**City Council of Peachtree City**
**Minutes of Meeting**
**November 1, 2007**
**7:00 p.m.**

The City Council of Peachtree City met Thursday, November 1, 2007, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:02 p.m. Other Council Members present: Steve Boone, Mike Harman, and Cyndi Plunkett. Stuart Kourajian arrived at 7:04 p.m.

**Announcements, Awards, Special Recognitions**
Mayor Logsdon read proclamations for National Hospice Month and the 40th anniversary of the Peachtree City Rotary Club. Bob Dalton of the Peachtree City Running Club presented $1,000 checks to the Police Department Vest Fun, the Fire Department, and the Recreation Department. Scott Bradshaw and Bill McDonald, co-chairmen for the Rotary Club's Touch the World/Dragonboat Race event held on October 6, thanked the City for its support.

**Public Comment**
There were no public comments.

**Agenda Changes**
Plunkett moved to move New Agenda Items 11-07-13 and 11-07-07 to the front of the New Agenda items. Kourajian seconded. Harman asked Plunkett if she intended to include 11-07-12 also. Plunkett amended her motion to include 11-07-12 and 11-07-13, as well as 11-07-07. Kourajian accepted the amendment. The motion carried unanimously.

**Minutes**
Logsdon noted there was an additional document on the dais, which indicated his proposed changes to the minutes. Plunkett moved to approve the October 18, 2007, regular meeting minutes as corrected. Boone seconded. The motion carried unanimously.

**Monthly Reports**
Logsdon noted there was an additional document on the dais – the Leisure Services monthly report. There were no comments on the Monthly Reports.

**Consent Agenda**
1. **Consider Contract with Fayetteville Main Street Tourism Association for Youth Council Concert at Villages Amphitheater**
2. **Consider Proposed Changes to PCTA Board (Agenda Item #10-07-05)(Postponed to December 6 meeting)**

Logsdon noted there was an additional document on the dais – an e-mail from City Attorney Ted Meeker dated November 1, 2007, with the subject, "Fayette Amphitheater Contract."

Boone moved to accept Consent Agenda items 1 and 2, with Item 1 having a correction as stated on page 1 of the contract. Harman seconded. The motion carried unanimously.

**Old Agenda Items**
**08-07-02 Staff Report on Traffic and Cart Path Issues on Peachtree Parkway**
City Engineer Dave Borkowski updated Council on the traffic reports for Peachtree Parkway North. (Copies of the reports are included in the official meeting file.) The intersections studied included

Peachtree Parkway/Loring Lane and Tinsley Mill and Peachtree Parkway/Peninsula Drive and Stonington Drive. The intent of the studies was to see if the intersections met the warrants for either a traffic signal or a multi-way stop. The studies were conducted on Thursday, September 13. The counts included vehicles, bicycles, golf carts, and pedestrians. Borkowski's presentation focused primarily on Peachtree Parkway/Peninsula Drive and Stonington Drive. He continued that there were three multi-way stop warrants that had to be met – traffic control signal and interim multi-way stop (if a signal was warranted, then interim stop signs could be placed), crash problem history, and minimum volumes of traffic.

Borkowski continued that the first warrant was broken into eight separate sub-warrants, including eight-hour, four-hour, and peak-hours. One of the warrants was 75 vehicles per hour for eight hours approaching intersection from minor (side street) and was a very complicated procedure. The average for the intersection was 17 and 34 vehicles respectively. No single hour was above 43 vehicles. The intersection did not meet the warrant. The warrant for the crash problem history was five or more correctable crashes in a 12-month period. Correctable crashes were defined as crashes that would be prevented by a multi-way stop such as T-bone crashes. The intersection had no correctable accidents in three years and did not meet the warrant. The minimum volumes warrant required an average of at least 300 vehicles per hour for any eight hours on the main road and an average of at least 200 vehicles, pedestrians, bicyclists or golf carts per the same eight-hour period for the side street. The average for an eight-hour period for Peachtree Parkway was 753 vehicles per hour. The average for the same period for Peninsula and Stonington was 51 vehicles per hour. The intersection did not meet the warrant. The warrant analysis also included an average delay of over 30 seconds per vehicle. The average delay was approximately 14 seconds.

Staff recommendations included marking the crossings with enhanced advanced warning signage according to a new internal policy, currently under internal review, when approved. Borkowski continued that the recommendations also included finishing the feasibility study of a tunnel by the boat docks, investigating the sight distance issue in the consultant's report, looking at potential traffic calming on Peachtree Parkway, and investigating alternative enhanced treatments for this multi-use path crossing.

Harman noted that speed was a problem as well as the traffic volume, but he had not seen any data on speed. Borkowski said the Police Department had collected the speed data, which showed that the 85$^{th}$ percentile traveled at 41 miles per hour or less. The combination of speed with volume could also trip the warrants, but it had not.

Borkowski said if the enhanced signage did not work, then he wanted to look at traffic-calming devices such as medians or curb extensions. Harman asked if rumble strips would help. The speed of the traffic was a safety issue for golf carts crossing the road. Borkowski said that was one of the things he wanted to look at to see if treatments such as flashing beacons warning of the crossings might be warranted. He felt that most people did not realize the mid-block crossings were there. He preferred waiting to look at traffic-calming devices until after the enhanced signage could be installed and evaluated.

Plunkett said traffic-calming devices should be installed to begin with. The City should work with the residents on the choices. Borkowski said he had just received the report and had not had time to meet with the homeowners' association (HOA) president. Plunkett said she understood, but there were other neighborhoods with concerns as well.

Logsdon asked Borkowski if he was looking for guidance.

Barbara Sussberg, a Peninsula resident, noted that parents were worried about their teens that drove golf carts to school. They had to cross Peachtree Parkway three times before they got to school. There were hills and blind curves on the street. Traffic on the road increased everyday, and she did not want to see a terrible accident. Plunkett reiterated that the neighbors should provide input on whatever was done.

Logsdon directed staff to move forward, keeping in mind what the HOA and parents had said.

**10-07-12 Public Hearing – Consider Amendment to Art. X, Sec. 1006(f), GC Commercial District Regarding Maximum Building Heights**

City Planner David Rast noted that a large part of the amendments were housekeeping items and an introduction to proposed amendments to the Design Guidelines Ordinance. He said that when the zoning ordinance was adopted in 1977, the GC district set the maximum building height at 10 stories, with buildings over 35 feet having to be approved by the Fire Marshal. The language stayed in the ordinance until the Special Use Permit amendments were made to the GC zoning requirements. The maximum height was now limited to 35 feet, which made many buildings nonconforming. Rast showed photos of some of the more recent buildings now considered nonconforming because they no longer met the maximum height requirement. (A copy of the presentation is included in the official meeting file.) The new hotel developments would have buildings that were 55 to 60 feet tall, which would have been permitted prior to the last ordinance amendments.

Rast continued that the maximum height for the majority of residential zoning districts was 35 feet. There was no limit for the Agricultural Reserve (AR) district. Industrial zoning districts allowed taller buildings because of the nature of the buildings, as long as they were approved by the Fire Marshal, the Building Department, and the Federal Airport Administration (FAA). One zoning district allowed 10 stories; there was no continuity in what was allowed. Eventually, Rast said staff planned to bring to Council recommendations to establish a 60-foot height limit on buildings in GC, OI, and LUC zoning districts, which would keep the new buildings consistent and bring the nonconforming buildings into compliance. Instead of opening the door for taller buildings, there would also be criteria to bring the elevations to the Planning Commission to help design the façade of the building. The proposed amendments would require the Planning Commission to review the architecture as part of the conceptual site plan process. The Planning Commission was also considering amendments dealing specifically with height to the Design Guidelines Ordinance, which was adopted approximately 18 months ago.

Rast said the Planning Commission had a number of workshops on the height restrictions and had two public hearings. The Planning Commission recommended approval, with the understanding that the ordinance amendments to the Design Guidelines would be adopted, so there would be more flexibility in reviewing the buildings and elevations when they came in.

The only resident who spoke during the public hearing was Lynda Wojcik, who said it was very necessary to have height restrictions, especially as the City would be redeveloped and the fact that the City already had 60-foot buildings. The design guidelines proposal should also be looked at.

Kourajian said he did not disagree with much, but he was struggling with 60 feet and wanted to keep the limit at 35 feet. The taller buildings were grandfathered. Builders could come and ask for a variance for any building over 35 feet. He did not see a need for an upper limit of 60 feet, which could encourage some to build taller buildings. Rast said that, until the ordinance changed a year ago, GC zoning allowed 10 stories, with Fire Marshal approval required for buildings over 35 feet tall. No one wanted to see a 10-story building. The 60-foot limit brought what had been approved under the original ordinance into compliance and established a threshold of 60 feet. They had also looked at the average height of the trees. The Planning Commission did not want the buildings to be taller than the canopy of trees around them. Fire Marshal John Dailey said a 60-foot tall building was equal to a six or seven-story building. Any buildings taller than that would be harder for the fire apparatus to reach. Kourajian said that he was hearing the limit should be 60 feet because the tallest building was 60 feet. By changing the limit to 60 feet, they would be inviting builders to come in with 60-foot buildings. Meeker said the maximum height limitation was based on the current fire apparatus and what they could handle. Rast clarified that 10-story buildings were no longer allowed in GC zoning, but 10-story buildings were allowed in OI under the current ordinance.

Plunkett agreed with Kourajian. She was more inclined to keep the building maximum height at 35 feet. If the ordinance had a 60-foot limit, then they would be discussing 70-foot buildings. She liked the design guidelines and tightening up the review standards. She saw no reason to change the limit.

Boone said the amendments would bring current buildings into compliance. Any plan had to go the Planning Commission if it exceeded 35 feet. The proposed amendments tightened the ordinance and gave the City a chance to say yes or no. Plunkett asked why it was a problem to have nonconforming buildings. Meeker pointed out that the City made the buildings nonconforming by the changes made to the ordinance 14 months ago. Rast added that the buildings had complied with the former ordinance when they were built. Boone said the proposed amendment cleaned up the ordinances.

Harman clarified that change required the buildings over 35 feet to be approved by the Fire Marshal and to go to the Planning Commission for the design. Rast said that was correct. Rast said, if the building was over 35 feet, they must also bring in a design element as part of the conceptual site plan review by the Planning Commission. It would prevent buildings with three stories of efis. There would be specific guidelines on how a building should look.

Kourajian asked Rast what the current process was for a building over 35 feet. Rast said that buildings over 35 feet had to get a variance from Council. Kourajian said he liked that. He did not want Council to abdicate its approval authority. Rast said that the Planning Commission was charged to monitor the aesthetics of the City. There were trained architects and engineers on the Planning Commission. He was hesitant to bring buildings to Council for aesthetic review when they were not trained for it. Kourajian said he did not disagree with that. Rast said it was an effort to bring continuity to areas throughout the City. There were very few tracts left that would suit taller buildings due to the required parking and landscaping. Any building taller than 35 feet would need a much larger site because of the increased parking requirements, which pushed them away from the major thoroughfares. The increased height of a building reduced the developable footprint of the property and increased the stormwater requirements.

Harman agreed that no one currently on Council was a trained architect, but that was only one small part of the decision-making process. The recent Kohl's proposal had been approved unanimously by the Planning Commission, but it would not have been approved by Council. In that situation, the citizens' representatives would not have agreed with what would be presented. The Planning Commission would do the architectural review and put everything in laymen's terms for Council to understand. The plans still needed to come to Council for a variance for the height. Rast said that made sense, but clarified that the Planning Commission had reviewed the Kohl's plan during a workshop, but had not taken a formal vote.

Logsdon asked Rast what would happen if Council did nothing. Rast said there were two sites, the Hilton Garden Inn and the Fairfield Inn, where the Planning Commission had approved the conceptual site plans contingent on Council's approval of the proposed amendments. If the amendments were not approved, those developments would have to start the variance process. Rast said he could bring the original elevations of the Hilton Gardens to the next meeting so Council could see how the proposed amendments and design guidelines had worked on the project.

Plunkett said she did not want Council to be the Planning Commission; however, both needed the opportunity to look at plans and make determinations. She did not support 60 feet. It would raise the threshold, and everyone would want 60 feet. Rast noted that the current building height limit in GC zoning was 35 feet and 10 stories for OI zoning. Plunkett said a 60-foot building could be built, but they should jump through the hoops. Boone said they needed to bring continuity and conformity to the buildings and the ordinances. Plunkett said the nonconforming buildings could be labeled and included in the ordinance. Meeker said the existing buildings were already grandfathered by the operation of law. A nonconforming use could not be expanded, which meant the owners would not be able to expand if they needed to. Meeker said they could bring back another amendment. Boone said they should bring back an amendment with different language.

The proposed amendment died from lack of a motion.

**10-07-17(a) Consider Alcohol Ordinance – Additional Alcohol Licenses for Same Location**
Acting Administrative Services Director/City Clerk Betsy Tyler said this ordinance established an additional license fee for alcohol license holders with more than one bar at the same address. Plunkett moved to approve the ordinance amendment for additional alcohol licenses for the same location and establish fees. Boone seconded. The motion carried unanimously.

**10-07-17(b) Discuss Alcohol Ordinance – Special Events, Brown Bagging, Definition of Premises**
Tyler said she wanted to find out if Council wanted to pursue any of the items discussed previously. The items included qualifying locations for special event permits, which would allow locations such as airport hangars to pay a fee to be a qualified location for events. Organizations or individuals that wanted to hold an event at a qualified location could then obtain a one-day license for the event. They had the option now to come to Council, but there was no established procedure or fee.

Plunkett asked if a resident would need the permit to serve alcohol at a Tupperware™ party. Police Chief Jim Murray said that if they were selling a product and a fee was paid to attend the event, then they were selling alcohol. If a resident was having a party, sales were not compulsory and a permit was not required.

Logsdon asked if a permit would be needed for events that took place at a hangar at Falcon Field, such as a barbecue where beer was served. Tyler said a permit would be required if a fee was charged to attend the event, rather than having invited guests for a private party. Kourajian asked if a permit would be needed if everyone chipped in to buy the keg. Tyler said it was illegal if there was any kind of sale associated with the alcohol. Logsdon clarified that subdivision clubhouses that were used for special events that had a cash bar would need to get a permit. Tyler said they would. Meeker said a private party would not require a license.

Logsdon asked Tyler what would be accomplished if the changes were made. Tyler said that, under the current policy, if a non-profit organization wanted to hold a dinner, charge a fee of $100 a plate, and serve wine, they could not do it because it was technically the sale of alcohol. There was no procedure or established process that allowed it, and they would have to ask Council. However, there were no guidelines in place. Meeker said, with a process approved, they would either qualify for a permit or not. Tyler said that the organization would fill out the individual special event permit, and the permit would go to Council for approval.

The second issue involved brown-bagging. Tyler said that the City was aware of one restaurant without an alcohol license that permitted brown-bagging and charged a corking fee. When the City was not aware of the locations, then it did not know how close the business might be to schools or churches. Logsdon said he wanted to make the practice illegal in the City. Council agreed. Logsdon said to bring an ordinance making brown-bagging illegal in restaurants.

The final issue involved the sale of beer on golf courses. Tyler continued that the City of Newnan's alcohol ordinance had language pertaining to golf courses that allowed beer carts. Logsdon said he wanted to move forward with this and suggested Tyler get with Chief Murray and address issues as the definition of premises, signage, and public streets. Kourajian asked if the City would have any liability. Meeker said the liability would go to the licensee. Plunkett said the golf course owners might not want that, so they needed to have their input.

**New Agenda Items**

**11-07-12 Consider Ordinance Amendment – Water Restrictions**

**11-07-13 Consider Resolution – Declaration of Emergency Water Conditions and Imposition of Additional Restrictions**

Logsdon noted there were additional documents on the dais – a memo to Mayor and Council from the City Manager dated October 31, 2007, with the subject, "Consider Ordinance Amendment – Water Restrictions, Consider Resolution Declaration of Emergency Water Conditions and Imposition of Additional Restrictions."

Meeker said he had two different recommendations. He recommended adopting the ordinance change, which would allow the City to adopt the Fayette County Water System's changes by reference, as well as procedures for emergencies. Meeker recommended that no action be taken on the resolution (agenda item 11-07-13) adopting tougher watering restrictions at this time. There were still legal questions, as well as questions as to whether the restrictions would serve the intended purpose. Staff would continue to look at whether any restrictions could be placed on private wells, as well as the tougher restrictions on commercial watering. Ultimately, the City and County should coordinate their efforts. Meeker clarified that, by adopting the ordinance amendments, the City was adopting by reference the Fayette County Water System regulations. Anything the water system put into place would be automatically adopted by the City, which allowed the Police Department and Code Enforcement to work in conjunction with the Marshal's Office in terms of citations for violations of the Fayette County Water Systems regulations.

Plunkett asked if there was a good set of voluntary restrictions and what the City could do to educate the residents. Meeker said he had not seen a good set yet, but he was looking for something.

Kourajian asked if the County was asking the City to automatically fall in line with what was adopted. McMullen explained that all the municipalities and the County met recently, and they did not ask anyone to specifically adopt anything. They discussed being uniform in what was being enforced and implemented County-wide in order to support the County's efforts. Kourajian said he understood that enforcement should be the same, but he did not want to blindly follow what the County adopted. While it was unlikely, a great deal of rain could fall over the City, and the City would have plenty of water in the lakes. McMullen noted that the water in the lakes was not the City's. Harman said the County's water system was pressurized, and the City might be getting just as much water from Lake Horton as other municipalities. Tyler said the County had asked the City, in the past, to enforce restrictions, and the City had always done it by a resolution. It was easier for enforcement purposes to have it in ordinance form, especially since the Marshal's Office was actively patrolling the City. Meeker said the amendment would codify the resolution adopted by Council in 2004. Plunkett asked if there were any rules the County currently enforced that the City did not. Tyler said there were none; the County was enforcing the state's Level 4 drought restrictions. McMullen added that it put it in the ordinance and clearly identified the Police Department and Code Enforcement as enforcement agencies. Kourajian said he understood, but Council should make its own decisions instead of blindly following what the County asked.

Several landscaping companies sent representatives to the meeting. Logsdon asked that only few of the representatives speak.

Wayne King, a company owner, past chairman of the Georgia Green Industry Association, and a boardmember of the Urban Ag Council, which was helping to develop statewide comprehensive water plan, told Council that the restrictions in the proposed resolution impacted the landscaping business more than anyone else. There were over 80,000 people in the industry, and 14,000 were currently without jobs, many in the local area. The drought issue was serious and had economic and environmental consequences. He said he, along with others attending the meeting, was a certified landscape professional, and they wanted to be part of the process. Some of them had been working with the state to address the issues. The biggest problem was impervious surface, which landscaping helped offset by mimicking pre-development hydrology. They knew the need to pay attention to the groundwater, which would be addressed in the comprehensive state water plan that would be finalized during the next legislative session. Logsdon noted that the ordinance amendment would not change anything that affected their industry anymore than it was currently impacted. It just followed the County's restrictions. King said that was troublesome, and they would work with the County. Their lifeline was the 30-day exemption for new professional landscaping, which was being tampered with. Meeker clarified that was in the resolution that he recommended Council not adopt.

Tim Thoms told Council that he had spoken to a Fayette County Water System official that day, and they would speak with the County further. They heard Council was going to consider the resolution at this meeting, which was why they were attending. The entire metro area would be in trouble without water. He had laid people off earlier in the day and would do so again in January. The decisions Council made impacted lives and families. He was involved with the Georgia Water Wise Council, which was looking at avenues for conservation. The industry could not water new landscaping at night during the winter because of the cold temperatures. Elected officials needed to understand the ramifications of their decisions. The industry was a good water steward. Logsdon said Council would not consider the resolution, which contained the restrictions that impacted their jobs. The amendments to the ordinance were no different from what was currently being done.

Harman said the City did not have a say in the water restrictions. It did not own any water. If Fayette County put restrictions in place, then the City had no choice but to follow the restrictions. Meeker said that was correct and added that the ordinance amendments also provided police and code enforcement officers with a code section to reference in the event someone violated the restrictions. Harman asked if Code Enforcement could enforce the restrictions. McMullen said they could once the amendments were approved. Meeker said that any violations cited by the Marshal's Office currently went to the Fayette County Magistrate Court. If Council adopted the amendments to the ordinance, then the violations would be taken to the City's Municipal Court.

Kourajian said that, by approving the ordinance amendments, Council was saying the City would do what the County told them. Council could always hold a special called meeting if it was necessary. With the amendments, there would be no dialogue, and there might need to be dialogue. Harman said the City had to do what the County told it regardless. Kourajian said the City should look at any restrictions on an individual basis as it had done previously. It gave the City the opportunity for dialogue before major changes were made. Logsdon said that, without approving the ordinance amendment, Council would have to hold a special called meeting to pass a resolution before the City could enforce the restrictions. Kourajian said it would not be longer than 24 hours. Plunkett asked Meeker what would happen if the County adopted the resolution, which Council was not going to consider at this meeting, later. Meeker said the City would have to adopt the restrictions as far as what applied to the Water System. The resolution included other water sources. Plunkett asked if the City would be bound to follow any restrictions for wells and other water sources set by the County. Meeker said the City was only bound by the rules applicable to the Fayette County Water System, and the wells were not part of the water system.

Harman moved to approve the ordinance amendment for water restrictions so the City would follow the restrictions as listed by the Fayette County Water System. Boone seconded. The motion carried 4-1 (Kourajian).

**11-07-07 Consider Committee Report and Name for the West Village**

Former Mayor Fred Brown, chairman of the committee, addressed Council. (A copy of his presentation is included in the official meeting file.) He introduced the members of the committee and went over the process used by the committee. The committee's recommendations included

Wilksmoor as the name for the West Village and adopting Peachtree City Industrial Park as the official name for the industrial area. Brown added that the criteria included Scottish, historical significance, and a combination of names like "glen" and "loch" (Glenloch) and "brae" and "linn" (Braelinn). The committee also decided to avoid Scottish names with prefixes and suffixes already used in village names and preferred names that would be easy to pronounce at first glance. The top three names were Wilksmoor, MacDuff, and Aviemore, which was the name of a pretty town in Scotland. The committee voted unanimously to submit Wilksmoor as the first choice, followed by MacDuff, and Aviemore. Brown noted that Wilks was a property owner on the west side and the Wilks Grove Baptist Church still existed on the west side. A "moor" was a Scottish term for open land, peaty soil with heather and bracken. Brown continued that the committee had much discussion on the industrial area and whether it should be considered as a village. The consensus was it was better for it to be left as an industrial park, and that it should be named the Peachtree City Industrial Park. Brown noted that the industrial area had not been part of the assignment, but they had taken it on any way. He added that the City should consider more signage to let people know what village they were in as they traveled through the City. Dave Lowry, committee member, added that he had done a "Google" and "Wikipedia" search for Wilksmoor and found nothing, which showed that the name was unique.

Logsdon thanked Brown and the committee for their work. Their recommendations would be placed on the website for more public input. Council would make a decision at the December 6 meeting.

**11-07-01 Public Hearing – Consider Rezoning, SR 74 South, GI to LUI (SANY)**
Rick Lindsey addressed Council for the applicant, SANY America, Inc. He introduced Jack Tang, vice-president of North American operations, and Tony Tong, technical operator. Jerry Peterson worked with SANY and prepared the conceptual site plan. Lindsey continued that SANY had 288 acres near Cooper Lighting that would be the site of the assembly plant and just over 44 acres between Panasonic and Wilden that would be the site of the headquarters and research facilities. The east side of the tract was bordered by the Flat Creek Nature Area, and the west side was bordered by SR 74. The 44-acre tract was currently zoned General Industrial (GI), and the applicant was asking to rezone the tract to Limited Use Industrial (LUI) for the office building, research and development building, and the residential component, which required the rezoning request. He said that the plan for the site included a lot of green space, walking trails, and paths. Only approximately 18% of the tract would be impervious surface. A normal development plan usually encompassed approximately 80% of a tract. The headquarters and the research and development buildings would be approximately 50,000 square feet each. Some of the areas marked for parking would be for the future. The area would be graded, but the impervious surface would be installed until it was needed. A Chinese garden would flow into the natural area, which backed up to the Flat Creek Nature Area. It would not be the typical headquarters development. (A copy of the PowerPoint presentation is included in the official meeting file.) Lindsey noted that SANY celebrated SANY Day in China, which was March 1, the date the company was founded. SANY opened its grounds up to the city in which it was located for food and fireworks. They planned to hold a similar celebration in the City.

Lindsey continued that the residential component included six free-standing residential units and three town home residences in the office building. The residences would house scientists and engineers that came to work for a year or so, and who typically would not speak English or hold a driver's license. SANY would take care of the workers. The utilities would not be separate. Any children who lived in the residences would be taken to school, so schoolbuses would not pick up any students. There would not be any separate addresses; the residences would be part of the complex. SANY's corporate culture was to bring in specialists to work on specific tasks. SANY had agreed that the residences would never be leased out or be subdivided from the complex. The architecture would mirror the other buildings, and none of the residences would be larger than 4,000 square feet. Lindsey noted that, if SANY were ever to abandon the project, the development would be sold as a whole or the residences would be taken down. SANY was amenable to bringing a cart path onto the campus for access by its employees. There would be a manned gate at SR 74 and a gate to separate the single units from the office park. The units would not be seen from SR 74.

Residents who spoke during the public hearing included Juan Matute, Fred Brown, and Lynda Wojcik. Matute likened the development to a Chinese embassy and expressed concern that others might not be able to accept the cultural differences or politics. Wojcik said the residential and industrial components should not be mixed. She noted that other companies purchased homes in the City for their temporary employees so they became integrated with their neighbors. Brown said the City had been an international city for many years and had organized an International Society. He welcomed SANY.

Rast said that SANY presented a tremendous opportunity for the industrial park and the City. Regarding the questions about having housing in the industrial park, Rast said it became clear after talking with their representatives and understanding their culture. Hospitality and honor were an important part of Chinese culture. The nine units represented the nine members of the company's board of directors, who would occasionally visit the facility. The residences showed the directors an appreciation for their work. The units would also house scientists and scholars. Their society was not an 8 a.m.-5 p.m. society. They did not leave until the work was done, so a comfortable place close to work was needed. The development would also be a showcase to other international companies looking to re-locate in the United States. Rast continued that the Planning Commission had reviewed the project at a workshop and a public hearing, and they had unanimously voted to approve it. It would be the first LUI development in the industrial park. SANY was trying to preserve the trees on the site and blend the development into the topography, as well as create a corporate atmosphere they would be proud of. Staff's recommendation was to approve the rezoning. There were some conditions and an ordinance for the rezoning.

Kourajian asked where the electronic gates were located. Lindsey said there would be a manned gate at the main entrance on SR 74 and a mechanical gate for the residences. Kourajian asked how the gates would affect access by the Fire or Police Departments. Lindsey said the gates would either be "bust-through" or have some kind of access so emergency vehicles could get through. He said they had discussed emergency vehicle access with the Fire Marshal.

Plunkett clarified that, if SANY were to sell the tract, the development must have the same use or the residences would be torn down. Meeker said that was correct. Lindsey added that they were fine with the ordinance and the conditions staff recommended.

Harman asked how difficult it would be for the visiting people to integrate. Lindsey said it could be a problem, especially since most would speak no, or limited, English. It was SANY's obligation to take care of them. They could be in the City for as little as a few days, and they would be here to work. Each of the residential units was designated for a particular director to use when here.

Boone said the plan was great and was a win/win. It was viable for the industrial park and would be a showcase for other companies looking to come to North America.

Plunkett moved to rezone the SANY tract from GI to LUI with all the restrictions included in the ordinance. Boone seconded. The motion carried unanimously.

**11-07-02 Public Hearing – Reaffirm Multi-family Moratorium**
Tyler said the moratorium was first adopted in 1999. The ordinance required that Council reaffirm the moratorium each year.

Lynda Wojcik and Richard Spain spoke in favor of the moratorium.

Kourajian moved to reaffirm the multi-family moratorium. Harman seconded. The motion carried unanimously.

**11-07-03 Consider Bid for Street Resurfacing – Fall 2007**
Public Services Director Tom Corbett addressed Council. The bid went out in September, and one bid was returned. The other company that usually responded to the resurfacing bids was not interested in fall or winter work. It was a good deal for 11 miles of resurfacing.

Kourajian noted that only one company turned in a bid. He asked how it compared to previous bids. Corbett said there were a number of different items included in the bid. Kourajian asked if the resurfacing was budgeted. Corbett said it was in the SPLOST funding. He noted that the largest item in the bid had gone from $70 to $73 per unit, and the increase was related to the price of barrel of oil, which had increased.

Kourajian moved to contract with C.W. Matthews, Inc., for street resurfacing of the items listed for the bid price of $2,060,918.92. Boone seconded. The motion carried unanimously.

**11-07-04 Consider Ordinance Amendment – Fireworks on City Property**
Dailey addressed Council and said the proposed amendment would prohibit the use of fireworks on City-owned or City-controlled property. Plunkett clarified that fireworks that were legalized in the state could be used on private property. Dailey said yes.

Lynda Wojcik pointed out that a lot of residents shot the fireworks in the City streets that were in front of their homes, which was City property. Dailey said that he had not considered that possibility. Meeker said the wording, "other than City streets," could be added to Section 38-41 after "any city owned or controlled property." Dailey noted that the intent of the amendment was to keep people from using fireworks on July 4th around all the people and blankets. Meeker said they could clarify it as "residential streets."

Harman asked what the motivation was for the amendment. Kourajian said that, down by the docks, kids ran around with sparklers and also set off other fireworks. Dailey said it was also more likely for accidents and injuries to occur because of the crowds. Kourajian said people should be safe during the event. Harman agreed.

Wojcik suggested that the wording be changed to "any city park or greenspace," which would also cover the cart paths. It would not draw attention to the street. McMullen said that one of the main issues was on July 4th, when the City had large crowds of people and young kids running around with sparklers and fireworks. Currently, it was not illegal for them to do that in a large crowd. City Hall was zoned Open Space (OS), not as a park. It could be park or open space zoning. Meeker recommended adding the wording, "other than City-owned residential streets." Council agreed that the intent was to take care of the people in the parks.

Harman moved to approve the ordinance amendment with the additional verbiage, "other than City-owned residential streets" for fireworks on City property. Boone seconded. The motion carried unanimously.

**11-07-05 Consider Reclassification/Additional Positions – Library**

Kourajian asked Leisure Services Director Randy Gaddo if the reclassification meant there would be two people for the price of one. Gaddo said yes. Kourajian moved to approve the additional part-time library assistant position at grade 268 and reclassify the library manager at grade 281 to a circulation specialist grade 276 effective November 1. Harman seconded. The motion carried unanimously.

**11-07-06 Consider Reclassification of Position – Kedron Fieldhouse**

Gaddo explained that the reclassification would replace a management position with a coordinator position, saving $17,000. There had been personnel changes at the Fieldhouse, so the staffing was reviewed. Under the current conditions, there was more need for a coordinator to coordinate all the programs than for the supervisor. Staff recommended replacing the supervisor position with a coordinator's position. At the same time, staff recommended that the current coordinator's salary be moved up one step because the individual would be designated as the second-in-command at the center and would be in charge when the manager was gone. Kourajian clarified that the proposal was to eliminate one position, create a position, and give a raise to a current employee, who would be designated as the person in charge when the manager was gone. Gaddo said that was correct. Plunkett asked why Council needed to approve the raise. Gaddo said it was not the normal Cost of Living Allowance or merit increase.

Boone moved to replace the Kedron supervisor with a Kedron coordinator position, and to increase the salary one step to grade 277, step 24 with salary of $51,549 for the existing coordinator. Kourajian seconded.

Plunkett noted that the salary was tied to the employee. Gaddo said it was raising the level of that coordinator's position. Meeker said it that person left and another came in, then the new person would start at the beginning level.

The motion carried unanimously.

**11-07-08 Discuss RFP Requirements for Residential Sanitation Franchise**

Tyler noted that Council had directed staff to come with request for proposal (RFP) requirements. Staff needed final guidance on whether or not to send out the RFP and what elements should be included. Items included services to ask for. Currently, the providers offered twice-weekly, one and two-can, pick-up; back door service, recycling service, some form of yard trimming and some form of bulky waste pick-up. She asked Council to address whether recycling should be City-wide or per customer since there would be a huge price difference. They could ask for both. They would also want to know if the provider would service City dumpsters. Another issue was customer service standards. Missed collections should be resolved in 24 hours. Staff felt there should be a cash performance bond with the forfeiture of $100 per unresolved legitimate complaint, direct contact separate from customer service so staff could call regarding customer complaints, and keeping customer service records.

Logsdon clarified that staff needed guidance on whether to move forward with the RFP and what should be in it. Tyler said staff needed to know whether to move forward, if the suggested items looked good, and if Council had any additional direction.

Boone said he was totally against a single source. Competition bred quality. The vendors provided the services the customers wanted. Council had gone through this two years ago. He was against an RFP. Plunkett asked Boone whether Council would be doing a disservice by not getting answers if an RFP came back that would benefit the residents. She agreed that she had seen nothing that supported a sole provider to date. Boone said Council could hold a workshop to see what services the vendors could provide. Kourajian said he supported the free market system, but Council should always look at things if there was a better way to do it. He liked the information staff presented. As a City, they should expect more from the providers. Getting input from the companies would help. Council had never met with all the providers. Kourajian said he did not know if the City let the providers know about the complaints the City received. Tyler said that, if a resident had complaints, the only option staff could give was to talk to other providers.

McMullen said the issue for providers was economics. It was more economical for them to pick up the trash from every house on the block since they had to drive past every house on the block. It was the only way to do recycling economically. McMullen said one of his goals was to increase recycling, which could not be done without going to a single provider. There was not enough participation in the City for recycling to be economic for the providers.

Logsdon said that a garbage franchise had to show an overwhelming advantage to the City. Council would not know that until an RFP was done. Kourajian said they were not prepared to do an RFP yet; they needed to talk to the professionals about the information an RFP should contain. Tyler said staff had received sample RFPs from two of the providers, and each was tailored to its company. They had filtered through those, added in information from the last RFP to come up with the key components. Meeker said that Purchasing Agent Angela Egan had also researched it. Tyler said staff could not give out the entire proposal because it had not been released to the proposers, which violated the process.

Harman asked Meeker if Council would be obligated to go with a company that submitted a proposal. Meeker said it would not. Harman said they should get the proposals back. If Council decided to go with a sole source provider, there would be 75% fewer trucks on the road. He said the providers could make a presentation on their proposals.

Doug Sturbaum, who said he was a purchasing agent by trade, suggested Council consider a Request for Information (RFI), which would answer Council's questions. It would also allow Council to offer an RFP to the top candidates that met the City's needs.

Juan Matute said he was in favor of a single provider strictly for the economics. Less diesel fuel would be used, which would benefit the whole economy. The only way the City would find out if it would work or not was to do it.

Eric Langley said that, at first reaction, he agreed with Boone. The only reason to go with a single provider was for 100% recycling. He asked if there was a market for the recycled material, which would be a reason to do it. He was not dissatisfied with his provider.

Leslie Rowell, who said he was a garbage man, said there were advantages to a single provider, but it did not eliminate the free market. The forces of the market came into play when the competitors bid on the RFP. The provider would be able to provide special services for a more economical basis if picking up the entire City and would enhance service quality. He noted that glass was not a recyclable commodity in the current market. There were also safety advantages to one provider. A good RFP and a good contracted provider were the keys to make the situation better.

Kourajian said he preferred Sturbaum's suggestion of an RFI so Council could see what the providers were willing to give. Council directed staff to proceed with an RFI.

**11-07-09 Consider Ordinance Amendment – Impact Fee Appeal Process**
Harman moved to approve the modification to the appeal process for impact fees. Boone seconded. The motion carried unanimously.

**11-07-10 Consider Employee Dental Insurance**
Kourajian said he had a problem with how much employees would pay for family coverage. Tyler said the employees had always paid 100% of family coverage. Logsdon noted the increase was $6. Boone said his dental insurance was not the best, and the cost was very close. McMullen said that the quote also continued the lifetime deductible. Boone asked what the cap was each year. McMullen said $1,500.

Plunkett moved to approve the employee dental insurance plan with Companion as outlined by the recommendation. Boone seconded. The motion carried unanimously.

**10-07-11 Consider Reclassification of Stormwater Positions to Include Crew Leader & Heavy Equipment Operator Positions**
Stormwater Manager Mark Caspar addressed Council and noted that the Stormwater Maintenance Technician 3 position and Maintenance Technician 2 position all reported to one crew leader, who was over both streets and stormwater. The reclassification would streamline the process so stormwater had its own crew leader and could function on its own without relying on the street crew.

Harman moved to reclassify the stormwater position to include a crew leader and a heavy equipment operator position. Plunkett asked what the cost would be. Caspar said the cost would be $8,574, which would be covered in the Stormwater Utility budget. Plunkett seconded.

Kourajian asked if a person would be lost. Caspar said a position would not be lost. Kourajian clarified that the person would be working and crew leading. Caspar said that was correct.

Plunkett asked if the reclassification would just separate the stormwater and street crews, which currently worked together. Caspar explained that, under the current organization chart, the street stormwater supervisor had a crew leader under him. That crew leader was currently running both crews and working. The proposed reclassification reflected how the work was being done now, but clarified the reporting structure.

Plunkett asked if taking the stormwater responsibilities out of the street crew leader's duties would mean there was less work,, so fewer people would be needed. Caspar said there was plenty of work. Some of the street crew employees worked with the stormwater crew when help was needed. The two separate crews currently reported to one crew leader. The reclassification would allow the stormwater crew to run their own show and take care of maintenance requests.

Kourajian asked if the salary increase would be the $8,000. Caspar showed the budget figures and noted that a 5% raise went along with the promotion. The supervisor position was a higher grade. There would also be a change moving from the maintenance technician position to heavy equipment operator. Kourajian noted that the numbers were based on last year's budget, and that a Maintenance Technician 3 was more experienced than a Maintenance Technician 2.

The motion carried unanimously.

Boone moved to extend the meeting past the 11 p.m. deadline if needed. Harman seconded. The motion carried unanimously.

## <u>Council/Staff Topics</u>

### Library Commission Update

Library Administrator Jill Prouty introduced Library Commission Chairman Kathleen Akins, who gave a PowerPoint presentation (A copy of the presentation is included in the official meeting file.)

The Library staff included three with master's degrees in library/information science and Grade 5B Librarian Certification (5B-master's degree accredited by American Library Association). They were moving towards totally accredited full-time supervisory staff. The Library had approximately 80,000 items in the collection, with 89% in books and 11% in electronic/digital media. The collection would be expandable to 120,000 items in 20 years. There were 27,343 cardholders, and the number increased daily. In FY 2007, the Library had 270,000 visits. The circulation statistics had increased 56% since the Library's re-opening, with 421,834 items in circulation in FY 2007. The self-checkout station had been added, and the Library was a wireless hot spot.

Akins continued that more than 5,500 children attended Story Time in FY 2007, and 1,600 participated in the summer reading program. Also in FY 2007, there were 12,000 reference assist requests, the internet stations were used 43,475 times, and 357 people took staff-taught computer classes in the computer lab. Over 11,000 people attended library programs in FY 2007. The programs included author events, Story Time, Baby Time, Super Science Saturdays, International Film Night, Writer's Circle, Literary Festival, Black History Month, two book clubs, genealogy, and more. The Library participated in the Public Information Network for Electronic Services

(PINES), which was a consortium of 265 public libraries in the state. The pros included the state funded Integrated Library System (ILS), reciprocal borrowing privileges, and intra-PINES lending. The cons included loss of direct input, a one size fits all mentality, and the Library's mandatory adherence to established PINES policies.

Akins continued that the selection of materials was based on published reviews, pre-publication alerts, and user demand. The Library generally had one copy for every five holds for bestsellers, which was the industry standard. The budget breakdown was adult/print, 35%; juvenile/print, 23%; DVDs/music CDs, 23%/ audio books, 9%; digital, 6%; and reference, 4%. Akins estimated that, in FY 2007 based on 270,000 visits, the library patrons would have spent approximately $6.3 million on their education and entertainment if they had purchased, at $15 each, the books, audio books and videos they borrowed from the Library. A Library Services Calculator was available on the website so patrons could calculate the value of their monthly use.

Akins noted that the Library Commission had updated the five-year master plan in 2006. The upcoming needs included computer replacements ($9,000 in FY 2009, 30% replacement cycle to begin in FY 2010 at $22,000); an increase of $10,000 per year for the materials budget; replacement of the one remaining HVAC unit in FY 2009 for $25,000; and the anticipated need for an additional part-time library assistant in FY 2009 or 2010.

Kourajian moved to convene in executive session for threatened or pending litigation and a personnel issue at 10:49 p.m. Harman seconded. The motion carried unanimously.

Harman moved to reconvene in regular session at 12:15 a.m. Boone seconded. The motion carried unanimously.

There being no further business to discuss, Boone moved to adjourn. Harman seconded the motion. The motion carried unanimously. The meeting adjourned at 12:16 a.m.

Betsy Tyler, Acting City Clerk

Harold K. Logsdon

Harold K. Logsdon, Mayor

Pamela Dufresne

Pamela Dufresne, Recording Secretary