contracted to and working with DAPC as their director, not a City position." Learnard said this was something she would have expected to see in the summer of 2010 when the City was formulating their strategy, but this was posted in November 2011. She believed there was a problem and the City could not continue the same conditions that resulted in failure the first time..

Learnard said the decision was difficult due to her respect for the members of DAPC, their positive energy, and their willingness to dedicate their spare time. She felt success would come from a comprehensive, City-led strategy. Peachtree City was open for business and had things to offer businesses that other communities could only dream of. This would be a new beginning and they would bring in the right staff, equip them with the proper resources, and remove the distractions.

Haddix said he had been unjustly painted as a troublemaker. The comment Learnard referenced from the blogs was a proposal Haddix had made in 2010 and was ignored. He said talked about the City hiring and contracting the employee, had sent it out in an email and placed it on the dais, and the suggestion had been ignored.

Haddix continued that painting the picture that he had deliberately set out to drive out the employee was also false. He said the problem was in the vetting process because the employee came to Peachtree City with the position that the village concept was a failed concept and the City needed to build a centralized shopping area with big boxes.

Fleisch expressed concern that the Mayor was criticizing a person who was not present to defend himself. Haddix stated he had the floor and that the employee had said this in front of citizens, Homeowner Association presidents, and others. Learnard asked if there was anything in writing. Haddix said the request for something in writing was a bogus concept when the statements were made addressing an HOA or in an office in general conversation.

Haddix continued that this was not the only conflict the employee had with the outlook of the City. Haddix said he had a letter from Keller, Texas, noting the employee had resigned prior to a closed session review of the position. Haddix said his stated position was he wanted the position and the employee to succeed, and if the DAPC was more fully funded, the employee could become their director. That was hardly a position attacking the employee and accusing him of such was a false statement.

Haddix said trying to drag the DAPC into the disagreement was also a false argument. Fayetteville used their Downtown Development Authority to fill a void that the FCDA did not fill. Peachtree City could not undertake redevelopment or bonds with City staff. Even if the DAPC were only preserved in a setback position would be of value, while getting rid of them completely did not hold water. Haddix said if the City was going to hire another EDC, the employee should be properly vetted so there would not be controversy, and the DAPC should continue to exist for the days that their authority was needed. There had already been two opportunities for bonds that the FCDA had turned down because the bonds were for redevelopment. Haddix said his position on the record was that he would back the EDC but keep the DAPC because they would be needed.

Fleisch said she recently attended the Georgia Academy of Economic Development. She had learned that there were many bonding avenues available now that had not existed when the DAPC was created in the 1970s. She noted that, in one of the classes, they had said a Downtown Development Authority could do redevelopment but that a Development Authority could not. Pennington confirmed this. Haddix argued that the Development Authority law included redevelopment.

Fleisch continued that the EDC position had been important and she supported filling it. However, there was a redundancy factor. The FCDA had been formed in 1993 to coordinate the efforts of the various separate entities as a single agency. Tyrone and Fayetteville had disbanded their authorities at that time. Fleisch then referenced a presentation Sturbaum had given during the budget debates that included looking at creating a stabilization fund and he and Haddix had proposed a 0.5 mill tax increase with 0.1 mill for the DAPC, 0.1 mill for the stabilization fund, and 0.3 for the DAPC. Sturbaum noted that the presentation was for discussion purposes as an example of a tax allocation model with earmarked funds.

Fleisch said she had asked Financial Services Director Paul Salvatore to run the relevant numbers, and did not think debt relief was feasible, so she asked him to put those numbers in the General Fund. This resulted in the City running at a deficit by 2014. Fleisch said there had been talk about DAPC members going to China, which the FCDA had done, and Brownfield development for Photocircuits, which the City was not going to have to be involved in due to the recent sales. She felt the result would have been a major redundancy competing with what the FCDA was doing and this was not the way to go.

Sturbaum noted there were outlying year projections, but he had brought forward opportunities for discussion. He said he understood the issue of redundancy, and the DAPC was not intended to compete but to complement. He had no problem with an EDC or with a DAPC and felt the City needed to retain its resources to retain businesses. The existing industries were always being courted by other locations. Sturbaum supported keeping the DAPC viable and getting an EDC working.

Haddix said he was not looking for anyone to compete with the FCDA and strongly supported that agency. He wanted an entity to fill the void that Fayetteville filled with their Downtown Development Authority. An opportunity came up for redevelopment on Crosstown and the FCDA turned it down because it was a Peachtree City redevelopment issue. That was appropriate because the FCDA was a county agency. The FCDA was one person on a limited budget, and that left some things for which the City had to be responsible. Haddix wanted to preserve the City's ability to do that. Haddix asked Herndon if he had misstated anything.

Herndon noted the FCDA worked closely with the City and had the first right for bonding in the County. If a project came to them that the FCDA did not feel comfortable with, they would defer it to the other agency. Fayetteville wanted to float the bond for their redevelopment project, so the FCDA had allowed that. If any issue came forward for which Peachtree City wanted to float a bond, the FCDA could do that for them. The Crosstown issue was a City issue, but the FCDA would have floated a bond if the City had requested it.

Todd Strickland, DAPC Chairman, said two years ago when the majority of Council was running for office, there had been many positive statements about supporting the DAPC. As the new officials took office, the DAPC was encouraged to have a more robust economic plan. They had been working closely with Sturbaum at the time and had a clear desire to work with and take marching orders from the City Council. Strickland acknowledged that the Council was elected by and responsible to the citizens, and he saw the DAPC as one tool to do so successfully.

Strickland said he appreciated the candor of the discussion so far that evening, but noted that neighboring communities had city development authorities that worked with their respective Councils and Counties. It was a shame this had become an either/or conversation. Most communities felt they could not have enough resources working on things like business retention. If the leadership was in place, Peachtree City could get all the resources working together, including DAPC, EDC, FCDA, Planning Commission, Airport Authority, developers, school board, and the myriad of others who played a role in business recruitment.

Strickland said his wife had asked him why he had fought to keep the DAPC together for the past year. The easy answer was to let it go, but the entire DAPC board cared about the community and felt the DAPC was a key element to the successful future of Peachtree City.

Strickland noted that good things were happening, but the days of Pathway Communities marketing the City were gone. It was incumbent on the Mayor and Council to get along to accomplish anything.

Caren Russell said the EDC had spoken at an HOA meeting and had never made a statement about the village concept being a failed concept. Haddix said the information came from his own HOA president.

Mike LaTella said the one thing being left out in the DAPC discussion was the City's inability to disassociate itself legally from DAPC action. The taxpayer paid $750,000 due to the Tennis Center management by the DAPC, although it was a different group. LaTella said the liability was much higher if the DAPC continued to issue bonds.

Scott Holliwell said he supported economic development and thanked the members of the DAPC for their efforts. He supported hiring an EDC and allowing him to work for two years. He said he had spoken with the former EDC several times and had never heard him say he supported big boxes, and was ashamed that the Mayor felt it necessary to drag his name through the mud that evening.

Scott Austensen also thanked the DAPC volunteers. He said he did not have a problem with the City spending resources on the DAPC activities, but he had great concern about the bonding authority of the DAPC. Peachtree City had to pay off debt never intended to be the citizens' debt. He asked Council, if they did not dissolve the DAPC, to eliminate its debt issuing authority.

Jan Stanfield said she was present for the next agenda item and was disgusted with the silly machinations of Council and said it was time for Peachtree City to move on with the business of the community.

Randy Boyett said he had reviewed the records of the DAPC that year, noting there were no policies in place for the organization's handling of funds. He said there was also no plan in place. He had been invited to the October 17 meeting on the village concept and he wondered why the village concept was important. Boyett said he had lived in Peachtree City six months before he even heard of it. Boyett noted the study cost $15,000 for Georgia Tech to perform, but had no plan for funding. He felt it was time to do something else that worked.

Mark Hollums, member of the DAPC, said the board had always supported the FCDA and was not intended to supplant them. Hollums said the Fayette County Chamber of Commerce was also a wonderful group that needed support.

Hollums continued that an engineer on the DAPC board had spent time researching the Brownfield issue and talking to people at the state about possible grants. The DAPC had looked at how the DAPC could assist the FCDA. One of the things suggested had been local economic gardening, growing local businesses in storefronts. The DAPC had worked closely with the owners of Braelinn Center to keep the businesses viable during the renovation. They had worked with the FCDA and the Board of Education on the Atlanta Christian College proposal. He said these types of efforts did not have an assignable dollar value but had been of tremendous value to the business community and fostered teamwork among the relevant agencies. Hollums said the Georgia Tech project was not so much a plan of what needed to happen as an exercise in seeing what could happen. The study would have cost $100,000 in the public market.

Strickland said it had been a pleasure to meet Boyett and to see interested citizens with valid questions. He said it was important to have safeguards in place based on things that had happened in the past, and the DAPC worked closely with its legal counsel and with the City's Assistant Finance Director. Boyett's review had found nothing illegal. Boyett agreed, but questioned many of the entertainment expenditures. Strickland said the entertainment expenditures involved working with local businesses.

Strickland elaborated on the Village Center study, saying the project started during the City's 50th anniversary and was designed to look at what it would take to keep the village centers viable for another 50 years. Representatives from many of the shopping centers participated in the study, and the study revealed that increased path access was what was necessary. The paths were the one thing unique to Peachtree City. At least one of the center owners requested the study results and subsequently filled their anchor space. Strickland encouraged the City to package the information from the study into a format all the centers could use to attract new tenants.

Iola Snow said the DAPC members were volunteers who gave their own time. Business people had business lunches to promote business. She said she did not understand the furor over getting rid of a modestly funded group of volunteers for a higher paid EDC position. She asked for a better explanation as to what the problems were.

Austensen said he had participated in the open records request and review of the Authority. He said if the DAPC had $150,000 and decided to purchase a piece of equipment, they could do so and the City would have no ability to review how the purchase was made. Austensen said he found it very troubling that there were no internal controls and no fiduciary control. Haddix clarified that the DAPC could not spend money unilaterally and that the Development Authority Law was very restrictive. Austensen said no one could provide him with a procurement policy for the DAPC. Haddix said he would forward a copy of state law.

Larry Burgess said the item was going on too long due to the issues still pending on the agenda.

Fred Brown, former Mayor, Council Member, and DAPC member, felt that the procedures in place for years had worked very well and he saw no reason to disband the authority.

Mike Murtaugh, member of the DAPC, expressed his thanks to those who had served with him on the DAPC. He said he had a passion for Peachtree City and his service had been a calling. The dysfunction currently on display was uncalled for and humiliating for Peachtree City. Murtaugh said he had worked with Herndon on two recent prospects, and one had come to him due to his participation on the DAPC. He implored Council to find a solution and quit making political pawns in the discussions.

Haddix asked again to move forward with proper vetting of a new EDC and retain the DAPC.

Learnard moved to dissolve the DAPC, to include all assets, debts, and rights and obligations devolving to the City of Peachtree City as shown in the resolution document. Fleisch seconded. Motion carried 3-2 (Haddix, Sturbaum).

11-11-07 Consider Memorandum of Understanding related to the development of the McIntosh Village retail center

Rast said a Memorandum of Understanding (MOU) was before Council for potential retail development on the McIntosh Village retail site. Staff had worked with two primary developers over the past five years. The first, submitted by Capital City Development, included a big box and abandonment of the streets. The project never moved forward and the development agreement expired. The property reverted to the bank and was marketed by BB&T. Staff met with them to explain the zoning process, and BB&T marketed the property to a number of developers. Staff met with several looking at the property before Trinity Development, former partner of Capital City Development, was ultimately selected as the developer.

The Planning Commission and some of the neighborhood groups reviewed a plan for a larger scale development, and the plan came to a Planning Commission workshop. There had been issues with the abandonment of Line Creek Drive and Line Creek Circle, and at the time, Council had given the understanding they were opposed to that option.

Trinity then reviewed its various options and came to the Planning Commission on September 22 with a plan to leave the roads intact and resubdivide the property and sell the lots individually. The applicant began marketing the property and came back to the Planning Commission in November with the first parcel applicant, a Racetrac gas station/convenience store. That submission prompted a discussion among staff, the Planning Commission, and some City Council members on what the City could do to obtain a more favorable development.

Rast said the discussion centered the City's ownership of the roads and right-of-way, which gave the City some leverage in seeing what was developed. Rast said the City had not done a good job of communicating what the City wanted to see, but had only reacted to proposals submitted by the developer. Rast said they started putting the elements into writing, working with representatives from Southern Conservation Trust (SCT), Planning Commission, Council, and the City Attorney to put the document together to make sure the list of items was comprehensive.

As background, Rast said there was a concept plat of subdivided parcels that was approved and there was a contract, Racetrac, for one of the parcels. The owners were continuing to market the current plan but was willing to work with the City on the MOU for how the property could develop.

Rast said the document before Council was broken down into several categories, including a development of an access road connecting this development to MacDuff Crossing, submittal requirements for the conceptual site plan, and a traffic study.

Rast noted that the property was located on the south side of Highway 54 West between Planterra Ridge and the Line Creek Nature Center. The former name of the area was the Line Creek Office Park, and two old buildings had been removed.

The concept plat approved by the Planning Commission left the existing roads intact and subdivided the property for retail development under the General Commercial zoning requirements. The zoning required a 75-foot transitional buffer between the commercial uses and Cardiff Park.

The Racetrac Neighborhood Market was on the December Planning Commission agenda for approval. This was a new concept with a smaller 5,000 square- foot store, covered gasoline island, access from Line Creek and right-in/right-out onto Highway 54. The developer was not interested in acquiring the part of the street in front of the Racetrac.

Rast said among the things the City would like to see was an enhanced buffer for both Cardiff Park and Line Creek Nature Area. The SCT had eventual plans for a visitors center to the nature area. Abandoning the roads and rights-of-way created a blank slate that allowed the developer to be more creative with the resulting project while maintaining additional buffers. Rast said that was the gist of the MOU, identifying what the City would like to see to give the developer that blank slate. Rast said the Planning Commission felt very strongly that this development needed to be connected to MacDuff Crossing as part of the master plan, as well as to support MacDuff Crossing. The connection would require approval from SCT due to its crossing SCT's entrance, and SCT had a resolution of support with some conditions. Rast noted that the hour was late and asked Council if they wanted more detail or an overview. Learnard suggested opening up the discussion for public content.

Haddix asked if an MOU locked the City into all the elements. Rast said the document was written as a goal, and the items were introductory and might depend on the prospective tenants and development. A development agreement would become more specific as to the imposition of requirements. Haddix said he did not want to lock into the elements he did not support. Learnard noted that the first paragraph noted it was a voluntary agreement to provide a framework for development.

Lynn Burgess, resident of Cardiff Park, said she had sat through three hours of meeting and asked for the full presentation.

Rast explained in more detail, saying the City owned the roads and the City could not give that to the developer. An appraisal had to determine the value and the City could accept cash payment or accept property of equal or greater value. That property exchange was where staff was hoping to enhance the buffers.

The eight conditions included the developer paying for the costs of the appraisal. The buffer would be deeded to the City as greenbelt. The second item was the access road to the Line Creek Nature Area, which was owned by the City and managed by SCT. The connection between the two retail developments would need to be a winding roadway rather than a straight shot (similar to Aberdeen Parkway). The intent was to connect the developments without providing a high-speed roadway. Rast noted MacDuff Crossing had a single point of access and this development would provide a paved connection and a paved gravel drive and parking area at the nature area. Rast noted that there were deed restrictions on the nature area property, and Pathway Communities had given SCT the authority to work with the City on the project. The connection was to allow shoppers to travel between developments without accessing Highway 54.

Rast said one of the big things SCT wanted was that this development have a pedestrian connection to the nature area. They also hoped for a freestanding restroom area, which the park currently did not have.

Rast said the size of the development was also an issue. The developer had interest from several tenants, and the agreement said if the development exceeded 150,000 square feet or a single tenant exceeded 32,000 square feet, the developer would still have to go through a rezoning and the Special Use Permit process.

Rast said once the developer had the tenants secured and knew the size of the building, the conceptual site plan would go through a workshop at a Planning Commission and approval at the next meeting. Staff would like to see the Line Creek Drive entrance remain and serve, with the Racetrac right-in/right-out, as the only access to Highway 54. The City had worked to reduce the number of curb cuts on the north side of Highway 54.

Regarding parking, Rast said retailers frequently established minimum parking standards, but the City had minimum standards as well and wanted to limit the parking development to the City's minimum, with 10% of the final parking number dedicated to golf cart parking.

Rast said the property also fell into the Highway 54 West Overlay District, which established additional requirements for the property. All this would go through the Planning Commission process and be advertised so the public could attend.

The next two stipulations dealt with the requirement of a traffic impact analysis once the size of the development was established. The developer would be required to provide a study, and if the study showed a traffic signal was warranted at Line Creek and Highway 54, the developer would have to pay for it. If a signal was not warranted, the developer would have to provide a letter of credit to the City in case a signal was warranted three years later.

No clearing or grading of the site would be allowed without plan approval. There were requirements addressing the rear of the building, screening, and limiting deliveries. No connection with Planterra Ridge would be allowed. The conceptual site plan would be formally adopted by development agreement and the zoning.

Rast said the Planning Commission felt strongly that the current zoning of GC General Commercial was a melting pot and allowed many uses that might not be desirable. Through the rezoning or Special Use Permit process, the City could add many more restrictions in lieu of allowing it to develop as pure GC.

Haddix asked Rast to review the Overlay District restrictions. Rast said the zoning of GC was the baseline that allowed the majority of commercial uses. The Overlay District identified the specific parcels in the corridor and added the overlay zoning. The overlay reflected a plan developed in 2002 that identified the type of development the City wanted to occur. The development on the north side, which was closer to the roadway with parking in the rear, was built according to the overlay. Tim Lydell of Cardiff Park said the latest version of this development started as early as January 2007, with two proposed superstores and concrete from the City limits to Planterra Way. The residents and the City felt that plan was not appropriate, and residents from the area began working against the developer to achieve a good plan. Some of the discussions had been heated. The residents came to understand that development would happen on the tract, and they needed to work with the developer to achieve a plan that came up to the high standards of Peachtree City, that would protect the immediate residents, and that would bring economic benefit to the City. Lydell noted that Jim Lowe, who was present as the developer that evening, had been involved in the discussions from the beginning.

Lydell continued that the group had ultimately come up with a plan that Council had passed 3-2, culminating in a Special Use Permit and an extensive agreement that exacted significant concessions from the developer. The plan brought in some big box stores that, while emotionally divisive, would have brought in economic benefit to the City through sales taxes and jobs. The plan had achieved the group's goals and would have been on par with The Avenue, but that plan was not to be. However, the City currently had an opportunity to achieve many of the same goals through the MOU. The concept plan approved in September was not good.

Lydell said Lowe was a man of honor and had listened to concerns and met requests throughout the process. He felt he would honor the MOU. The Cardiff Park Homeowners Association the previous week had included a discussion of the MOU. One hundred percent of those attending had supported the MOU, and Lydell said those were the people most immediately impacted by the development.

Caren Russell of Planterra Ridge echoed Lydell's statements that Jim Lowe had worked with the residents and was a man of honor. Russell thanked City Council, staff, and the Planning Commission for putting the MOU back on the table, and she noted the Planning Commission had unanimously recommended approval of the agreement. Russell said that recent surveys indicated Peachtree City residents supported keeping the current amenities and the look of the community, even if it meant paying higher taxes.

John Thibideaux of Cardiff Park commended those who came up with MOU. He said he was a retired builder/developer/broker, and the conceptual plan that left the roads intact was designed for failure. Businesses would not have the type of location they needed to survive. The MOU would restore a low–end development to something Peachtree City could be proud of. He encouraged council to adopt the MOU.

Iola Snow of Planterra Ridge encouraged Council to approve the MOU. She said the City needed larger stores because there was enough vacant small space in town. This development did not need to be the eyesore that Lexington had become.

Jim Lowe, Trinity Development, said his company accepted the terms outlined in the MOU.

Haddix said that, after the last plan, the City needed to make sure the studies were properly conducted. He felt the previous traffic and economic impact studies had been flawed, and the City needed to hire the consultants with the developer paying the fee, so study would be credible.

Sturbaum said he had no problem with the MOU. Learnard moved to approve the MOU for the McIntosh Village Retail Development. Fleisch seconded. Motion carried unanimously.

Sturbaum moved to extend the meeting beyond the 11:00 p.m. time limit. Learnard seconded. Motion carried unanimously.

11-11-08 Citizen Request to Address Council – Mr. Bill Posey, 505 Creekside Way

Posey addressed Council, saying he and his wife had moved to Peachtree City from Fayetteville following their retirement about a year ago. Posey said he was asking Council to help solve two issues relating to his neighborhood (Creekside Crossing) and Bradford Estates. He noted that he had sent a large volume of information to Council separately.

When he moved here, he was told by two separate officials that he would have to pay to repair a private pond that was designed and built as a stormwater runoff and the City had allowed it to deteriorate. Posey said this was the only pond in Peachtree City that was privately owned, and the owners included the Poseys, Mroseks, Lenoxes, Millars, and the Southside Church. The water flowing to the pond came from Robinson Road. The dam had totally eroded.

Posey said there was a warranty deed provided to Mr. Sherm (owner prior to the Millars) by the Equitable Life Assurance Society of the United States stating the City had an easement to build and maintain a pond. Posey noted the pond did not have an emergency overflow, which meant if the dam breached, it would be because there was nowhere for the water to go.

Posey then showed an image of the watershed for the pond, saying it extended almost two miles from Crosstown Road to Ebenezer Road, and up Robinson Road. The pond was built around 1990, and Robinson Road was later upgraded with curb and gutters by Fayette County before the City of Peachtree City would accept ownership. That upgrade channeled the water from Robinson Road to the pond. Following a complaint by John Mrosek, the City added a wall to filter the water from Robinson before it discharges into the pond.

Posey said that a report on the pond indicated the corrugated metal pipe was not big enough to support the pond and noted the lack of emergency spillway. The City's recommendation would not address the inadequate pipe size. Posey said there was also a problem with trees on the dam due to neglect. Posey also noted a headwall on the drain side of the pond that had fallen off eight years previously and had not been repaired.

Posey said his second issue was to ask Council to place a stay on the permit approved by the Planning Commission for the Southside Church expansion. The church was planning a detention pond. Posey said the 2007 Schnabel Report had not been used in the approval process for the Southside Church parking lot expansion and the report said the dam was going to breach if the problem was not corrected. Posey said Council had not agreed to accept future financial responsibility for the pond, and the legal documents said the City had that obligation.

11-11-09 Consider Professional Services Agreement with VC3 for Technology Assessment

City Manager Jim Pennington said Council had the memo discussing the professional services. Several weeks ago, it came to his attention that City was prepared to purchase $400,000 of new computer equipment. Discussions with staff revealed concerns that it was a mammoth task to make the conversion. What started as an effort to assist the Information Technology department to implement the new hardware led to additional questions about changes in the technology environment. Pennington sad staff concluded the City needed another assessment (the last one was in 2003) to make sure the City was not spending money foolishly.

Pennington said the assessment would demonstrate whether the City needed to move forward with the existing plans or needed to alter those plans. Pennington recommended using the firm used in 2003, VC3, and noted he had worked with them in other communities as well.

Sturbaum asked for some changes on the Master Services Agreement, moving forward but working with VC3 on modifications relating to governance of third party software, liability on data retention, and other issues. Pennington said that was an excellent idea.

Sturbaum moved to approve the agreement subject to further modifications by himself and Meeker. Learnard seconded. Motion carried unanimously.

<u>Council/Staff Topics</u>

Pennington noted that the City had reached the six-month mark on the outside storage display (walking signs) ordinance changes and there had not been any major issues.

Sturbaum moved to enter Executive Session to discuss personnel issues and pending or threatened litigation at 10:57 p.m. Learnard seconded. Motion carried unanimously.

Sturbaum moved to reconvene into regular session at 11:30 p.m. Learnard seconded. Motion carried unanimously.

Sturbaum moved to create a second Assistant Finance Director position to advertise in place of the Accounting Manager Position. Imker seconded. Motion carried unanimously.

There being no further business, Sturbaum moved to adjourn the meeting. Fleisch seconded. Motion carried unanimously. The meeting adjourned at 11:32 p.m.

Betsy Tyler, City Clerk

Don Haddix, Mayor