City Council of Peachtree City
Minutes of Regular Meeting
September 14, 2004
8:30 p.m.

The City Council of Peachtree City met Tuesday, September 14, 2004, in the City Hall Council Chambers. Mayor Brown called the meeting to order at 8:30 p.m. Other Council Members present were: Stuart Kourajian, Steve Rapson, Judi Rutherford, and Murray Weed.

Announcements, Awards, Special Recognition

Mayor Brown proclaimed September 17-23, 2004, as Constitution Week. October was proclaimed Hispanic Heritage Month. Jennifer Couch of Kedron Elementary School was recognized as the 2004 Fayette County Teacher of the Year. Brown recognized Mike Davis, athletic director at Starr's Mill High School, and the Starr's Mill High School Athletic Department.

Minutes

Rutherford moved to approve the August 11, 2004, Budget Workshop Minutes as amended. Rapson seconded. The motion carried 4-0-1 (Weed).

Consent Agenda

1. **Alcoholic Beverage License – Change in License Representative – Eckerd #3458, City Circle**
2. **Consider Budget Amendments**

Brown noted an additional document on the dais relating to Eckerd #3458 – an e-mail from the City Manager with the subject "Need to Table Agenda Items." Brown said that Eckerd had to regroup on personnel due to the takeover by CVS and Eckerd had requested that Consent Agenda #1 and New Agenda Item 09-04-13 be removed.

Rutherford moved to table Consent Agenda #1 and New Agenda Item 09-04-13 until the next meeting. Kourajian seconded. The motion carried unanimously.

Rutherford moved to approve Consent Agenda #2. Rapson seconded. The motion carried unanimously.

Brown moved to move New Agenda Item 09-04-14 Tax Relief for Seniors with an Annual Household Income of $30,000 or Less to the front of the agenda. Weed seconded. The motion carried unanimously.

09-04-14 Tax Relief for Seniors with an Annual Household Income of $30,000 or Less

Brown noted there were additional documents on the dais – an interoffice memo from the Mayor to the City Manager and City Council dated September 13, 2004, with the subject "Tax Relief for Seniors with an Annual Household Income of $30,000 or Less," two articles from the *Atlanta Journal-Constitution* entitled "Peachtree City Eyes Senior Tax Break" and "Medicare Premiums to Jump 17%," and an e-mail from the City Manager to the Mayor and Council dated September 14, 2004, and with the subject "Agenda Item 09-04-14."

Brown noted that the e-mail clarified the process that would be followed if Council decided to move forward. He explained that a resolution would have to be sent to the Fayette County legislative delegation to ask for legislative approval from the General Assembly. Following the approval of the local legislation, a referendum would be held in November 2005. If approved, the tax relief would be effective for the 2006 tax year.

Betsy Dodds, chairperson of the Senior Adult Council, told Council that the Senior Adult Council unanimously supported the proposed homestead tax relief in addition to the existing exemptions for those 65 years and older with a gross income of $30,000 or less, excluding Social Security benefits. Dodds said the goal was to get the resolution from City Council to the General Assembly in January. Brown noted that Dodds had given Council some materials, including "Senior Tax Relief Opportunities for Peachtree City Residents 65 Years Plus to Save on Taxes," a homestead exemption brochure, a Senior Adult Council brochure, and a list of senior homestead exemptions across the country.

Cora Griffith, Hilda Wright Bordeau, Ruth Schlegel, and Ernest Devereaux spoke in support of the proposed tax relief.

Bob Brown spoke against the proposed tax relief and said that the remaining groups would have to pick up the slack for any relief granted to one group.

Mayor Brown said the total number, as indicated by the census, of seniors over the age of 65 in the City was approximately 1,500 to 1,600. He continued that one problem was that the City could not link the number of people in the census with a specific income, so there was no way to know the exact number of people who would be affected. He said the exemption amount was lowered so it would not adversely affect the City's revenues. He said the exemption would not be negative and would also help identify the demographics.

Rapson asked City Manager Bernard McMullen and Finance Director Paul Salvatore to clarify the next statement. He said there were approximately 35,000 residents, which he divided by the average number of people in a home. The senior population was approximately 8%. McMullen said the City had approximately 11,000 residences. Rapson said his estimate was 11,475, which was close. Eight percent of that number was approximately 918. Rapson assumed most of the seniors, especially in the low-income category, lived together, so he divided 918 by two. Rapson said the effect on the budget, based on those numbers, would be $12,000. Rapson said the $12,000 was probably overstated by half, which meant the impact would be approximately $6,000. Rapson said if he used Brown's number of 250 households, multiplied by the impact of the exemption, he still came up with approximately $6,000. McMullen agreed and said the number would be significantly less than the $40,000 discussed earlier.

Rapson said the proposed tax relief was the right thing to do. He pointed out that the Board of Education and the County did the same thing.

Kourajian said it was an interesting assumption and an interesting topic. He said that the County and City could be separated. Most seniors did not have children in school and should not have to pay school taxes. On the City side, their tax money helped pay for City services such as Fire, emergency medical service, and cart paths. While the seniors might not use many of the recreation amenities, The Gathering Place was dedicated to seniors and funded by taxes. Kourajian said there was a clear distinction, and it was difficult for him to carve out a special niche. There were others in the City who made less than $30,000, whether they were working or not. By carving out seniors in that regard, they became a special interest group. He needed to know more about the impact on the budget before he could support the proposed tax relief. They could guess the impact on the budget, but no one knew the impact.

Kourajian continued that for him to support the proposed tax relief he needed a much better idea of the budget impact. He said the threshold should be lowered or Social Security should be included. He said the tax relief should also be pursued from a County standpoint, not jus the City's.

Brown said the $40,000 figure was used at Council Retreat, which included everyone over 65. Rapson disagreed that they had no idea how the tax exemption would affect the budget. He said both approaches he used were rational and noted that this was what he did for a living. He said the $6,000 projection would only be off by a few thousand dollars. He said they would not be able to get that information from the County Tax Assessor because the information was immaterial to him. Rapson said he also had a problem with the $40,000 figure. Rapson said seniors drove some City services, but not others.

Kourajian said the difference between his job and Rapson's was that he did not guess for a living and he wanted more information before making a decision. Brown said that was why he went with the lower exemption, so the impact on the budget would be minimal. The key was to identify that specific population.

Kourajian pointed out that $30,000 was the salary of a police officer or firefighter. It was a tangible amount that would be made up somewhere else. He felt $30,000 was high. Brown said the $40,000 tax impact figure was used before the income cap.

Rapson noted there were seniors who made $30,000 a year off investment income alone and did not qualify for Social Security. Rapson said he saw the reasoning for school tax exemption for seniors. The driving factor to him was this was low income, isolated to seniors, and was a matter of perception. If Kourajian wanted to have an exemption for everyone in the City who made below $30,000, then they could talk about that. Kourajian said he did not want to do that.

Weed said he compromised for a living and asked Kourajian what would give him the information that he needed to be comfortable voting in favor of the tax relief. Kourajian said he could not tell that at this point, but he wanted a better guess than something between $6,000 and $40,000. He wanted to know what would be lost in services and how other taxpayers would make up the loss. Weed said they should agree on a methodology.

Rapson noted that he was a CPA and Salvatore was one of four certified finance officers in the state. He asked Kourajian whom he wanted the numbers to come from. Kourajian said he was not ready to vote on the tax relief. Weed said they should agree on a methodology to make the determination. Brown said the only way to determine the exact figures would be to ask everyone over 65 to show an income tax return.

Kourajian said he had not come prepared with a methodology. Weed asked him when he would have a methodology ready. Kourajian said by the next meeting.

Rapson noted that the City of Roswell defined the income limitation as "$40,000 of gross income encompassing all types of income." Rapson said there were a lot of seniors that had passive income and great investments. The exemptions were for the people who made less than $30,000 after all the sources of income were added together.

Weed said Kourajian needed and deserved more time. If Kourajian felt a lower threshold would be more appropriate, then Weed wanted to know that figure. Kourajian said he would come up with something by the next meeting. Weed said he wanted to encourage seniors to live in the City, but not for the economics. He would rather have more seniors move into the City than hire another police officer with the revenue that might be lost. All Council could do was pass a resolution. The vote on the resolution had to be 5-0, or the County legislators would not move forward with the legislation. Weed said Kourajian would come to the right decision with the right facts and he wanted to give him the time to do that.

Weed moved to table the discussion until the next meeting. Rutherford seconded. The motion carried unanimously.

VII. Old Agenda Items

08-04-15 Conflicts with Roadside Parking in the Industrial Zoned Area

Fire Marshal John Dailey addressed Council regarding an amendment to the City's traffic ordinance. The amendment would limit parking on D-Bob Industrial, Auburn Court, and Tiger Way.

Rutherford moved to accept the amendment to the traffic ordinance to prohibit parking on D-Bob Industrial, Auburn Court, and Tiger Way. Rapson seconded.

Kourajian asked when the ordinance became effective. City Attorney Ted Meeker said the ordinance would be effective immediately. Rutherford added an amendment that the ordinance be effective as soon as the signage was available and the striping was completed. Rutherford asked if the businesses in the area had been notified about the parking restriction. McMullen said each business had been notified in person.

The motion carried unanimously.

09-04-CA4 Consider Internet Sales of Surplus Property
Assistant Finance Officer Janet Camburn noted that CAR 7-1, Section 5(a)(3) discussed the sale of excess, surplus, or obsolete materials, which could be done through auction or sealed bid. Camburn said staff was asking permission to use e-Bay or other Internet auction services when the situation was warranted.

Rapson said he assumed there needed to be City Manager and Finance Director approval for the sale of those items. Camburn said the items would come to Council as surplus property items, but the items would be sold on the Internet.

Rutherford moved to approve the change to CAR that would allow Internet auctions of surplus property when the use of the service could be offset against the proceeds generated from the sale. Rapson seconded. The motion carried unanimously.

09-04-CA4(a) Consider Ordinance Authorizing Reverse Auctions
Camburn told Council this ordinance dealt with the purchase of goods and services, and anything that cost over $10,000 required sealed bids. The Georgia Municipal Association recently entered into an agreement with a company named Equity to conduct reverse auctions. Several had been held and one was scheduled in Newnan in early October. A staff member would attend that auction.

Camburn said staff wanted to add a section to the ordinance to allow the purchasing agent to use a reverse auction when warranted. There would be no cost except for the time needed to get ready for the reverse auction. Camburn noted that a reverse auction could be useful when the City needed to purchase larger, costlier items such as fire apparatus.

Rapson asked if Council approval would restrict the City to $10,000. Camburn said no. She said a purchase of $10,000 or less probably would not warrant the use of the reverse auction, but she did not know at this point.

Rapson moved to approve the authorization for reverse auctions as outlined. Rutherford seconded.

Kourajian asked if the purchasing agent was a specific person, or a responsibility. Camburn said she was currently the purchasing agent. Kourajian asked if the City could have a reverse auction and accept sealed bids at the same time. Camburn said she could not see using the two in conjunction with each other. There was always the option to reject all of the sealed bids and use the reverse auction. Kourajian said that could cost another month or more in time and questioned if they could be done at the same time. Rapson said vendors would not give competitive pricing for sealed bids if the City used both repetitively.

Bob Brown asked why the City could not take the sealed bids and open them after the reverse auction. He said the City should take every opportunity to get the lowest price.

Kourajian said he was not trying to dictate methodology for purchasing. Since the ordinance read "in lieu of," he wanted to be sure the City could do both if deemed appropriate. He said the way the proposed amendment to the ordinance read was that the City would not do sealed bids anytime the City used a reverse auction. Camburn said she envisioned the amendment giving the purchasing agent the option to use either the sealed bid or the reverse auction. Rapson said the ordinance required sealed bids to be used, but the amendment gave the option to use a reverse auction, or to do both. Meeker said "in conjunction with" could be added to the amendment.

The motion carried unanimously.

VII. New Agenda Items

09-04-12 Consider Request for Change Order for Rink Restroom/Concession

Leisure Services Director Randy Gaddo addressed Council and asked them to approve the change order for $6,727 from Trison Group to allow them to build additional wings to the restroom/concession structure. Gaddo said two sets of circumstances were in their favor. The plan had been to put the restroom/concession in the rear of the rink, but the ground was not right for compaction. The restroom/concession had to be moved to the front of the rink. Unrelated to the construction project, they had received noise complaints and had tried different ways to mitigate the noise, including not allowing the Hockey Association to use loudspeakers for games. The rink was acting as a big resonator. The noise was reflecting off the roof, going out the side, and slamming into the homes nearby. Staff obtained help from a sound expert. Because of the issues with the ground, the best option was to put up a wall as opposed to closing in the rink at a cost of $25,000. Closing in the rink also presented problems with air circulation and the load on the foundation. Gaddo said it would be best to move the restroom/concession building to that side and put in wings, which should take care of most of the noise. Gaddo said the wall would be about eight feet tall and span out on either side. The wall would not enclose the facility, but would go from one end of the rink to the other. If this did not mitigate the noise, staff would look at putting baffling in the roof.

Kourajian agreed that something needed to be done, but found it interesting that a wall would work that well at stopping the noise. Gaddo said the wall would stop a lot of the noise. He added that the City had a similar problem with the sound system at Riley Field. A different type of speaker was put in, and the noise was muffled. He said the neighbors could still hear the sound system, but it was not as loud and no longer bothered the neighbors.

Weed asked how much the restroom/concession facility cost. Gaddo said approximately $149,000. Weed clarified that the change order would just be an additional $7,000 to that cost. Gaddo said yes. Weed asked how many groups used the rink. Gaddo said the rink was used by hockey, lacrosse, and soccer, plus there was open time for the public. Weed asked how much the other associations had contributed toward the restroom/concession facility. Gaddo said he had not asked for any contribution. Weed pointed out that that not requiring contribution was treating the users differently than the All Children's Playground and the Dog Park, who had contributed substantial sums to the venues. Brown noted that the hockey association made a substantial investment in the new flooring for the rink. Rapson pointed out that the money for the restroom/concession building was coming from the County. Weed asked Gaddo if they intended to ask for money from the other associations. Gaddo said he had not planned on doing so.

Rapson said he had visited the neighborhood and heard the noise from the rink himself. Brown agreed that the topography in the area was the problem and noted similar problems in Planterra Ridge when the fans in the covered tennis facility were turned on.

Rutherford moved to approve the request for the change order for the rink restroom/concession for $6,627 to construct the additional walls needed at the rink. Rapson seconded.

Rapson noted that the City created the problem and the City was stepping up to fix it. He added that if the dogs at the Dog Park made too much noise, then Council would need to do something for that facility as well. Weed said he had been interviewed by the Georgia Municipal Association about the Dog Park. He noted that dog parks were the latest rage in the state and that dog parks were universal. Weed continued that the parks were for human recreation and were universally applicable regardless of race, religion, age, or socio-economic status. Other facilities in the City served specific groups and were entirely paid for by the City. He said that was unfair and the City needed to look at the policies regarding such facilities. Rapson said he wanted to fund the dog park facility entirely, but the dog park people, as a matter of honor, wanted to raise the money.

Kourajian asked if additional foliage would be planted to mitigate the noise. Gaddo said that would be the next step.

The motion carried unanimously.

09-04-13 Alcoholic Beverage License – NEW – Eckerd #6743, Wilshire Pavilion
Tabled per request at the beginning of the meeting.

09-04-15 Consider Use of Laptops for Council Meetings
McMullen reminded Council that the use of laptops had been discussed at Retreat. He noted that he and Council Member Rutherford had been using laptops for a few meetings and found that they worked very well and provided flexibility in terms of availability of ordinances and other documents during meetings. McMullen said it was also a matter of economics. The initial cost for the laptops and software licenses would be $14,130. The annual cost for the current paper agenda system was $3,900. The cost included paper, wear and tear on the copier, and staff time spent copying the agenda packet. The costs to replace laptops would be $9,600.

Kourajian asked why they needed to buy site licenses for two of the programs, Office and Acrobat. Systems Administrator Matt Robinson said the programs had been purchased individually in the past, and individual licenses would be needed for these computers also. He said they were looking at moving toward site licenses in the strategic plan.

Rutherford asked why they would need two power sources for each laptop. Robinson said a power source was needed at City Hall and another was needed for travel and home. Rutherford said Council Members should be responsible to bring the cords back and forth. Robinson said a bag to transport the cords was $80. Rutherford asked if the Acrobat Reader program was a full version. Robinson said yes, that was what allowed Council to make notes. Rutherford added that there were features they could use that would allow them to pin point areas on the City map.

Kourajian asked about other staff time needed to gather the documents and scan them. McMullen said that was done now, and the costs included were only for copying. McMullen noted that staff had given a copy of each agenda packet to the press, but had stopped doing so since the information was available on the website.

Rapson asked how the Council Members would get the packets. Robinson explained that it would depend on the file size of the packet. He said Rutherford was bringing the laptop in, and it took just a few minutes to plug it in and download the packet. Robinson said there were several ways to put the information on the computers, but if Council brought the computers to City Hall it would provide the best possible connection. Rutherford said staff could also e-mail Council information that was now copied and put in their mailboxes.

Weed said the laptops were a luxury item and not something they had to do. He asked if there were other things Council should spend the money on. Rutherford said they were already spending the money on staff time, paper, and copying expenses, but would be spending it upfront for the next three years. Brown said the costs would be close to a wash.

Rapson moved to approve the expenditure for this purpose using Council Contingency and spending it before September 30. Kourajian seconded. The motion carried unanimously.

09-04-16 Public Hearing – Consider 2004 Millage Rate

Brown noted that the City had received incorrect numbers for the tax digest from the County and the millage rate hearings had to be held again. Brown pointed out there were no dramatic changes to the tax digest, but because the numbers were slightly different, the hearings had to be held again. He asked if anyone had any comment on the millage rate. No one spoke either for or against the millage rate. No action was needed.

09-04-17 Consider Extension of Alcohol License for Three Dollar Café

Miller addressed Council and said Council had approved the license in March. She explained to Council that Three Dollar Café had not opened due to issues between leasing and purchasing the building. The alcohol ordinance required businesses to open within six months of receiving the license, or the applicant had to request an extension from Council. Miller said Clyde Cornell, the owner, had requested an extension to the end of the year. The outside of the building was completed, but the interior finish was not.

Rutherford moved to accept Cornell's request and extend the license until December 29, 2004. Rapson seconded. The motion carried unanimously.

Council/Staff Topics

Update on Kedron Phase 1 Traffic Lights

Stricklin updated Council on the progress made since the last meeting and said the current owner of the shopping center, BBT, was working with the developer to get the lights installed. BBT understood the liability for the light belonged to them. Weed said the striping at Ardenlee/Georgian Park/GA 74 had helped, but he still would like signage to explain how the intersection worked.

Rutherford said she had seen that the RFP for health insurance had gone out and asked for an update. Camburn said the deadline had been extended to Wednesday, September 22. McMullen said they were stilling working on whether to go to premiums, or not. He expected to have something ready by the end of the week.

Weed said he had spoken with Connie Haynes of the Clean Air Campaign. The City had suffered from its own success. Haynes was promoting multi-use paths. He would like for the City to start using the term "multi-use path," rather than "golf cart path," in its publications. Weed said he would also discuss the matter with the Tourism Association. It was a multi-use system, and the distinction was important in obtaining funding. Brown asked for clarification from Stricklin, then said the City did use the term "multi-use" path in any official correspondence with the state or federal government.

Meeker said there was a matter of future or pending litigation for executive session. Weed moved to reconvene in executive session to discuss a matter of pending or threatened litigation. Rapson seconded. The motion carried unanimously.

Rutherford moved to reconvene in regular session. Rapson seconded. The motion carried unanimously.

There being no further business to discuss, Rutherford moved to adjourn the meeting. Rapson seconded. The motion carried unanimously. The meeting adjourned at 10:25 p.m.

Jane Miller, City Clerk

Stephen D. Brown, Mayor

Pamela Dufresne, Recording Secretary