

City Council of Peachtree City
Minutes of Meeting
October 20, 2005
7:00 p.m.

The City Council of Peachtree City met Thursday, October 20, 2005, in the City Hall Council Chambers. Mayor Brown called the meeting to order at 7:05 p.m. Other Council Members present were: Steve Rapson and Judi Rutherford. Stuart Kourajian arrived at 7:13 p.m. Murray Weed was unable to attend.

Announcements, Awards, Special Recognition

Mayor Brown recognized Molly Drennen of Code Enforcement as the Employee of the Month. Carolyn Stanton of Leisure Services was recognized as the Supervisor of the Quarter and for 20 years of service to the City.

Minutes

There were no minutes on the agenda for approval.

Consent Agenda

1. Consider Surplus of Fire Engine
2. Consider Bid for McIntosh Restroom – Trison Group Construction
3. Consider Donation of Surplus Property – City of Leslie
4. Consider Budget Amendment

Rutherford moved to approve the Consent Agenda. Rapson seconded. The motion carried unanimously.

Old Agenda Items

09-05-09a Consider Amendments to Motorized Cart Ordinance (Registration)

Brown noted there were additional documents on the dais – Council Member Rapson's Golf Cart Decal Proposal and a copy of latest revisions to Sec. 78-92 of the Code of Ordinances.

Administrative Services Director/City Clerk Jane Miller addressed Council. Council had approved the registration timeline and the fee at the September 15 meeting. She explained that there had been several proposed changes regarding modifications to golf carts as well as registration, and the proposed changes had been split so Council could consider them separately. Agenda Item 09-05-09a dealt with registration. The proposed program would require registration every five years at a cost of \$12 per cart. The amendment on the dais added language that would not require golf cart dealers to pay the \$5 transfer fee on carts traded in for resale. The new owners had to come in and transfer the carts again. Miller said that had been burdensome for the dealers.

Rutherford moved to approve the five-year re-registration and the \$12 fee, and the amended item in front of Council that showed the dealers would not have to pay the transfer fee on carts they take in for resale. Rapson seconded.

Rapson said he had another change for Council to consider. He proposed that those who had properly registered their carts be allowed to re-register their carts at no cost. They

would get the new cart decal and not be charged as a thank-you for following the rules. He predicted that would take care of 60-70% of the golf carts, leaving a shortfall of \$24,000-\$25,000 for the program. Those who had not registered their carts previously would be charged \$12, which would make up the shortfall. The fee would be \$12 for new registrations. The fees for transfers would remain the same. Carts must be registered within 60 days of purchase or the owners would be fined \$50 in addition to the registration fee. Rapson said his approach would not penalize the residents doing the right thing, but would penalize those who did not follow the rules. The re-registration would still occur every five years. He encouraged Council to table the issue and look at his proposal.

Kourajian clarified that golf cart owners who had registered their carts properly would never have to pay the re-registration fee. Rapson said they would get a new decal. Kourajian said Rapson was talking about a \$25,000 shortfall every five years. Rapson said those who had not been following the process would make up the shortfall for the first re-registration period. Council would ensure the budget was adequate for the next registration period. Rapson said the City wanted to know who the golf cart owners were for accident and safety's sake. The enforcement would be easier because the decals would be a different color every five years.

Kourajian said Rapson was saying the City should take on the cost of the decals since the City allowed the carts and maintained the cart paths. Rapson said it was no different than funding police officers. Kourajian said people without carts would be paying taxes for people with carts. Rapson said that was true. Brown said he was concerned about subsidizing people who used carts when money was taken out of the General Fund to pay for the program. Rapson said the City subsidized a lot of things. Brown said the City tended to gravitate around specific user fees. If a person used the facility, the person paid a fee. Rutherford added that Council, prior to her arrival, had been adamant that people pay user fees, which was a way to have people who used facilities pay for them.

Rutherford said the budget for 2005-2006 had funds in it for the decals, the mailings, and staff time. She asked Rapson how he proposed making up that \$150,000. Rapson said his proposal including having staff look at coordinating different time periods and a plan on how to get people in to register their carts without a mass mailing. Kourajian asked Rapson how he proposed getting the word out to people who did not come to Council meetings. Rapson said they could use the City's cable information channel and the newspapers. Rutherford asked what would happen when someone was fined and said they were not notified. Rapson said there would be those situations, but it was not fair to tax all the residents. They should tax the residents who were not doing what they should be doing. Rutherford said the proposal would tax the residents who used golf carts on the cart paths, which was a reasonable user fee. She said she had a golf cart she chose to use on the paths, which caused more wear and tear. The users paid for it. Giving the decals away was not fair to everyone else who had to pay. Kourajian said they were really only asking for 20 cents a month.

Rapson said he was just presenting another solution. Brown said he had gotten the proposal just prior to the meeting. There had been no real time to look over the proposal.

Brown asked Miller what the specific cost was per decal, with the cost built in. Miller said plain colored decals were \$4 each. They had not yet discussed the program without mailing notices. The cost included postage, envelopes, and an option for online payment. The number of people coming in was daunting at the current staff level. She anticipated the costs, including the decals, to be approximately \$70,000, which was about \$9 per decal for 12,000 decals. The numbers did not include IT support or staff time. She added that she had built in \$10,000 for additional costs, which could include hiring a temporary person if the numbers coming in to re-register were overwhelming.

Brown said he was willing to table the item, have staff sort out Rapson's proposal, and put the two proposals side by side.

The motion failed 2-2 (Rapson, Brown). Brown directed staff to bring back the proposed amendment and information on Rapson's proposal.

09-05-09b Consider Amendments to Motorized Cart Ordinance (Modifications)

Rutherford moved to table the agenda item. She noted information was coming in daily that she would like to have more time to study so she could make a more informed decision. Kourajian seconded. Rapson agreed that the more they looked into it, the more problems there were. The motion carried unanimously.

09-05-16 Staff Recommendation on Sports Field Pesticide/Herbicide Use

Leisure Services Director Randy Gaddo addressed Council. He said the Recreation staff was committed to continuing the research into using safe and effective organic products on the fields, if they existed. Gaddo said that, at this point, they had not found any.

Gaddo continued that the central question was what were the expectations for the sports fields from the City and the sports associations. He said they could continue to irrigate and mow, which was what had been done for the last year with the exception of fertilization in the spring. The fields were showing the negative effects of that option. Gaddo showed some photographs of the weeds in the fields.

Gaddo said he had looked at the fields this week with Dr. Tim Murphy from the University of Georgia (UGA), who was a nationally known herbicide authority, Dr. Gil Landry, a turf grass expert from UGA, and County Extension Agent Sheldon Hammond. All had agreed that if nothing were done the weeds would overtake the grass in the spring. The weeds would be green and the turf would be brown. Soccer started in early spring before the grass had a chance to come in, which compacted the turf. The weeds proliferated in compacted turf. Right now, there was an average 35% weed coverage at the Baseball/Soccer Complex (BSC) over all the fields. Some were worse than others. By the spring, Gaddo said the weeds would surpass 50%, especially if the spring was wet. The fields in that condition would not be as safe. The weeds were tripping hazards and there would not be any turf to absorb the falls. The players would not play as well since the weeds would also affect ball control.

Gaddo said the options included continuing with what they were doing before the pesticide/herbicide application moratorium – allow a qualified contractor to apply FDA-

approved amounts of herbicides. He suggested cutting the fall application into two applications spaced out about five weeks apart. Gaddo said they would use less herbicide and the application would last longer.

Gaddo said they would need a lot of cooperation from the associations since the applications would impact the playing schedules. At this time of year, things were winding down. Staff would ensure due diligence to maintain safe fields and to protect the City's investments in the fields.

Gaddo continued that staff would continue to investigate alternate methods and products. It would cost approximately \$5,500 to test the sediment and the water in the detention pond at the BSC. Further action depended on the test results. In addition, Gaddo said he wanted to host a public workshop with key experts in the field from UGA, the Georgia Department of Agriculture, Emory University, water quality specialists, and the health department. He continued that it was a multi-faceted topic, and the workshop would help educate everyone. Additional workshops would also be considered. He had received verbal commitment from the organizations. Gaddo recommended that the recreation facilities manager be licensed for external pest control, which would give staff a higher level of expertise. There was money in the department's budget to cover the cost.

Gaddo said these were all steps to adopt an Integrated Pest Management (IPM) program. Gaddo said if they took measures to have healthy turf, the need for pesticides was reduced. Use of the pesticides would be more selective. Each field would be evaluated separately and they would do what that field needed. There was a professor from Emory University's Department of Environmental and Occupational Health who wanted to partner on a project to create a comprehensive community IPM that would include schools, businesses, and other areas of the community. Emory would put the study protocol together, get input from the partners, and put the program together. Emory could also look into federal funding.

Gaddo asked Council to allow staff to continue with the fall and spring applications as outlined, pursue implementation of an IPM to help minimize the use of any sort of pesticides, and to approve not more than \$5,500 from Council Contingency to fund the water and sediment testing at the BSC irrigation pond.

Rutherford moved to continue the two applications so the City did not lose the fields, pursue the IPM as discussed, and provide \$5,500 from Council Contingency to study the water and sediment, and that Gaddo send the person through the County Extension for training. Rapson seconded.

Rapson asked Gaddo how they would coordinate with the associations. Gaddo said staff would give a week's advance notification about spraying. Large signs would be posted on the fields, and no one would be allowed on the fields for 24 hours after the application.

Brown asked if all the fields would be sprayed at one time. Gaddo said they would not spray all the fields at one time under the IPM, since the fields would be done as needed.

Brown said there would be field availability. He noted that it would take some careful coordination. Gaddo said the large signage would help. The associations would have to police their own members. Brown said the workshop was an excellent idea, and asked if there would also be a toxicologist on the panel. Gaddo said there would, but he did not have the name.

The motion carried unanimously

New Agenda Items

10-05-08 Request to Address Council from former Mayor Bob Lenox

Brown noted there was an additional document on the dais – an e-mail from the City Manager to Mayor and Council dated October 18, 2005, with two attachments – an excerpt from the July 1, 1999, executive session minutes and an agreement for sale and purchase of real estate.

Lenox said Mayor Brown had disseminated some misleading and erroneous information on the City's police station over the last few weeks that had caused apprehension and worry among the City's employees. He continued that he had been told that the Mayor had not shared the information with the members of Council before making the information public.

Lenox gave an overview of the events leading to the purchase of the property. He said there were 10 principal parties for the City and two outside entities. The Council Members included Lenox as Mayor, Bob Brooks, Carol Fritz, Annie McMenamin, and Jim Pace. Staff members who worked on the project included City Manager Jim Basinger, Developmental Services Director Jim Williams, City Engineer Troy Besseche, Police Chief Jim Murray, and City Attorney Rick Lindsey. The outside entities included the Georgia Municipal Association (GMA) and First Union National Bank (now Wachovia). The group's collective task was to find land and build a police station. Lenox said it was one of the finest groups he had ever worked with, and all had been fully informed when the decisions were made.

Lenox said they initially looked at a number of sites. Chief Murray wanted the station to be in the GA 74 corridor. The search was narrowed to five sites, including one on Dividend Drive that was too pricey. They also considered the County's old water treatment property on Kelly Drive, but Fayette County was not ready to sell it at the time. There were also potential traffic problems with the location near the Amphitheater.

The GA 74 site had the best combination of factors, but had two potentially serious environmental and engineering problems. The original Phase 1 environmental assessment report referred to 19.5 acres, but the City was only interested in 5.5 acres on the northwest side of the site. They knew portions had been used for dumping debris, biosolids, and sewage sludge, so they gathered evidence. The dumping appeared to have ended in the mid-1980s, and most of the dumping had been on the eastern part of the site. The 5.5 acres included two acres of woods and three acres of flat, clean open field. Gallet and Associates was engaged for the Phase 2 environmental site assessment. Staff worked closely with Gallet and Associates on the report. Thirteen pits were dug on the

site. Trash was found in four pits, including metal, rubber, plastic, and glass. The other nine pits had only red clay. The debris was found on the northern part of the site, where they were not planning to build. One acre of woods was to be left undisturbed according to the site plan. The back acre was to be grassed and used for overflow parking, if needed, leaving three plus acres for the building and parking.

Lenox continued that four test holes were bored to test the condition of the soil and groundwater near the four trash pits. The soil and water were tested for volatile organic compounds (VOCs) and toxic metals. Lenox read from the summary of the report. Lenox explained the summary meant the property got a clean bill of health, and also answered the question of whether they could build on the site or not. The consultant said there was nothing there and they did not need to look any further.

Lenox said they knew they had to be diligent about soil compaction, footers, and related work, and the Building Department closely monitored the construction. There had been no evidence of settling or cracking in the building. The groundwater study indicated the water was 20-40 feet below land surface, but the water table had risen substantially since then. Lenox said the building currently had a mold problem, but he also had one at home that he had solved for \$4,500. Starr's Mill High School was also having problems. The weather was a contributing factor to the problem. He understood that the City was trying to find a solution.

Lenox summarized that there were no pollutants on the police station site. The City had no exposure for any kind of clean up because there was nothing there the City was required to clean up in any practical or legal way. The back acre could not be built on due to poor soil conditions. Lenox said he would make the same decision again, as would the other team members. The property was resold to GMA to finance the building as part of the Bricks & Mortar financing programs. Their experts, as well as the bank's experts, had inspected the documents and had no questions. They would not have taken part in the transaction if there had been the slightest chance of contamination.

Lenox read the following excerpt from an interview with Brown in a newspaper article dated October 14, 2005

"the deal in and of itself raises a tremendous amount of suspicion, Brown said. They (Council) voted to approve it. If City Council didn't know about the problem, the City staff knew and did not reveal the problem to them. I have a serious problem with that. The reporter asked, where does the buck of responsibility stop? Brown said the Planning Department had to know about it. The letter of report from Gallet came to City Engineer Troy Besseche. The reporter asked Brown, bottom line, who had the ultimate responsibility? Brown said, 'Jim Williams'. He was in charge of planning. He must have had great sense of the liability there and that was why he didn't take it to Council."

Lenox said Brown had publicly accused Jim Williams of an action. Williams had worked for the City for 25 years, and was one of the people most responsible for how the City

looked. Brown told Lenox he had gone way over time and thanked him for his comments. Lenox asked Brown to apologize to Williams.

Dan Tennant asked Brown if he consulted with staff, Council, the City Attorney, or anyone else about what should have been done to investigate the potential problem. Brown said he would reply to questions after Tennant was finished. Tennant asked why Brown had gone to the television media and if his actions showed good leadership.

Brown said he agreed to disagree with Lenox. He said the City had purchased 5.5 acres of land with a recognized environmental condition, including trash dumping and sewage sludge disposal just above groundwater. The land cost \$25,000 an acre. There had been a limited study, random in nature, that did not deduce everything on the site, and that found a public dumping area. Trash had been dumped on the site for 20 years. Gallet and Associates said the passage of time could change the environmental characteristics. Now, the water table had risen significantly, and trash and sewage sludge had mixed with the groundwater. The City had assumed liability. Brown said he would not have accepted the site. Lenox questioned why the City accepted four-tenths of an acre bordering the site on June 10, 2002. The donated land was part of the landfill. Brown said he had not known the land was a dumpsite.

Tennant asked Brown to answer his questions. Rutherford said that Brown was choosing not to answer. Brown said he would answer questions after the meeting.

Rapson said he was the City's finance director at the time the purchase. He did not recall hearing anything that contradicted what was said, other than some unsuitable soil in one of the ditches. Rapson said Brown had not consulted him as a Council Member.

10-05-09 Consider Adoption of LCI Report of Accomplishments and 5-year Action Plan

City Planner David Rast addressed Council. The City was one of the first communities in metro Atlanta to receive funding for its Livable Centers Initiative (LCI) program for the GA 54 West corridor. Rast continued that there had been a number of changes over the years in the corridor. The area was never part of the true master planned area for the City, and there needed to be a plan to guide the development in the corridor. A citizen committee came up with the original study. They looked at integration of the path system, reducing the number of vehicle trips on the highway by providing secondary roads, and tying the developments together, which had been successful to date. Architectural standards were also developed, and the number of curb cuts on GA 54 was reduced. RAM Development had acquired most of the property on the north side of the corridor and had worked with the City to reduce curb cuts. RAM was moving forward with the plan pretty close to what had been envisioned.

The key component of the study included a multi-use bridge and gateway feature at the western entrance to the City. Another component was to incorporate specialty features on the bridge over the railroad track. Staff had worked with the Department of Transportation (DOT) on the railing, and specialty lighting would be installed when the bridge was completed. A ten-foot wide meandering sidewalk was to be constructed in

the area between the buildings under construction and the edge of pavement, as well as landscaping and specialty lighting. Rast continued that decorative poles and light standards would be installed at the intersections rather than the traditional concrete poles and span wire.

Brown continued that many people thought there was no landscaping in the area, but they were waiting for everything to be finished with the highway widening before implementing the landscape plan. Rast said the landscape plan was complete, and the City had applied for a grant through the Transportation Enhancement Plan program to assist in implementing the plan. RAM Development was also responsible for a part of the cost. Rast said the City had coordinated with DOT on the area. Brown added that the DOT was doing things in the corridor that had never been done on state highways before. Rast said the City had worked closely with RAM Development on the north side. Developers who were now interested in parcels on the south side were also buying into the concept for the area.

Rast said they were continuing to pursue grant opportunities and had concepts for the properties on the south side of the road. The City had developed a good relationship with the people responsible for road design in this part of the state.

The Atlanta Regional Commission (ARC) required an update on the program for the next five years, as well as an update on accomplishments. Rast said they were making good progress. Everything was coming together with the road-widening.

Rutherford moved to adopt the LCI report of accomplishments and five-year action plan. Kourajian seconded.

Brown told Rast that he had done a great job. He said the corridor would be the best in the City

Rapson asked about the proposed roundabout at the Planterra Ridge amenity area. Rast explained that the roundabout had been part of the original plan. The City's transportation consultant was to look at the roundabout as well as other items that were part of the plan to see if they were worth pursuing. City Manager Bernard McMullen said the roundabout was an original part of the project, but had not been funded. After the consultant made a recommendation, McMullen said staff would come back to Council to see what they wanted to go forward with the project. Rapson said they should pursue getting the developer to build the roundabout.

Frances Meaders asked what the plans were for the south side of the area. Rast said staff was working with a developer on the Days Inn and Adamczyk tracts. The landscape plan included the south side. He hoped the south side would develop similar to the north side of GA 54 West. Brown said there would be a lot of interested developers once the highway widening was done.

The motion carried unanimously

10-05-10 Consider Approval of Supplemental Agreement #1, CSX RR/SR 54 West Multi-use Path Connections (FA-AR-180)

Rast said staff recommended Council authorize Mayor Brown to sign the contract. The project had been identified as part of the LCI study. The City had received funding for the LCI construction program through a grant. The supplemental agreement allowed the City to accept the money and for the preliminary engineering to begin.

Rast said there were two grant projects centered around the CSX multi-use bridge and the culverts that were under construction under GA 54. Brown noted that the bridge would parallel the bridge over the railroad tracks. Rast said the City applied for an LCI construction grant to assist with the funding of the sidewalk connections between the bridge and the tunnels. The City also applied for an LCI construction grant to supplement the City's match requirement for the culverts. Rast said staff found out that the City could not use the construction grant for the City's required match. The City met with the ARC and DOT and asked that the grants be combined into one funding source. The grants were combined, but the agreement had to be modified. The City also requested that funds be provided for preliminary engineering, which they agreed to do. There were not enough funds in the project for the local match, which was \$21,067. Rast asked that the funds for the local match come from the 2005 PIP contingency, which left a balance of \$16,000 in that account. The funds would be used for sidewalk connections in all four quadrants. Once there was an agreement with DOT and ARC, the City got a commitment from RAM Development to fund the connection in the northwest quadrant, which would be the most expensive and had been installed as part of the Best Buy site. Rast continued that they might not need all the funds. Staff had asked the ARC to change the direction of the funding. The ARC wanted to wait until they knew exactly how much money would be left over.

Rutherford asked how Council could use funds from 2005. Finance Director Paul Salvatore explained that it was a project-linked budget. Rutherford said she was fine with spending last year's money.

Rapson moved to approve the Mayor signing Supplemental Agreement #1 for the CSX West multi-use connection and authorize the \$21,067 to come out of the 2005 PIP Contingency for that purpose. Kourajian seconded. The motion carried unanimously.

10-05-11 Consider Amendment to Section 78-16, Heavy Trucks Prohibited on Certain Streets (Georgian Park)

Developmental Services Director Clyde Stricklin said there had been much discussion about limiting commercial traffic on Georgian Park during the talks about the Kedron shopping center expansion. Council agreed with the citizens that truck traffic should be prohibited. It was not made a condition for approval because Council needed to take the action. The amendment added the portion of Georgian Park between the Target entrance to Newgate Road to the "truck limited use area." Trucks over 12,000 pounds could go into the area one time only for special reasons such as moving; they would not be able to come and go on a regular basis. The trucks servicing the area would have to use the Peachtree Parkway entrance or the north side entrance to Georgian Park. Brown noted that the amendment was just part of the collaborative effort, and Council was keeping its

promise. Rapson said the infrastructure was already in place to support the traffic flow Stricklin said that was part of the approval of the development.

Rutherford moved to approve the amendment to Section 78-16 Heavy Trucks Prohibited on Certain Streets aka Georgian Park. Rapson seconded. The motion carried unanimously

Rapson asked when the signs would go up. Stricklin said the signs would go up as soon as they could get them made and put up.

10-05-12 Consider Amendment to Sign Ordinance – Yard Sale Signs

Brown noted there were two additional items on the dais – a memo from the City Manager to the Mayor and Council dated October 19, 2005, with the subject, “Amendment to Sign Ordinance – Yard Sale Signs” and a copy of the proposed amendments to Chapter 66, the sign ordinance.

City Attorney Ted Meeker said the item title was incorrect, since the amendment dealt with more than yard sale signs. The issue was right-of-way. The most recent amendment to the sign ordinance precluded placing signs in the right-of-way. The previous ordinance allowed certain commercial signs, but not non-commercial signs. Meeker said that could not be done under existing sign cases. The ordinance Council was considering addressed yard sale signs and real estate signs, and also allowed other temporary signs in the right-of-way placed five feet back from the curb or pavement.

Rutherford clarified that real estate signs were only allowed on the property that was for sale. Meeker said that was currently correct. Rutherford asked if the “home for sale” directional signs were allowed. Meeker said signs were not allowed in the median, but the amendment would allow those signs five feet from the curb. Rutherford clarified that the signs would be allowed back on the corners if the amendment was approved. Meeker said those could go back.

Rutherford asked what other signs would be allowed if yard sale signs were allowed back. Meeker said real estate directional signs, as well as any non-commercial signs that met the ordinance. There would be a 14-day limitation and the signs must be dated. If the signs were not dated, Code Enforcement could pick them up. Yard sale signs would have specific limitations. Other signs such as the health insurance ad signs would also be allowed. The other signs could be any form of commercial messages. Rutherford said that all the irritating signs seen on the side of the road off the interstate would be allowed. Meeker said those would be allowed as long as they met the ordinance. The problem with opening up the right-of-way was that, if it was opened to one type of sign, it had to be open to all signs. That was why they had eliminated all signs in the earlier change to the sign ordinance.

Brown said that, in light of recent federal court decisions, there were issues with the ordinance. This was another step in the process of trying to keep the sign ordinance within the limits of what the courts would allow, but still keep what the City had always enjoyed. The real issue was how the City handled the issue.

Rapson said he opposed the amendments to the sign ordinance when they came up a few months ago and he was still opposed. The City was unique and that was an argument the court would consider. Kourajian agreed with Rapson.

Frances Meaders said the City had fought for the sign ordinance in court before and should stand its ground. The City lost one time. The City needed to keep its aesthetics. Brown noted a billboard company had sued Fayette County. Ordinances had been overturned all over the metro area. Once an ordinance was declared unconstitutional, billboard applications could be submitted. There was a lawsuit down the street. Meaders said until the City had a problem to deal with, they should stick to their guns.

A woman representing the Board of Realtors said the directional signs were up in the City now and questioned if they were currently allowed. Meeker said they were not allowed and Code Enforcement had been taking them down. She asked if the proposed amendments would help, or hurt, the real estate business. Rutherford said the changes would help.

Rapson said he was not opposed to putting this portion of the sign ordinance back as it was. The ordinance had been very narrow and limited. He said he was not opposed to doing something just for yard sale and real estate signs. Kourajian agreed with Rapson. Brown clarified that Rapson and Kourajian would not support the changes on the table, but were willing to have another ordinance drafted that would be apart from the sign ordinance. Rutherford said it would be part of the sign ordinance, but would only allow yard sale and real estate signs, and take the risk with the courts. She said they were willing to say no to this change and come back with something that specifically addressed yard sale and real estate directional signs.

Sherry Scranage and Drake Bevins asked Council to table the amendments. Several of the real estate agents volunteered to work on the ordinance. Bevins said many cities in the metro area had ordinances that the City might want to look over. Bevins and Scranage volunteered to work on the proposed changes. Brown asked the realtors if they could send copies of the ordinances they had discussed to the City.

Rutherford moved to table. Rapson seconded. The motion carried unanimously.

Council/Staff Topics

Rutherford noted that Council had changed the Retreat format last year, and had not met with the commissions and authorities. They had discussed having the commissions and authorities make their presentations during regular meetings so Council would know what the boards were doing. She said she would like to start scheduling those presentations in January.

Gaddo gave an update on the Library opening. He said the wrong parts had been sent with the new bookshelves, and the shelves would not fit together. The vendor and the architect were working on the problem. The manufacturer had been contacted, and there had been a mistake. The faulty part had to be remanufactured, which would take another three to four weeks. The goal was to open to the public as quickly and safely as possible.

Library Administrator Jill Prouty was working on a plan. They would ensure the plan met the approval of key staff members. Safety was the top priority. The grand opening would be delayed. Gaddo said he would inform Council when the complete plan was ready. The problem involved about 40% of the shelving. He said they might be able to open parts of the library and the computer lab. McMullen said the issue had just come up within the last 24 hours. He clarified that the problem was not with Leslie Construction, but was with the company that made the shelving. Brown asked if the shelving was stock, or custom-made. Gaddo said the shelving was made for this library as far as the length and height. Other libraries were also having problems, so something fell apart in the manufacturer's quality assurance.

There was no news regarding the Three Dollar Café.

Rutherford noted there was a bid on the website to demolish the house at 611 Golfview. She asked if that was the house that had a fire and been abandoned. McMullen said it was.

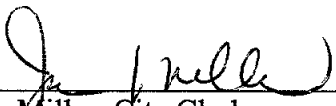
Rapson asked if the City was doing anything to impede the progress of the TDK Boulevard extension. McMullen said they were working with the airport and hoped to meet with the landowners soon.

Rutherford moved to convene in executive session for pending litigation and a personnel matter. Rapson seconded the motion. Motion carried unanimously.

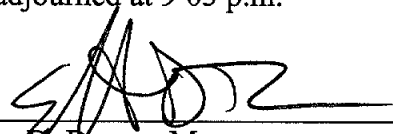
Rutherford moved to reconvene in regular session. Kourajian seconded the motion. Motion carried unanimously.

Rutherford moved to approve the extension of the discovery for Peachtree National Bank for 90 days and to authorize the City Attorney to sign the protective order. Rapson seconded. The motion carried unanimously.

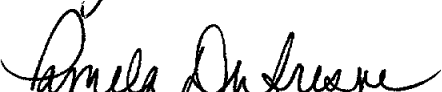
There being no further business to discuss, Rapson moved to adjourn. Brown seconded the motion. Motion carried unanimously. The meeting adjourned at 9:05 p.m.



Jane Miller, City Clerk



Stephen D. Brown, Mayor



Pamela Dufresne, Recording Secretary