City Council of Peachtree City
Meeting Minutes
September 7, 2017
7:00 p.m.

The Mayor and Council of Peachtree City met in regular session on Thursday, September 7, 2017. Mayor Vanessa Fleisch called the meeting to order at 7:00 p.m. Others attending: Terry Ernst, Mike King, Kim Learnard, and Phil Prebor.

Public Comment

Eric Imker addressed Council concerning a potential problem with cut-through traffic in Wynnmeade subdivision after the MacDuff Parkway bridge across the railroad tracks to connect SR 74 and Senoia Road opened. He said he feared motorists on SR 74 would take MacDuff Parkway south to Gatehouse Drive, backing up traffic in on Wynnmeade Parkway as they waited to make a right hand turn on to SR 54. Imker urged to council to consider the situation before it became a problem and noted that he had also informed the Tyrone Town Council of a possible issue in the other direction. He suggested the two governments work together to prevent traffic back-ups before the bridge opened.

Fleisch reported on efforts to resolve ongoing issues with the Peachtree City Post Office regarding citizen complaints of undelivered packages, missed and late mail delivery, and the condition of the Post Office facility. She said she, along with City staff and Council Member King, met with Brett Smith and Jessica Craddock from Congressman Drew Ferguson's office, Ryan Pelfrey from the office of Sen. Johnny Isakson, Post Office Branch Manager Dana Jones, Postmaster Leta George, and Manager of Post Office Operations for all of the 302 zip code offices, Michael Brown. Fleisch said they were told carrier routes were changed in May, and it took a few months for those changes to settle into a regular routine. She said the Post Office had made adjustments that should smooth the delivery process. Fleisch noted that George committed to daily mail delivery and prompt action when notified of problems with package delivery. The Postmaster also pledged to pay more attention to housekeeping and grounds keeping and to follow the U.S. Flag Code. Fleisch promised the City would follow up in two weeks and that contact information for the Post Office would be in the September 11 *Updates* newsletter.

Minutes

August 17, 2017, Regular Meeting Minutes

King moved to approve the August 17, 2017, regular meeting minutes as written. Ernst seconded. Motion carried unanimously.

Consent Agenda

1. **Consider Stormwater Water Maintenance Agreement – MOBA**
2. **Consider Elimination/Replacement of Position in Building Department within Public Services Division – Building & Grounds Manager to Facilities Manager**
3. **Consider Amendment of Administration Ordinance – City Organization**
4. **Consider Amendment of Taxation Ordinance – Department of Responsibility**
5. **Consider Amendment of Golf Cart Ordinance – Department of Responsibility**
6. **Consider Non-profit Funding Agreement – Fayette Senior Services**
7. **Consider Non-profit Funding Agreement – Promise Place**
8. **Consider Contract Change Order – Peachtree Parkway Headwall Guardrail**

Learnard moved to approve Consent Agenda items 1 – 8. Ernst seconded. Motion carried unanimously.

New Agenda Items

09-17-01 Public Hearing – Consider Amendment to Sec. 908 of Zoning Ordinance, Creation of Special Events Permit

Senior Planner Robin Cailloux said there had long been a need to clarify the City's special events permitting process for non-residential and non-governmental events. She said the City had been issuing these permits for many years based on language in the sign ordinance, and that language was unclear. The Planning Department, Recreation and Special Events Department, the City Clerk, and the Fire

Marshal developed the amendment with the goals of codifying the permitting practice, providing review guidance for staff, and ensuring ordinance consistency. The amendment defined a special event as an event outside the normal daily operations that changed traffic or parking patterns and affected the greater community. The maximum number of permits allowed per year would remain at four, and signage requirements would remain the same. She said the amendment added guidance for City staff on parking, public safety, tents, inflatables, generators, amplified sound, waste, and generators. Cailloux said some public comment had been received and had been directed to Council's attention.

Fleisch opened the public hearing. Andrew Moth, general manager at The Avenue Peachtree City, voiced his concerns, saying The Avenue was a special case. He said he was especially concerned with how a special event was defined and would like to see the language altered to define a special event as one that increased traffic and waste above the current standard. He said that The Avenue provided adequate parking, security, and cleanup, at every event. Moth asked if a special plan was needed for The Avenue. No one else spoke. Fleisch closed the public hearing.

Prebor clarified with Cailloux that these events at The Avenue would not be considered special events under the amendment. Learnard noted there would be less work for City staff because some events currently requiring permitting would be allowed without a permit under the amendments. City Manager Jon Rorie commented that the language of the amendment regarding the definition of a special event needed to be modified for clarity. Ernst verified that events The Avenue had been conducting for years would still be allowed without a permit.

Rorie recommended that language involving the definition be changed before Council voted on the amendment. Learnard moved to continue the amendment to Section 908 to the September 21, 2017, meeting. Prebor seconded. Motion carried unanimously.

09-17-02 Public Hearing – Consider Variance to Rear Setbacks, 239 Masters Dr. S

Fleisch recused herself due to a professional relationship with the applicant. Cailloux explained that the applicants were seeking a variance to the rear setback requirements of GR-12 General Residential zoning, which was 20 feet. The applicant wished to create a sunroom by roofing and enclosing an existing deck. This sunroom would encroach into the existing setback by 11 feet.

Mayor Pro Tem Learnard opened the public hearing. There were no comments. Learnard closed the public hearing.

Learnard asked if the existing deck encroached into the setback, and Cailloux said no, but other homes in the neighborhood had been granted rear setback variances. Ernst said he had visited the property and observed that neighboring homes had encroached more deeply into the setback. Prebor noted that neighbors on either side had written letters approving of the request, as did The Fairways Homeowners Association.

Learnard noted that she would vote against the request because she felt an 11-foot encroachment into a 20-foot setback was excessive.

King moved that New Agenda item 09-17-02, the variance request for 239 Masters Drive South, be approved. Ernst seconded. The motion carried 3-1(Learnard)-1(Fleisch).

09-17-03 Consider FY 2018 Convention & Visitors Bureau Budget

Jennifer Johnson, executive director of the Peachtree City Convention and Visitors Bureau (CVB), presented the FY 2018 proposed budget. She said 2017 had been a tough year for the CVB with revenues from the hotel/motel tax down to 2013 levels due to changes in hotel ownership and a reduction in the number of available rooms due to renovations.

Johnson noted that it was difficult to compare the proposed 2018 budget with budgets for prior years because the formula for dividing the hotel/motel tax with the City had changed. In the past, the City and the CVB each received 4%, but this year, instead of the CVB partnering with the City on some projects, the City received 4.5% of the total tax collected, and the CVB received 3.5%. Johnson said she was presenting a conservative budget, but the CVB could ask for amendments when circumstances improved.

Johnson touched on highlights from the past year, showing a video of the successful Dinner at the Drake and mentioning successful merchandise sales. Johnson said the CVB brought in $45,000 from its Craft Brew Festival and PTC Wine Festival, which were new events last year. She mentioned the CVB's move to new, more spacious, offices in The Avenue this year. The proposed budget included 3% pay raises for the CVB's full-time employees, she noted, which included the executive director, sales director, and marketing director. The staff also included two part-time staff for the Visitors Center and an office manager, along with an unpaid intern, who was a Starr's Mill High School student. Johnson said the website budget was down by 50% due to hiring a local company with a lower cost. Expenses included funds to market events such as the Diva Half Marathon and the Cornhole Tournament as well as travel to trade shows to recruit visitors and events to the City.

Johnson presented a breakdown of total revenues, which totaled $730,192, with $665,942, or 91%, coming from hotel/motel taxes. Total expenses were $844,386. Personnel costs of $315,963 accounted for 43% of the expenses, while advertising/marketing- ($150,000) and tourism events ($116,000) made up 21% and 16% of the budget, respectively. The CVB carried over a $214,194 surplus from the previous year, so this budget, even with the deficit in revenues, included a $100,000 surplus.

Prebor asked how many hotel rooms were in Peachtree City, and Johnson responded that there were 830 now and would be about 900 when all facilities were operating at capacity and the Fairfield Inn opened. She noted that event planners were hesitant to book hotels when construction was scheduled. She said the CVB was trying to attract smaller groups that were more focused on price than ambiance.

Rorie commented on the success of Dinner at the Drake, saying that was the type of event the City and the CVB wanted to provide to citizens. The City and the CVB were currently working on a project called Night Market in response to citizen surveys that showed a desire for these types of events rather than runs and walks. He said the Drake Field pavilion would soon go out to bid. Rorie added that the CVB had contributed $45,000 for the pavilion construction, and he might ask for another $25,000, depending on CVB revenues. He suggested that, since the CVB has sold its Hollywood Tour, the board might consider donating the van to Fayette Senior Services.

Learnard moved that the FY 2018 CVB budget be approved. King seconded. Motion carried unanimously.

Council/Staff Topics

Sanitation Franchise Fee/Keep Peachtree City Beautiful Funding

Public Information Officer/City Clerk Betsy Tyler made a presentation on franchise fees for the garbage companies that provided residential service in the City. She said there were currently three of these companies, and the City assessed a $1 per customer per quarter franchise fee that was passed on to the customers. This generated around $40,000 a year for Keep Peachtree City Beautiful (KPTCB), Tyler noted. The franchise fee was established in 2009 with the purpose of increasing community participation in recycling, addressing litter on the streets and paths, and funding KPTCB. KPTCB used the funding to educate about recycling, provide recycling bins at City events and buildings, operate recycling drop-off stations, add more trash receptacles to the paths, supervise court-ordered community service, and fund beautification projects. Over time, Tyler commented, the education and beautification program aspects had dropped off, while the recycling component had become the strongest part of KPTCB's work. As of last year, there has been increased participation at the drop-off stations and a decline in the value of recyclables as commodities. This resulted in a $9,000 shortfall in 2015, Tyler said, and that amount was projected to increase each year.

Tyler said last year KPTCB had requested looking at an increase in the residential fee and implementing a new commercial fee to account for the additional waste along the roadside that came from the commercial waste hauler trucks. The City had added $9,000 to the General Fund budget to cover the shortfall last year. Staff had looked at the following options to cover future shortfalls: keeping the funding in the general fund, adding a fee for commercial franchises, adding a solid waste management fee to the occupational tax, closing recycling stations, and increasing the residential franchise fee.

Tyler outlined the pros and cons of each option. Keeping the money in the General Fund let the residents, who benefitted most from KPTCB services, fund those services, but she noted this was not sustainable if the deficit continued to grow without a corresponding revenue source.

Tyler said there were at least 11 services providing garbage collection to apartments and businesses, but it was difficult to get an accurate number because the commercial dumpsters were often enclosed. Tyler reported there were several ways to assess commercial fees, such as per dumpster, per customer, or per hauler, but this system might cost the City more to manage than would be collected for KPTCB. Also, costs would probably be passed on to the local businesses and then to customers, who were residents.

Tyler noted that closing recycling stations would not leave customers without options, because all residential garbage haulers in the City were required to provide recycling services. She pointed out that recycling stations were the primary driver of the cost increase, due to the increased cost of recycling containers and the declining value of recyclables. However, Tyler noted, residential use of the recycling containers was increasing, and recyclables from City facilities and events, as well as local offices, were taken there. Without this option, she said greenbelt dumping and litter could increase.

Tyler reported that adding $10 per business as a Solid Waste Management Fee to the Occupational Tax, which was assessed annually, could bring in $17,610, while assessing the fee at $1.50 per employee would net the City $24,000. However, this fee could not be added until FY 2019, and, once again, the cost would be passed on to customers.

Residential Franchise Fees had not been increased from $1 per quarter since 2009, Tyler noted, pointing out that residents benefitted most from KPTCB services and that an increase in commercial fees would be passed on to residents. Also, the fee structure already was in place, so there would be no additional administrative costs. However, she noted, this option did not address roadside litter from commercial dumpsters or apartment/condo residents or residents who did not pay for garbage service. She said increasing the residential fee to $1.50 per customer each quarter would net $20,000 annually, while raising the fee to $2 per customer would bring in $40,000.

Tyler said staff recommended Council approve an ordinance amendment increasing the fee to $2 per quarter at the September 21 meeting when it considered the FY 2018 KPTCB budget. Tyler added the fee would take time to show an impact since the sanitation companies billed quarterly. She also noted that Rorie had requested that KPTCB dedicate $10,000 of the increased revenue to trash and recycling canister replacement and maintenance at City facilities.

Rorie explained that three times a week, staff emptied 265 trash containers on City property, primarily at parks and facilities. The KPTCB handled some of the trash cans on the cart paths. He said replacing the existing open containers with containers with lids would save City staff the effort of keeping rain water from collecting in the trash bags. He also noted that animals had access to the open containers. While a percentage of the increased revenue would be used for container replacement and maintenance, Rorie said the City currently had about $86,000 in the General Fund for support to KPTCB, including the transfer from the franchise fees. The remaining funds covered the City's contractual agreements with KPTCB, which included running the recycling stations and the community service program. He said all residents, even apartment dwellers, paid through the General Fund to support the operation. He noted KPTCB's expenses at the end of FY 2016 were $141,000 with a revenue stream of $140,000, resulting in a negative amount of $1,000. Rorie remarked that the deficit would be worse this year, but deemed it good money to spend. KPTCB's activities were important, and staff recommended increasing the residential franchise fee from $1 to $2 per customer per quarter.

Prebor asked why apartment dwellers could not be charged, suggesting charging complexes according to the number of units. Rorie said they were collecting from them through taxes, but the nightmare was how to regulate/manage a commercial franchise fee. King said apartments did pay for dumpsters, and Rorie reiterated that it was difficult to collect from apartments.

Learnard clarified there was not a mechanism to reasonably collect from apartments and businesses, and Tyler explained that it was difficult to identify dumpster companies. Learnard inquired what other cities did, and Tyler said she had called several Class B cities and was told that none assessed franchise fees for dumpsters. In fact, she said, most of these cities provided garbage service.

Prebor inquired if the City should consider franchising with a company for waste collection, but was informed by Tyler and Rorie that this had been considered and turned down many times in the past, due to citizen objections. Prebor asked if there had been a comparison done among companies for the option of being the exclusive collection service, and Tyler said she would provide him with the results from past meeting minutes. He asked if apartments could be separated from businesses for the purpose of fee assessments since apartment dwellers benefitted from KPTCB services. Rorie noted that the franchise fee would be included in apartment rent, much like water and sewer fees.

Learnard said she understood why commercial businesses did not pay fees, but there should be a way to tax the dumpster companies at apartment complexes as long as it was reasonable. Fleisch said she would like to see townhomes included as well. Rorie said it was a Catch-22, and residents would pay one way or another.

Rorie said he would proceed with including the residential franchise fee increase from $1 to $2 in the FY 2018 KPTCB budget and would also look into a method for assessing fees to multi-family dwellings, along with potential revenues, and presenting it to Council at the next meeting.

Process/Policy for Special Events on Public Property

Rorie began by saying staff first worked on this six years ago in response to problems that resulted after a tournament took place at City facilities with no plan in place for City oversight. After that, the Special Events Team (SET) and a process for approving these events was created, but Rorie noted that the process was internal and not codified. He said the SET laid out clearly defined objectives to event organizers, such as traffic control, but there were no provisions in place to hold organizers accountable when they failed to follow the objectives. He said the City needed to adopt a policy that allowed it to deny access to organizers who decided not to meet the previously agreed upon standards.

Recreation & Special Events Administrator Quinn Bledsoe agreed with Rorie's assessment, and clarified that the events discussed here were those that take place on ballfields and at parks, and might include events not held on City property if they affected City services. She noted that Peachtree City hosted a variety of events, from walks and runs to Doggie Dashes and movies to fishing rodeos, and there were usually about 50 of these special events held every year. Bledsoe noted they were not always City-sponsored events, and crowds ranged from a few hundred to thousands. She said the Special Event & Marketing Coordinator was primarily responsible for getting organizers to fill out applications and be present at a SET meeting to go over plans. She reiterated Rorie's comments that some events in 2012 were poorly planned and/or poorly executed and proved the need for the SET and a policy to regulate events and ensure they had minimal impact on citizens. As a result, she said, they created a detailed special event application and initiated fees that had been approved by Council. Bledsoe added the SET included representatives from Fire, Police, Recreation, Public Works, KPTCB, and Planning and Zoning. The team met with applicants to ensure that any activity was properly planned for, Bledsoe noted. This could include hiring security, obtaining trash dumpsters or portable toilets, and making parking arrangements. She stated that approval was given only after the SET was satisfied that adequate plans were in place. But, she said, some events were approved as much as 90 days in advance, which could create problems. For example, most insurers would not insure an event that far in advance, but having insurance was a requirement for City approval. Bledsoe said they did not want an event that was not insured.

Bledsoe stated that in the near future staff would come before Council with a resolution or ordinance to codify the process of the application and also of taking appropriate action if an event organizer failed to provide or follow an agreed-upon plan. What that action would be, she remarked, would be decided after careful consideration. Staff did everything they could to ensure an event was properly planned, but execution of the event was not always something staff controlled.

Fleisch asked how close they were to making a proposal and would the plans for the Drake Pavilion be a factor in the proposal. Bledsoe responded that the Fire Marshal was in charge of setting regulations for crowd size, and there were limits on how many people could be at an outdoor facility that were driven by fire codes. Fleisch also mentioned the fees passed by Council several years ago for facility usage, and Bledsoe noted the fees need examining also because the amenities had changed, particularly for Drake Field. She noted they were getting many requests for the use of the Drake Field facilities. Rorie said the addition of electricity and water was driving the desire to hold food truck events at Drake, as well as other types of community events. He said the City now rented out, rather than loaned, tables and chairs, traffic cones, and trash barrels. Bledsoe pointed out that the City's fees were competitive. The organizers had balked at the fees initially, but the fees helped recoup the City's costs, which included labor.

Executive Session

Learnard moved to convene in executive session for threatened or pending litigation at 8:29 p.m. Ernst seconded. Motion carried unanimously.

Learnard moved to reconvene in regular session at 8:47 p.m. King seconded. Motion carried unanimously.

King moved to deny the claim of Suburban Land Reserve as such claim was presented. Learnard seconded. Motion carried unanimously.

Ernst moved to deny the claims of the Huggins family as such claims were presented. Learnard seconded. Motion carried unanimously.

There being no further business to discuss, Ernst moved to adjourn the meeting. King seconded. Motion carried unanimously. The meeting adjourned at 8:50 p.m.

Martha Barksdale, Recording Secretary

Vanessa Fleisch, Mayor