City Council of Peachtree City
Minutes of Meeting
October 4, 2007
7:00 p.m.

The City Council of Peachtree City met Thursday, October 4, 2007, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Other Council Members present: Steve Boone, Mike Harman, Stuart Kourajian, and Cyndi Plunkett.

Announcements, Awards, Special Recognitions

Mayor Logsdon recognized Court Clerk Supervisor Laura Oles for 20 years of service.

Public Comment

Bob Brown discussed extending the City's sewer system outside the City limits. He said the decision was too important to be made so close to a municipal election. He suggested that the Council candidates discuss the issue during their campaigns so the voters could decide. Brown continued that there should be a moratorium on development until the state's water issues were in hand. He suggested staff work on a moratorium on building permits until the drought was over.

Minutes

Boone moved to approve the September 4, 2007, workshop minutes, the September 6, 2007, regular meeting minutes, and the September 14, 2007, special called meeting minutes as written. Harman seconded. The motion carried unanimously for the September 4 and September 6 minutes and 4-0-1 (Harman) on the September 14 minutes.

Monthly Reports

Harman noted that there had been 22 accidents with City vehicles and equipment year-to-date. City Manager Bernard McMullen verified that number. Kourajian noted there had been 14 last year. Acting Administrative Services Director/City Clerk Betsy Tyler reported that the accident numbers got ahead early in the year, and the City's Safety Committee (comprised of the directors, chiefs, and Human Resources) had discussed steps to address the issue. She added that the dollar value of the accidents was less this year, but there were still too many. Harman asked what type of accidents had occurred. Kourajian asked how many City vehicles there were. Tyler said that, in the case of the most recent accident, another car backed into a parked City vehicle. Kourajian asked for a summary report of the year's accidents by the next meeting.

Consent Agenda

1. **Consider Budget Adjustments – FY 2008**
2. **Alcohol License – Change in Licensee and License Representative – The Red Room & The Red Room at the Amphitheater**
3. **Alcohol License – Change in License Representative – Ted's Montana Grill**
4. **Consider Resolution and Modification of Social Security Agreement with the Employees' Retirement System of Georgia – Poll Workers**

Plunkett moved to approve the Consent Agenda. Kourajian seconded. The motion carried unanimously.

Old Agenda Items

08-07-02 Staff Report on Traffic and Cart Path Issues on Peachtree Parkway North

City Engineer Dave Borkowski reported that the City had contracted with A&R Engineering to perform traffic studies at the Tinsley Mill, Loring Lane, and Peninsula Drive intersections. The traffic counts were complete, and the analysis should be completed in a few weeks. A&R would be evaluating the area for multi-way stop signs and traffic signals. A draft of the path signage policy had also been completed. The policy would be reviewed by staff. One of the first areas to be done would be the heavily-used path crossing at the boat docks.

Borkowski continued that staff was also looking at the possibility of building a bridge over Lake Kedron on the opposite side of Peachtree Parkway from the current path. He referred to an aerial photo (a copy of the photo is included in the official meeting file). The sanitary sewer line crossed the lake at the suggested location, and they would not be able to build anything that prevented maintenance on the force main. The bridge would be moved further away from the road and would increase the span to approximately 240 feet. He said the City's typical truss type pedestrian bridge could span 200 to 250 feet in a single span, but longer distances required a more specialized type bridge with support in the water that was more expensive. The City's last bridge project was a 210-foot span, which cost $521,000 for fabrication, assembly of the bridge on site, and abutment construction.

Borkowski added that more elevation shots had been taken around the area of the boat docks and path to see if a tunnel under the Parkway was a viable option. It was questionable whether there was enough cover for a tunnel based on the preliminary look. There were flooding issues to consider also.

Logsdon said he had expected a report that would tell them what could be done. Borkowski said a bridge was an option, but it would be an expensive bridge.

An unidentified resident in the audience asked if the City had considered extending the path on the east side of the road. McMullen said staff had looked at that option. There were considerable construction issues due to the topography and elevation, but that had not been ruled out. Logsdon noted this had been an interim report, and more work would be done.

Another unidentified resident noted that her 15-year old daughter had been caught in the middle of Peachtree Parkway recently when trying to cross to the road to get to the cart path. Logsdon said that was one of the reasons they were working on the traffic studies. Borkowski reiterated that the report should be ready in a couple of weeks. Logsdon asked if there would be another update at the November 1 meeting. Borkowski said yes.

Plunkett asked what would happen if the study showed that neither a traffic signal nor stop signs were needed. Borkowski said the proposed signage policy would help with the issue. Plunkett said she liked the policy, and it should have been done a long time ago. She questioned whether the City could go beyond the traffic studies and do something anyway. McMullen pointed out that Council could always put up a stop sign even without the intersection meeting the warrants; however, the City could be liable for putting in a stop sign that did not meet the warrants if there were an accident, especially if the investigation showed that the accident occurred because of the stop sign.

Harman said that if the amount of traffic was not the problem, then it was speed. He did not know if a stop sign was the answer to speeding. Plunkett noted that there were not many golf cart crossings without stop signs. Many studies did not take into account the golf carts. Borkowski said this study included the pedestrian count, which included golf carts, and was part of the warrants. An unidentified resident said she had seen someone out counting traffic during the middle of the day. She said the traffic should also be studied during the morning and afternoon commuter times. Kourajian asked Borkowski to review how the studies were done. Borkowski said that the counts were taken over a 24-hour period, including the volume during peak hours, which was one of the warrants.

09-07-01 Consider Rezoning, Stephens Tract, GI to LUC (Dominion-Somerby)
Logsdon opened the public hearing. John Gorecki of Dominion Partners and Somerby Senior Living said his company proposed a 376-unit senior residential community on the 25.4-acre portion of the Stephens tract. The full continuum of care would include three levels of independent living – assisted living, memory care, and eventually, skilled nursing. They were proposing 78 fee-simple residences, 16 for-rent villas, 150 independent living apartment homes, 48 assisted living residences, and 24 memory care residences. All units would be age-restricted under the Fair Housing Act to 55 years and over. The community would include dining, planned transportation, weekly housekeeping, 24/7 emergency response system, a small movie theater, a billiard and game room, a country store, a private banking office, a beauty and barber shop, exercise and wellness area, and a therapy facility. The area would be gated at night for security. Gorecki continued that the property had two parts – a 19-acre tract on one side of Rockaway road and a six-acre tract on the other side next to the ball fields (Meade Field). They would take special care to preserve trees. David Patterson of Doug Lynn Associates said that 75% of the hardwoods on site would be saved. There were 67 on the site, and 58 would be saved. The plan was to take out only the trees that were 18 caliper inches or less. Gorecki showed the concept plan for the development and went over the various buildings (a copy of his PowerPoint presentation is included in the official meeting file). The large multi-story building housed the independent living apartment homes, memory care residences, and the amenities. The for-rent villas would be duplex buildings, except for one four-plex. The plan included three-story buildings that were fee-simple ownership in a condominium-type development. The developer would take title to 78 wetland acres, which would remain untouched. He showed an exterior elevation of the main building on the property, which had four stories and was 65 feet from ground to the roof.

Logsdon opened the public hearing. Phyllis Aguayo and Beth Pullias spoke against the project as proposed. Aguayo objected to the precedent of rezoning industrial land to another use. She continued that it should be very important for the City to give up the industrial zoning for residential or commercial. The project was too big for this sensitive area. She added that people over 55 drove and made many trips, so traffic would be affected. Aguayo was also concerned about the amount of the impervious surface in close proximity to the wetlands. She suggested cutting out the six-acre area by Meade Field if the project were approved. Pullias said she did not object to the idea, but agreed with Aguayo about the magnitude of the proposal. She said the City was not getting anything in return for the rezoning except a huge building. The smaller portion was too close to Meade Field. She asked if that portion would also be gated at night. She was also concerned about the height of the buildings.

City Planner David Rast said the property was currently zoned GI and was part of Braelinn Village. He noted that Wilshire Estates and Wilshire Pavilion had also been designated as industrial land. This tract's zoning had remained GI, but its land use designation was single-family residential. It was one of the tracts where zoning and land use conflicted. Previous rezoning requests for the area had included the entire Stephens tract and what was proposed was consistent with suggestions made during those requests, which had been denied. With the senior living development, a significant portion of the property, the wetlands, would remain undeveloped. The Planning Commission had reviewed the plans during a workshop and a public hearing. There had been several meetings between staff and the developer. The initial plan called for removing a majority of the significant trees. The plan was re-oriented, which preserved a significant portion of the trees. The project also included a cart path tunnel under Rockaway Road, which would serve the development as well as people traveling to the commercial development. Staff was looking at a master plan for paths, which would connect the tunnel under Rockaway Road to the tunnel under SR 74 that the City and

DOT were going to install. In addition, improvements on Rockaway Road would make the area more path-friendly. The Planning Commission had recommended approval of the rezoning with a number of conditions. Two of the conditions dealt with the proximity to the recreation area and Falcon Field. Rast said there would be something in the deed covenants and property plats to notify potential owners of the recreation area. A statement would also be included that the development was in Falcon Field's flight path. The airport manager said there should be no problem as long as it was covered in the deeds. Rast said staff recommended approval of the rezoning, as well as a change in the land use designation of the property.

The public hearing closed.

Boone asked if the rental units could be leased or rented as Section 8 housing. Gorecki said this would be a $50 million community. It would be designed to appeal to the top 10% of the market. They would not apply for Section 8 housing, and that could be included as a stipulation.

Kourajian asked how many units would be in the six-acre portion. Gorecki said there would be six six-plexes, or 36 units. There would be a total of 78 fee-simple residences with elevators and two units per floor. Kourajian said there were no gates in the City, and asked about them. Gorecki pointed out that security was important to seniors. The gates would be open from dawn to dusk. They would be closed at night. The six acres would also be gated. They would also have features that would allow the Fire Department to open the gates when necessary. The gates would be monitored 24/7. Kourajian asked Gorecki if they would pay for any damage to the fire truck if the gates would not open. Gorecki said that would be a legitimate stipulation. Kourajian continued that the project was huge, and he did not remember the six-plexes during the previous presentations. He liked the idea, but the plan was no where near what he had expected.

Logsdon said he had always understood there would be 300 units. Gorecki said the original estimate had been 375 units, and the number was now 376. He pointed out that 60 units, the skilled nursing units, would not be built for seven years and were not shown on the plan.

Plunkett recalled that the original plan had too many units, and they had come back with the same number. She continued that the Amli apartment complex off Peachtree Parkway had 312 units and it was a monstrous development. This was bigger. She had not seen any revenue numbers. She felt the project was needed, but it had gone beyond what she had envisioned. The developer had asked for multi-family dwellings and a significant zoning change, but she did not see any benefit to the City.

Kourajian asked where the assisted living component was located. Gorecki said the two-story assisted living wing was in the main building, with 24 units per floor. The memory care wing was also two stories with 12 units per floor. The rent and fee-simple units would be feeders to the main building. Younger people would probably live in the condos, which was an ownership type format. The average age in their developments was over 75 years of age. People were staying in their homes longer. They usually moved to this type of development when a spouse developed a health care need, when a spouse died, or the family mandated a move. They had 90-year old residents living in garden homes in other communities. It was much easier to have skilled nursing in a private home than in the main community building.

Boone said the project anticipated $475,000 in taxes. Plunkett said the City would get approximately $75,000 of those taxes. She continued that it cost the City a lot to provide services to residential zoning, and she wanted to know if the cost would be revenue positive or negative. The Levitt & Sons project was revenue neutral. It would not cost the City anything because of what they were paying in. She questioned whether that would be true of this project, or if it would cost the City money, like most residential projects. McMullen said that a revenue analysis on the project had not been done yet, but they had numbers comparing this investment to an industrial use. Plunkett said that would be comparing a high-end industrial use to the project. McMullen said that was correct. SANY, at build out, would have a $106 million investment on 222 acres for $481,000 per acre. This project was 25.4 acres with a total investment of $50 million, which worked out to $1,968,000 per acre. It was about four times the investment per acre compared to the SANY property. Plunkett noted that was significant, but it did not answer her question. McMullen said he understood, but that analysis had not been done. Plunkett pointed out that SANY would require different services than a 376-unit residential project full of people over 70 years old. She wanted to how it would affect the taxpayers and the residents under the age of 65.

Logsdon said Plunkett had good questions. He continued that Wilshire Estates HOA had weighed in early on this project and had given its concurrence as opposed to an unknown industrial project. Logsdon said industrial was not a good fit in the location. He added that the Planning Commission vote had been unanimous on this project. He would like to have the other numbers, but a $35 million investment would bring over $400,000 in taxes annually to the County, the City, and the school system. Kourajian noted that residents over 65 did not have to pay the school tax. Plunkett said she did not think that the Wilshire residents were 100% in favor of the project.

Deborah Smith, vice-president of the Wilshire Estates HOA, told Council that the residents had been in agreement on the project on a smaller scale, but did not agree with the magnitude of the development proposed at this meeting. Also, they had not been aware about the plans for the six acres by the recreation area. Logsdon added that they had still talked about 375 units in those presentations.

Gorecki said it was difficult to lay everything out on a development plan. They would need a massive building for 376 units. The plan presented would have more buildings with lower profiles. They had met with the HOA several times and had addressed the concerns presented. There would never be 100% approval of a resident group on any project. What he presented at this meeting had 18 fewer units than originally proposed in order to preserve the trees.

Harman said the business plan was very aggressive. He also had a problem with the units on the south side of Rockaway Road. The units were open to the road according to the rendering, and he did not want people to see the development. He questioned what else could be done. Gorecki said the alternative was to build 30 houses on that parcel and asked Harman if that would be more attractive. Harman asked Gorecki what could be done to make the plan more acceptable. The bisection of the development by the road did not seem to fit with the plan. Gorecki said they would have to figure out what else could be put there. Harman asked Rast if this had been discussed at the Planning Commission. Rast said they had, and the issue was not having a portion of the project across the road. The issue was that the developer was to provide a tunnel under Rockaway Road so the two parcels would be interconnected. There was a 100-foot wide power easement on the south side of the road, which limited what could happen on the smaller parcel. The plan originally had eight units, and the number had been reduced to six. There would be berms and landscaping under the power lines to screen views, but tall trees could not be put in due to the power easement. The Planning Commission had not had an issue with that.

Kourajian asked if there was any information on the additional traffic that would be using Rockaway Road after the realignment with the traffic signal at SR 74. Once that happened, more people would use Rockaway Road. Rast said it had been discussed at Planning Commission, and he went over the access points into the development. Logsdon noted that, once the tunnels under Rockaway Road and SR 74 were completed, golf carts would be able to get back and forth to the commercial areas without an at-grade crossing on SR 74. Rast went over the route for the proposed paths and tunnels. Gorecki added that the path along Rockaway Road would be adjacent to the road and would not go through the project.

Plunkett said she did not have enough information to make a decision. Harman asked for more information on the vegetation in the power line right-of-way. Rast said that staff had worked with the power company to landscape the power easement by MacDuff Parkway. Any trees would be limited to 12 feet in height at maturity so the power company would have access to the poles and lines for maintenance.

Logsdon asked what had to be done to determine if the project was revenue neutral. Rast said there was a model for the West Village, but there had not been time to put the numbers in since the request had come the day prior to the meeting. Boone said the burden on City services would be on fire and police, but especially on the ambulance service. Gorecki said all of the residents would have emergency pull chords in their units. Some would wear pendants on their person. The staff would know where the person was and would be able to get to that person in the first five minutes to stabilize the person if possible. The residents would get medical help before the Fire Department could get there. McMullen said staff would prepare a complete analysis on all the major services the City provided, but a lot would only be an estimate. They could look at numbers from the developer's other projects.

Logsdon said he liked the project, but the City had to perform its due diligence and get those numbers. He suggested postponing the decision for two weeks. Boone asked Rast if that was adequate time. Rast said it was. Harman said he also wanted elevations on the six-plexes and an idea of how the view would be mitigated.

Boone moved to postpone the action until October 18. Harman seconded.

Kourajian said it would be a good idea to have the numbers regarding the impact, but having the cost to the City be in the black was not a reason to approve the rezoning. It was dangerous to set a precedent on whether the City made money on a rezoning or not. Council needed to look at the number of units, the gates, push button entrances, and the 36 units by Meade Field. He did not disagree that it was good use for the area, but the plan was nowhere near what he thought it would be.

Plunkett clarified that the public hearing would be closed the next time the rezoning was on the agenda. Plunkett asked if the Planning Commission could discuss the project's density at their next meeting. Harman noted that the Planning Commission had approved the project as it was. Logsdon said if the Council wanted to modify the plan, then it was up to Council to do that. Kourajian said they could always send a plan back to the Planning Commission. City Attorney Ted Meeker pointed out that there was not time to put out the public hearing notice for the October 8 Planning Commission meeting; the ordinance required 15 days.

The motion carried unanimously.

09-07-06 Consider Ordinance Amendment – Procedure for Appointing Council Members or Mayor

Acting Administrative Services Director/City Clerk Betsy Tyler noted there had been some disagreement as to how to handle ties and explained the proposed changes to the ordinance. The round robin of voting in the current draft had been removed. Initially, the first round scores would be added to the second round scores. If there were still a tie, then there would be a coin toss between the top two applicants.

Plunkett moved to approve the procedure for selecting a council member. Harman seconded. The motion carried unanimously.

New Agenda Items

10-07-01 Public Hearing – Consider Request to Lift Multi-Family Moratorium, Outer Market Properties on Redwine Road for 48-bed Assisted Living Facility

10-07-02 Public Hearing – Consider Step 1 Annexation, Outer Market Properties, 13.57-acre Tract on Redwine Road

Rast reported that the applicant had asked to continue the public hearings until October 18. Plunkett moved to postpone Agenda Items 10-07-01 and 10-07-02 until October 18. Boone seconded.

Kourajian noted that Council had previously asked for a plan for the whole area. He asked Rast to talk with the applicant to see if he could submit a plan for the entire area. He also wanted to know if there were any long-term plans for the entire property, not just the 13.57-acre tract. Logsdon agreed. He was not interested in looking at piecemeal annexation on the north side of Redwine Road. Rast said the developer was aware of those concerns.

The motion carried unanimously.

10-07-03 Consider Alcohol License – NEW – Mulligan's

The sports bar and grill would be located in the old Macaroni Grill building. Boone moved to approve the alcohol license for the new Mulligan's. Plunkett seconded. The motion carried unanimously.

10-07-04 Consider Alcohol License – NEW – Bia's

Yousuf Hassan addressed Council. The restaurant would feature artisan pizza and a wine bar. Harman moved to approve the alcohol license for Bia's. Plunkett seconded. The motion carried unanimously.

10-07-05 Consider Proposed Changes to PTCA Board

Plunkett noted that the Peachtree City Tourism Association Board had asked to extend the time to November. Plunkett moved to extend Agenda Item 10-07-05 to November 1. Boone seconded. The motion carried unanimously.

10-07-06 Consider Purchase of Rescue/Pumper FY2008

Fire Captain Jeff Koldoff said he could answer any questions regarding the purchase.

Plunkett moved to approve Agenda Item 10-07-06, the purchase of a rescue/pumper, from FY 2008 budget and not to exceed $414,652. Harman seconded.

Kourajian noted that $421,000 had been budgeted. Koldoff said the additional funds in the line item would be needed for the equipment.

Plunkett amended her motion to include the budgeted amount of $421,320. McMullen explained that they only needed the approval for the original amount. The equipment would be purchased separately. The original motion stood.

The motion carried unanimously.

Harman asked if the vehicle was a Quint. Koldoff said it was a rescue/pumper, which would complete the standardization of the department's engines. The vehicle currently in use would be phased out when the new one arrived. Boone asked if the older vehicle would be sold. McMullen said that the City had been trying to sell the vehicle that was replaced in 2007. A potential sale had recently fallen through. Any proceeds from a sale would go back into the City's General Fund.

10-07-07 Consider WASA Agreement for Driveway Improvements
Borkowski said staff recommended approval of the intergovernmental agreement for an amount not to exceed $20,372 for driveway drainage improvements.

Plunkett moved to approve agenda item 10-07-07 Consider WASA Agreement for Driveway Improvements for the City's portion not to exceed $20,372 and for WASA's portion to be $20,372. Boone seconded. Harman said he did not think Council could stipulate what WASA would pay. Plunkett amended her motion for the City to pay 50% of the project, not to exceed $20,372. Harman seconded the amendment. The motion carried unanimously.

10-07-08 Consider Pay Plan Addition – Part-time Firefighters
Tyler said that staff recommended that the part-time firefighter positions be moved into the City's pay plan at the same hourly rate as full-time firefighters. The funds were in the budget. She continued that the City had a set pay rate for part-time firefighters that was last changed in 2001. Putting them into the pay plan assured automatic updates rather than having to come to Council for approval for pay increases.

Kourajian asked why this was being done now. Fire Chief Ed Eisworth said that in 2001 the part-time firefighters pay had been made even with the full-time firefighters. Since that time, the full-time pay had increased, while the part-time pay had fallen further and further behind. Harman asked if this would also put the part-time firefighters on the same step plan as the full-time. Eisworth said it would, and that the part-time firefighters would also receive the Cost of Living Allowance (COLA). He added that putting them on the pay plan would require that they receive evaluations.

Plunkett moved to approve agenda item 10-07-08 Consider Pay Plan Addition – Part-time Firefighters to bring part-time firefighters up to parity with the full-time firefighters effective 10/1/2007. Harman seconded.

Boone asked where the difference in the pay would come from. McMullen said it would come out of the General Fund. He and Eisworth had discussed it during the budget process, but had not completed the analysis. They put money into the Fire Department budget to cover it. Boone said he heard that the total amount had not been budgeted in 2008. McMullen said it was. Tyler said she thought she said that the increase would not impact the budget. Kourajian clarified that the change would keep this from happening again. Tyler and McMullen confirmed that.

The motion carried unanimously.

10-07-09 Consider Purchase of High-Temperature Linings

Fire Captain Tom Hughey was available to answer questions. Plunkett asked if the item was in the budget. Hughey said it was in the PIP. McMullen clarified the item was part of the FY 2008 PIP.

Plunkett moved to approve the purchase of high-temperature linings, agenda item 10-07-09. Harman seconded.

Hughey noted that the purchase should be done quickly since the City was going into the burn season. Otherwise, they would have to wait until the summer. Kourajian asked what would happen to the funds left in the line item. McMullen said the unused funds would go into the PIP contingency fund.

The motion carried unanimously.

10-07-10 Consider Nomination for Representative to Fayette County Recreation Commission

McMullen said the City had received a request from County Commissioner Herb Frady to provide a nominee for the Fayette County Recreation Commission. The request went to the City's Recreation Commission, and they recommended George Martin for the nomination.

Plunkett asked if the Fayette County Board of Commissioners had already agreed to have a City representative on their board or if Frady would be making that recommendation. McMullen said Frady would be making the recommendation. Each County Commissioner could nominate a person from their district.

Plunkett moved to approve the recommendation of George Martin and to give Martin's name to Frady. Boone seconded. The motion carried unanimously.

10-07-11 Consider Request for Quit Claim Deed Regarding the Stephens Tract

Meeker apologized that this agenda item had been added at the last minute. The request came in earlier, but he did not receive the documentation until the day before the meeting. The surveyor who prepared the survey for the Columbia Properties tract indicated there was a road on the property. Meeker had spoken to the surveyor, who did not recall how or why the road was depicted on the tract. Meeker said he and the attorneys for Columbia Properties had run the titles and could not find that the City had any interest in the road. Since the road had turned up on a survey, it had been requested, from a title insurance standpoint, that the City sign a quit claim deed conveying an interest that the City apparently did not have.

Plunkett moved to authorize the Mayor to sign the quit claim deed deeding over any interest the City did not have to Columbia Properties. Boone seconded. The motion carried unanimously.

Council/Staff Topics

Lexington Circle Development Update

Rast said that he met with the Development Authority of Peachtree City (DAPC) and a consultant some months ago to develop a master plan for Lexington Circle, which they hoped would generate some interest in the development. The City had also received a letter from the residential developer, who said he was not going to pursue residential development on this property because he could not make the numbers work based on the idea the consultant had come up with. The Building Department and development inspectors met with the representatives of the primary property owner to discuss issues. The pile of dirt on the Miller property had been leveled and stabilized. The silt fencing around the perimeter of the site had been rechecked. The owner of the Lasseter tract mowed and cleared debris from that property. The final site plan for Lexington Lofts had been approved, which would be on the property behind CVS. Rast showed a rendering of the proposed development (a copy of the rendering is included in the official meeting file). The developer planned to break ground when the costs were finalized. Rast said he had also received the conceptual site plan for a hotel behind Zaxby's and the Neighborhood Community Bank, which would be on the October 8 Planning Commission agenda. The developer planned to move forward on the project quickly.

Rast continued that he had spoken with the commercial tenants along SR 54, who had asked for a review of the signage plan to determine if additional signage on SR 54 would be permitted. Currently, the stores were limited to signage at the entrance and were not allowed a monument sign. They felt the additional signage would help bring people into the development. Rast was also working with the owner of Bruster's to expand that building to add smaller shops.

Boone asked about landscaping for the lofts project. Rast said no landscaping was shown on the rendering. Plunkett asked if the landscaping would be similar to the live-work units across the street. Rast said it would be similar, but he had talked with the developer about beefing the landscaping up and making some improvements to the live-work units. Plunkett asked if what was in place met the general guidelines for the area. Rast said the design guidelines identified general landscaping requirements for the development. An overall plan had not been prepared. Plunkett said the landscaping for the live-work site seemed fairly minimal. Rast said there were still some street trees to be planted in front of that development. They had discussed putting the street trees in together rather than on just that side of the development so the trees would be the same size. The trees would be planted when the other buildings were complete. Plunkett asked if the landscaping would be enhanced on the future projects. Rast showed the areas where the street trees and more landscaping would be located. The landscape plans were not required until the buildings were under construction.

McMullen reported that the City had received notification that the final buffer variance for Huddleston Pond was approved and was in the mail. The contractor was notified that he could begin construction. He had already begun putting up silt fencing. It would take three months to complete the project.

Harman asked if there had been a resolution to the sign issue in The Avenue. Rast said there had. Cousins Properties had asked for additional signage in the development, and the request had been approved after working with the Planning Commission. The internal lighting was more intense than what was approved. Harman said he was asking about the billboard signs on the roads in the development advertising other things. Rast said the sandwich board signs were removed and replaced with the standard signs on the sidewalks. All the tenants were using the same signage.

The internal marketing signs, the billboards, were approved as well, and staff was working with them on minimizing the lighting. All the internal lights had been turned off. Harman said he had understood they should not advertise anything other than what was in The Avenue. Rast said there was no limitation on the type of advertising. The owners understood that was a concern, and they were going to try and limit it to the tenants. Plunkett asked how this would affect the sign ordinance in City. Rast said that, during the Target zoning, Council had approved approximately 20 signs on the Target building that were internally lit. Those signs were much larger. Plunkett said she was concerned about the precedent and challenges to the sign ordinance. Meeker said the City could not regulate the content, but could regulate size and number. He would discuss the issue with Rast.

Plunkett asked about the bridge over the railroad. Rast said it would be after the first of year. The City had received environmental clearance. The right-of-way documents had been returned to the consultant for revision. Once those were approved, the City had to acquire the right-of-way, which would take four to eight weeks. The project would then go out to bid. The earliest would be sometime in 2008.

Kourajian said some residents had complained about an odor in the Redwine Road area since the Starr's Mill school complex had opened. Logsdon said he had also discussed it with a resident, who had been dealing with WASA. Kourajian said he had asked the residents to send him something in writing. McMullen noted that the houses on the County side of Redwine Road were on septic tanks and there could be problems with that. Kourajian said this seemed to be a different issue.

Plunkett moved to convene in executive session for threatened or pending litigation and personnel. Harman seconded. The motion carried unanimously.

Kourajian moved to reconvene in regular session. Harman seconded. The motion carried unanimously. Executive Session ended at 10 p.m.

There being no further business to discuss, Boone moved to adjourn. Kourajian seconded. The motion carried unanimously. The meeting adjourned at 10:01 p.m.

Betsy Tyler, Acting City Clerk

Harold K Logsdon

Harold K. Logsdon, Mayor

Pamela Dufresne

Pamela Dufresne, Recording Secretary