

City Council of Peachtree City
Minutes of Meeting
September 7, 2006
7:00 p.m.

The City Council of Peachtree City met Thursday, September 7, 2006, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Other Council Members present were: Steve Boone, Stuart Kourajian, Cyndi Plunkett, and Judi Rutherford.

Announcements, Awards, Special Recognitions

Mayor Logsdon read a proclamation for Patriot's Day and presented the proclamation to members of the Starr's Mill chapter of the Daughters of the American Revolution.

Public Comment

Bob Brown addressed Council regarding the TDK extension. He said Council needed to do what was necessary for the citizens of the City and to support the City. Council needed to stop the extension due to the huge flow of traffic.

Minutes

Rutherford moved to approve the August 7, 2006, workshop minutes and the August 17, 2006, regular meeting minutes. Kourajian seconded. The motion carried unanimously.

Monthly Reports

Rutherford asked Police Chief James Murray if the difference between a theft and a burglary was the amount. Murray explained that a theft was shoplifting or entering an auto; a burglary was entering a home.

Logsdon asked Murray if, based on the information in the reports, that crime had increased between 15% and 20% the first seven months of the calendar year. Murray said that was correct. Logsdon noted that the City needed to address the increase.

Kourajian asked if there was a topic for the October 3 workshop yet. McMullen said there had been a request to discuss personnel. Plunkett asked if they would also discuss the manpower needs at Public Works. McMullen said they would go over all the departments individually.

Logsdon asked Finance Director Paul Salvatore if the City's finances were on target. Salvatore said he had looked at the budget that day, and revenues were still on target with projections.

Consent Agenda

1. Alcohol License – Change in License Representative – Carrabba's
2. Alcohol License – Change in License Representative – Aberdeen Woods
3. Alcohol License – Change in Licensee and License Representative – Moe's
4. Consider Appointments to Planning Commission – Larry Roach, Anna Williams (Alternate)
5. Consider Ordinance Exempting Water Treatment Basins from the Stormwater Fee
6. Appoint Solicitor Pro-Hac
7. Consider Master Lease Agreement – Draw #3

8. Consider Ordinance Establishing Speed Limits
9. Consider Surplus of Items in the Police Department

Rutherford moved to approve the Consent Agenda. Boone seconded.

Kourajian noted that the master lease agreement (Consent Agenda #7) was for a large amount. He felt it should not have been included on the Consent Agenda and should be under New Agenda Items, even when it was a second approval. He asked staff to go over the items. City Manager Bernard McMullen said that Council had looked at the items twice, during the budget approval process and when the purchase was approved. He noted that the master lease agreement was for the police vehicles in the FY 2006 budget. The vehicles had been ordered in December or January, and were received in late June and early July. Chief Murray said the last vehicle had been on the road for two weeks.

Kourajian asked what determined whether a residential speed limit should be 25 mph or 30 mph (Consent Agenda #8). Chief Murray said the state determined the speed limit. If a street was on the radar permit, the speed limit had to meet the criteria. State law for residential areas was 30 mph unless otherwise marked. Rutherford noted that the City had to get a special permit in order to run radar on residential streets with a 25 mph speed limit.

The motion carried unanimously.

New Agenda Items

Logsdon noted there had been a request to move "Agenda Item 09-06-03 Update and Consider Actions for Lake Kedron/Lake Peachtree Buffer Issues" to the top of the agenda.

09-06-03 Update and Consider Actions for Lake Kedron/Lake Peachtree Buffer Issues

Rutherford moved to table this agenda item since information was still being gathered. Plunkett seconded. The motion carried unanimously.

Rutherford clarified that the item was tabled until the next meeting.

09-06-01 Consider PCTA Budget

David Ring, chairman of the Peachtree City Tourism Association, presented the budget for FY 2006-2007. He said that the PCTA staff was also in attendance to answer questions.

Rutherford asked if the PCTA's fiscal year ran from October 1 to September 30. Ring confirmed the PCTA's fiscal year was the same cycle as the City's.

Kourajian referred to page 78 in the Council packet, which included a line item in the General Fund for allocated personnel expenses. McMullen said that a certain amount of the executive director's and the administrative staff's time was spent supporting the Tennis Center and Amphitheater. A portion of the expenses were allocated to those venues in order to have more realistic cost of what it cost to operate the venues. If those expenses were not allocated to the venues, it would be included in the PCTA General Fund. Kourajian asked if the expenses for the executive director's salary were accounted for twice. McMullen said no. Plunkett said there was an increase in personnel funds in the General Fund, the Amphitheater fund, and the Tennis

Center fund. She asked if fees were up. McMullen said there were a couple of reasons to include salary increases, increases in the cost of medical insurance, and one person was going from part-time to full-time.

Rutherford asked if an amphitheater director would be hired. McMullen said they were not hiring a director for the amphitheater, but an administrative position was changing from part-time to full-time. Rutherford asked if there was a full-time director in the budget. McMullen said the position was still in the budget, but at the last meeting the board voted not to fill the position. Kourajian asked Rutherford if she wanted to pull the position out of the budget. Rutherford said she preferred to table the budget until the PCTA corrected, or aligned the budget, with what they were doing.

Plunkett asked if and how the City staff time was charged to the PCTA. Rutherford said the PCTA paid the City a fee that was budgeted under services. McMullen said the PCTA paid a \$10,000 fee to the City to cover the expenses for the staff support. Rutherford asked if the \$10,000 fee was sufficient to cover those expenses. McMullen said he and Salvatore had discussed the matter, and Salvatore would talk to the PCTA. According to the assessment done by the City, the fee more than covered the time. An hour-by-hour reimbursement was under consideration, but there would have to be changes in the lease agreement. The short answer was the fee was covering the expense. Rutherford clarified that the City was reimbursed for accounting fees. McMullen said yes, as well as IT support. He added that a lot of the accounting and financial responsibilities initially done by the City had been picked up by the PCTA.

Plunkett moved to table the budget for two weeks to make the corrections on the salaries. Rutherford seconded. The motion carried unanimously.

09-06-02 Consider Award of Restroom Contract for Picnic Park

Leisure Services Director Randy Gaddo requested that Council award the design/build for the restroom facility to Trison Group for \$132,800. There had been two responses to the proposal – Trison Group and Lester Construction (\$128,627). Gaddo said the bids were evaluated based on common criteria in the Request for Proposal (RFP). Although the bids were very close, Gaddo said the key reasons for recommending Trison were due to adherence to the scope of services; experience in design/build projects; the choice of subcontractors, including architects and engineers; and references. He continued that Lester had experience with one design/build project – a retaining wall. Trison built the restroom/concession buildings adjacent to the BMX track and the Kedron multi-purpose rink. Trison also built the concession stand at Riley Field several years ago. The projects were all completed on time and on budget. Trison also had a very experienced team of subcontractors, which was critical in a design/build project. Gaddo added that Lester originally did not have an architectural and engineering firm or a grading contractor. He said the site was challenging. Trison would use the same architectural and engineering firm (CDH Partners) and grading company (Bradbury and Son Grading), which had done excellent work for the City in the past. Gaddo said funds were available in the PIP.

Rutherford asked where the structure would be located. Gaddo said it would be at the road end of the Picnic Park parking lot due to the floodplain. It was the only area out of the floodplain.

Plunkett asked about the aesthetics of the building since it was in a highly visible location. Gaddo said the structure would not be as large as the BMX building since there it would be restrooms only. It would have the same stone exterior as City Hall and Library.

Boone moved to award the Picnic Park restroom to Trison Group for \$132,800. Rutherford seconded.

Rutherford suggested using the difference between the cost and the budgeted funds for landscaping. Plunkett agreed.

Kourajian asked why only two companies responded. Gaddo said it often depended on the timing. The RFP went out in the summer when larger builders were already working on other contracts. Gaddo said the RFP was sent to dozens of companies. Kourajian it was difficult to determine which proposal was the best since there were only two. Gaddo added that the City had built two restroom/concession buildings in the four years, both for approximately \$150,000. If the concession area were pulled out of those projects, then the proposals were in line.

Plunkett asked if there would ever be a need for concessions at Picnic Park. Gaddo said that they had looked at that closely, but felt it was not needed with the picnic shelters in the area. If an event was held that required concessions, a tent would be set up.

The motion carried unanimously.

09-06-03 Consider Amendment to Retirement Plan

Administrative Services Director/City Clerk Jane Miller addressed Council concerning a proposed amendment to the Defined Benefits Pension Plan. She noted that Council had approved an amendment to the City's retirement plan regarding early retirement (age 55) for Public Safety employees in 2004. At that time, there had been an unintended change that eliminated the option of a vested employee who left City employment prior to age 55 from being able to draw the pension before age 65. Prior to that, a terminated vested employee was able to come back to the City and draw a reduced pension between the ages of 55 and 65.

Miller continued that the issue came to light when a former employee came to the City regarding their pension benefits. At that time, the pension consultant said the former employee had to wait until age 65 to receive the pension. Miller continued said that was not what was intended. She said a change to the language was required to add "early retirement for a vested employee." She added that, in talking with the pension consultant, there had also been a reduced pension for those who retired early. The pension consultant suggested that there be a separate retirement schedule for terminated vested employees. The consultant came up with equivalence factors that were revenue neutral and totally self-supporting.

Rutherford moved to approve the amendment to the City's Defined Benefit Pension Plan as requested. Boone seconded.

Kourajian asked whether the changes affected all employees, or just Public Safety. Miller said it affected all employees.

Kourajian asked whether an employee who was imprisoned due to doing wrong by the City would be able to collect a pension. He noted that was happening in Atlanta. Miller said there was a section in the pension plan that dealt with embezzlement and making a determination as to whether or not an employee should receive a pension. Kourajian asked Miller to send him that section.

The motion carried unanimously.

09-06-04 Consider Ordinance Requiring Foundation Surveys on Construction Projects

Building Official Tom Carty explained that the proposed change to Section 18-10 of the Code of Ordinances to separate residential, commercial, and industrial construction projects and to require a foundation survey on all future commercial and industrial construction projects. The change also clarified the requirement for foundation surveys on all construction projects. The changes would ensure that small industrial and commercial projects would not encroach, by accident, into restricted setback areas. The monetary costs to remove an encroachment would be less if the encroachment was discovered prior to construction.

Carty said that, under Section 18-10(a), staff recommended that the residential foundation survey requirement be changed from two feet to five feet of a setback line. He added that, for all new residential construction, they were running at 95% requirements for foundation surveys due to the five feet from the property. He said five feet was recommended and should not affect residential builders much, but could affect homeowners planning a small addition. However, the requirement for the survey would keep everyone out of trouble. Two feet was very close to a setback.

Rutherford clarified that if a drawing looked to be five feet or less from the setback, then a survey would be required first. Carty said they would get approval to pour the cement, but they would have to bring back a survey prior to putting up the lumber. Rutherford said she did not want the cement poured. Carty said a foundation survey could not be done without pouring the cement. He said there should be a survey done before there was an addition. If there was nothing on the ground, there was no alternative, but to pour the cement. Carty said if he looked at a set of plans and felt the project would encroach into the setback, then Section 18-10(b) allowed the Building Department to require a foundation survey for any structure the Department felt encroached into the setback regardless of how it was shown on the proposed site plan.

Carty continued that the big change was to Section 18-10(c). It did not affect the large commercial buildings that were required to submit foundation surveys and asbuilts, but it kept the smaller commercial projects from requiring a variance. The change was to require the foundation survey for all commercial projects.

Plunkett asked what the requirement would add to the cost. Carty said the cost for staking a property was approximately \$300, then another \$300 to get a survey after the cement was poured. Rutherford noted that was cheaper than tearing something down. Plunkett asked whether one or the other had ever been required. Carty said someone that have lived in their home for many years and knew where the pins were might not need a survey, but a second owner probably would.

Kourajian asked Carty to explain the rationale for going from two feet to five feet for the requirement for a residential survey. Carty explained that setbacks were the limits of construction on the property. Subdivision setbacks varied. Some cluster projects had zero setbacks. If there was a zero setback and the language in the ordinance said two feet, then a survey would be required. There were other impacts in the building codes, such as the three-foot requirement for windows for the fire laws.

Rutherford moved to adopt the changes the changes to Section 18-10 of the Code of Ordinances to change the requirements for residential/commercial/industrial construction foundation survey submittal to require a foundation survey for all commercial and industrial construction projects. Boone seconded. The motion carried unanimously.

09-06-06 Consider Purchase of Public Works Truck Due to Accident

Public Services Director Tom Corbett told Council there had been an unfortunate overturn of an older vehicle. The City did get some insurance money. The City solicited bids from 15 Ford dealers for the purchase of a Ford F-250 pickup, and four bids were returned. The bids were very close and met all the specifications. The lowest bid was from Legacy Ford at \$20,288. The City was still getting an excellent price on pick-up trucks, and the bid was about \$4,000 less than what had been expected.

Rutherford asked why it had to be a Ford. Corbett said the Ford truck was the City's standard. The shop would have to double its inventory to purchase another brand. The mechanics all had gone through Ford certification and received up-to-date training annually. The City was also working with Ford to obtain permission to do warranty work.

Rutherford asked what the City was not buying in order to purchase the new truck since the funds were coming out of the machinery and equipment line item. Corbett said staff had recommended putting off the purchase of the boom mower for another year in order to buy another piece of equipment along with it. The truck was not budgeted, so Council approval was needed.

Plunkett asked if another vehicle was involved in the accident and whether there were any injuries. Corbett said the incident occurred at the Recycling Center, and no other vehicles or people were involved.

Rutherford moved to award the bid for the 2007 Ford super duty pick-up truck to Legacy Ford of McDonough for a bid of \$20,288, with money coming from the payment from the insurance company and the difference of \$17,504.75 from line item 100-4100-54-2050, Machinery and Equipment, from the 2006 Public Services operating budget. Kourajian seconded. The motion carried unanimously.

Council/Staff Topics

Plunkett noted that the welcome sign at the GA 74/GA 54 intersection was not owned by the City. Corbett said the City maintained all the grass and shrubbery. Plunkett said the City did not maintain the signs, and other clubs wanted to be included on the sign. She asked why the City was maintaining the area. Assistant City Manager Colin Halterman said the sign had been

donated to the City. Plunkett said the Rotary Club believed the club still owned the sign. McMullen said he had no idea, and he would have to look into it.

Update on Subdivision Entrance Maintenance and Right-of-Way Mowing

Corbett said the Landscape Crew maintained more than 250 subdivision entrances (signs, shrubbery, trees, flowers, plantings, 79 irrigation systems, some lighting), more than 400 additional planted areas within the subdivisions, landscaping on all highway medians (including GA 54 and GA 74), the areas around detention ponds, and the grounds at City Hall. (A copy of the PowerPoint presentation is included in the official meeting file.) Rutherford asked if the City paid the water bills for the irrigation systems. Corbett said the City paid the bills, but turned the systems off at the end of the season. Corbett continued that the Landscape Crew checked and took care of all reported tree problems on City properties and greenbelt areas and took care of a number of special projects. The Landscape Crew accomplished subdivision entrance maintenance and all other landscaping duties with a Landscape Supervisor and four two-man teams, a total of nine employees. Each team worked in a sector of the City maintaining subdivision entrances and planted areas and was moved to other duties by the Supervisor.

Corbett continued that it took approximately five weeks to make the complete circuit of all the subdivision entrances, all city-landscaped acreages within the subdivisions, all medians, and all detention ponds. City Hall received special treatment once a week. Possible ways to increase frequency of maintenance included hiring additional temporary employees during the growing season, outsourcing the right-of-way mowing, and moving some existing Public Works personnel to landscaping operations. Other options included eliminating landscaping at detention ponds and replacing with grassed areas, outsourcing median landscaping on state routes, and creating arrangements with homeowners associations to assume some of the subdivision entrance maintenance.

Rutherford said she would prefer to have more low-maintenance landscaping. Plunkett asked if there were any estimates on the outsourcing costs. Corbett said he had talked to other municipalities in the metro area, and he was surprised at the feedback. Hapeville outsourced landscaping and maintenance by the railroad tracks at far less than the cost in-house. Corbett added that the City was in a good market for grass-cutting and landscaping outsourcing. He was following up by looking at the contracts the other municipalities had, and he was looking at testing the market in early to mid-winter. Rutherford asked Corbett to define summer. Corbett said it was everything but November, December, January, and February. Corbett said the City cut grass right up until it stopped growing and started as soon as the first weed appeared in a subdivision bed. Kourajian asked what the high-growing season was. Rutherford said there could be an opportunity to hire college students part-time during the growing season. Plunkett noted that the City was also nearly built-out, so there should not be many more subdivision entrances or landscaped areas deeded to the City. She wanted to see a plan to get the maintenance done the way everyone wanted it.

Corbett said the Right-of-Way (ROW) Crew cut and trimmed approximately 357 acres of grass on City and state rights-of-way, medians, Fire and Police Department properties, and the Public Works complex. The ROW Crew was also responsible for routine and special litter collection activities on rights-of-way, as well as a variety of building maintenance activities. The ROW Crew had 13 employees – 10 employees and a supervisor were dedicated to right-of-way

mowing, and two employees were assigned to litter removal on major roads and rights-of-way, one of whom operated the Recycling Center on Wednesday afternoons and Saturdays.

During the growing season (March through October), the ROW Crew's primary function was grass cutting and trimming. The estimated mowing time for 357.61 acres was 274.25 hours, plus 256 hours for trimming. It typically took two weeks to complete a full round of right-of-way grass cutting, with secondary roads often taking two and one-half weeks. Fire and Police properties were cut and maintained weekly. The ROW Crew leader also spent a good deal of time working on facility maintenance activities and supervising teams in the non-growing season in such activities as painting, carpentry, electrical, lighting and plumbing fixture repairs and replacements, and a number of other building and facility-related repair functions. The weather played a significant role in the schedule, since the machinery would operate correctly after heavy rains, and drought presented another set of problems.

Plunkett asked who determined the priority. She noted that the grass had not been cut at the site for the recent triathlon. She wanted to ensure the grass was cut for special events. Plunkett said there had to be a way to ensure the City looked good for such events, even if the cost had to be passed on to the sponsoring organizations. Corbett said that there was not a provision to bump or move the schedule for special events, which threw the entire schedule off. The workload was heavy, and the time frame was tight. The Department did not have the flexibility to take care of special events without throwing the schedule off almost beyond repair. He said that was something to look at taking care of with the alternatives.

Corbett continued that the grasses found in the rights-of-way were not typical lawn coverings, but a collection of scrub grasses that tended to not hold up well between cuttings. The rights-of-way were infested with Bahia grass, which grew and spread quickly (over 12 inches within 48 hours of cutting). The seed pods traveled with the wind. Bahia grass was a livestock feed, and there were no specific herbicides to eradicate it. The grass also thrived in drought conditions, but Bahia grass growth was inhibited by cold and wet winter weather. Recent winters had been warm and dry. The two-week cutting cycle allowed abundant growth of Bahia and the other scrub grasses. A possible solution would be to outsource some portions of the rights-of-way grass cutting to supplement existing mowing operations, with the goal of increasing frequency on primary routes. Corbett reiterated that he had been very impressed with the outsourcing information he was getting from other municipalities. Rutherford said she wanted to see the costs of maintaining the landscaping in the medians versus medians that only required mowing. Corbett said that Halterman had compared the costs several years ago, and he would get the information to Rutherford. It was far less expensive to take care of grass. Rutherford said that was the information needed to make an informed decision.

Resident Bob Brown, who had served as the landscape chairman for the Planterra Ridge Homeowners Association, said the Homeowners Association budgeted \$50,000 annually to maintain the landscaping, including some on City property from the Planterra clubhouse to GA 54. The City's five-week cycle was not adequate to keep the area looking nice. He said the annual cost to maintain the subdivision entrance landscaping and grass, plus a few areas inside the subdivision, in the Governor's Row three times a month was \$2,400. He noted that, as part of his job, he did an efficiency study on the Public Works employees in Madison County,

Mississippi. Madison County worked 50 hours a week during the summer so they could get more work done, and the employees took comp time in the winter.

Update on Vacant Positions

Miller noted that Council had asked for an update on vacant positions. Currently, there were three full-time positions open – stormwater manager, police officer, and maintenance technician on the street crew, which had been posted since June 13. The police officer position was new and was created in September. The stormwater manager position was created in February and had been posted for several months. There had been several interviews, but no one had been hired. Miller added they could be close. Four part-time positions were open – a planning assistant (open since July 20), two firefighter/emergency medical technicians (one since August and one just a week ago by someone moving to full-time), and two crossing guards (one part-time and one part-time alternate).

Chief Murray reported that he had an interview scheduled the next day for the crossing guard position at the Walt Banks/Peachtree Parkway intersection. There had been a lot of applicants, but anyone working with children required an intensive background investigation. He hoped the Walt Banks/Peachtree Parkway crossing guard would be on duty in another week. Plunkett asked for an update on police officer positions. Murray said there would be four positions on October 1. He had three officers attending the Police Academy, and three were out on disability.

Update on Golf Cart Registrations

Miller reported that as of that day slightly over 6,000 carts had been registered. Forty-four percent were walk-ins, 33% were done on on-line, and 23% had been mailed in. Miller estimated there were approximately 2,500 to 3,000 carts still not registered, and the deadline was the end of September. The last round of mailings had just been sent out. She said staff was trying to get the word out and putting announcements in the newspaper. A fine of \$80 had been established for unregistered carts. October would be a grace period.

Discuss Coweta County Development

City Planner David Rast gave an overview of the potential impacts of the existing and proposed Developments of Regional Impact (DRIs) planned in Coweta County. The DRIs had been submitted to the Chattahoochee/Flint Regional Development Center, which covered Coweta County, and the Georgia Regional Transportation Authority (GRTA).

Rast said the Twin Lakes (DRI # 728) development had been annexed into the City of Senoia and was located off Rockaway Road. The project included 760 acres and 663 homes. Primary access was from Rockaway Road and Stallings Road. It was a phased project. The number of car trips per day was estimated at 5,926. The projected buildout was 2012. In addition to various improvements within Fayette and Coweta Counties, the GRTA Notice of Decision required intersection improvements within Peachtree City at Rockaway Road at Holly Grove Road/GA 74, GA 54/GA 74, and GA 74 /TDK Boulevard. GRTA also required the extension of TDK Boulevard to intersect with McIntosh Trail dependent on acquisition of right-of-way, and the City filed an objection to that requirement. He said the decision was modified so the requirement was dependent on the acquisition of the right-of-way. If the City was not able to acquire the right-of-way for the extension of TDK Boulevard, then the requirement would be pulled out of the Notice of Decision. Kourajian questioned whether GRTA required the road to

be built if the City acquired the right-of-way. City Attorney Ted Meeker said that GRTA's position was that if the City acquired the right-of-way for TDK, then the road had to be built or risk losing transportation money. Rast said if the improvements were not completed, then the City would be the loser in transportation funding. It would not fall back to Senoia or the developer.

Rutherford asked if the City had objected to the Twin Lakes DRI. Meeker said the City had joined Fayette County to argue about the conditions placed on both jurisdictions. The conditions did not change. Fayette County requested that the City not pursue the decision legally, and the Council, at that time, agreed with the County not to pursue it. Plunkett asked what the County's position was now. Rutherford asked if the City should pursue legislation action regarding what GRTA could do. Meeker said the legislation was not clear on whether GRTA could impose conditions outside the territory making the decision. Meeker said that was the basis of the appeal argued before the board. Rutherford said that was an issue that should be addressed with the legislative delegation in January. Plunkett asked about impact fees to cover the costs. Meeker said one of the arguments was that the City could not impose those requirements on the developer since the project was in another jurisdiction. Rast added GRTA's Notice of Decision stated that Senoia was required to impose the traffic improvement requirements on the applicant. Meeker said the onus was not on the applicant, but on the local jurisdiction. Rutherford pointed out that the City had no jurisdiction. Meeker said that was the argument last year.

Meeker continued that there was also concern about the requirement to make the improvements prior to buildout. If a lot was purchased, but it there was no construction on that lot, the question was whether or not a project was built out. Rutherford noted that three of the road improvements were not near the proposed development. Meeker said GRTA was set up to look at the totality of the road issues, not just in one area. Rutherford said everyone affected should have a voice at the table. If the legislation did nothing more than that, everyone should at least have a voice at the table. Logsdon asked if the DRI was considered the City's voice, since the City had the ability to respond. Meeker said it was part of the City's voice. Rast added that the GRTA decision included other improvements in Senoia and Fayette County. He said the preliminary plans for Rockaway Road had been prepared, but they were not the final documents. Some of the intersection improvements GRTA imposed were above and beyond those that DOT had planned for the GA 74/Rockaway Road intersection. GRTA expected Senoia or the developer to do the improvements. Meeker said that Senoia's position was that Senoia could not require the developer to do projects in other jurisdictions.

Plunkett asked if impact fees could be used when there were requirements to build a road in another City. Meeker said that could not be done with impact fees. Meeker said Rast illustrated a point that had become clear during the process, and that was there was no communication between GRTA and DOT. All of the improvements were included in the City's transportation plan. DOT had plans for what they would do during the GA 74 widening process, but those specifications were different from what GRTA wanted to see based on the DRI. Logsdon asked Meeker to help him formulate questions for a meeting he had with DOT Commissioner Harold Linnenkohl the next week. Rutherford added they should also bring all of these issues forward to the legislative delegation. Logsdon said he had spoken with Senator Ronnie Chance, who set up the meeting with the DOT. Rutherford said all the City residents should call; there should be a groundswell.

Rast reviewed the information on the Pathways tract (DRI # 923) in Sharpsburg. The project included 486 acres with 800 single-family homes, 69 townhomes, 100 assisted living units, 152,000 square feet of retail, 43,000 square feet of office, and a 10,000 square-foot day care. The primary access would be from Highway 54, McIntosh Trail, Reese Road, and North Road. There would be an estimated 15,049 trips per day. The projected buildout was 2011. In addition to various improvements within Fayette and Coweta Counties, the GRTA Notice of Decision required that TDK Boulevard be extended to intersect with McIntosh Trail, as well as the widening of McIntosh Trail from two to four lanes from TDK Boulevard extension to GA 54. GRTA also required the installation of a second southbound exclusive turn lane on GA 74 at Crosstown Drive, a second outbound eastbound lane on Crosstown Drive to receive second southbound turn lane, and changing the southbound left turn phasing to protected-only. Rast said he understood there were some conflicts between the Town of Sharpsburg and Coweta County concerning the project. Rast continued that none of the DRIs had looked at the intersection of Dividend Drive/TDK. They had all looked at GA 74 and McIntosh Trail, but not at an intersection with a four-way stop. Meeker said there was just a flat open-ended requirement in this DRI, which could be assessed against the developer.

Plunkett asked if GRTA had considered the fact the TDK extension was to relieve the current traffic congestion. Meeker said he had been very frustrated with GRTA throughout all the processes. He recalled that he, the City Manager, and the City Engineer spend a great deal of time looking over the backup to determine why the TDK extension was even included in the Notice of Decision for the Senoia development. The backup showed that only two percent of the traffic would travel on TDK. Plunkett said they should look at where they could go from here.

Rast said the McIntosh Trail Village (DRI # 1191) would be located in unincorporated Coweta County. The proposed project was 1,600 acres with 3,000 single-family homes, 164 live/ work residential units, 946,050 square feet of retail, and 119,650 square feet of office space. The plan showed six access points on McIntosh Trail, one on Byrom Road, and three on the proposed TDK Boulevard extension. The estimated new trips per day were 43,953. The projected buildout was 2016. Kourajian asked if the road trip estimates included the trips people from the City would take to get to the retail. Boone agreed with Kourajian that there would be more trips with an estimated one million square feet of retail.

Rast said that he was not sure if the projected traffic figures in each DRI included the projections from the other DRIs. He continued that GRTA held a methodology meeting with the developers and had asked the City to respond to what was submitted at that meeting. Rast said staff had found quite a few inconsistencies, but they had not been included in the project summary. Staff planned to send a letter to GRTA asking that the inconsistencies be considered. When the TDK extension was designed, the traffic projection had been an estimated 7,800 trips per day. Kourajian said the requirement would be to four-lane the TDK extension.

Rutherford asked IT Administrator Matt Robinson to e-mail the PowerPoint presentation to Council.

Kourajian asked how much undeveloped land remained in Coweta County. McMullen said there was a significant amount.

Plunkett asked what the Coweta County Commissioners' position was about the DRIs. McMullen said he spoke with Theron Gay, the County Manager, who indicated the Commissioners would support the McIntosh Village proposal, but in maybe not in the exact numbers or configuration. Coweta was also getting ready to approve its updated comprehensive plan, which called for the construction of village centers. They felt TDK was an important artery in terms of supporting the McIntosh development. McMullen said he asked Gay if he and Coweta County's planning director would make a presentation on Coweta County's comprehensive and transportation plans to the City Council, and Gay indicated that was something they were willing to do. Plunkett asked what Coweta's current population was. Meeker said 105,000. McMullen said that, according to Gay, Coweta expected the population to grow four to five percent per year.

Boone asked Rast what the other route on the Coweta County side of TDK was. Rast said it was McIntosh. Rast said that, according to the methodology report, Coweta County was studying the intersections in the unincorporated area, but projected that the majority of people in the development would use GA 154 to get to I-85. They were analyzing the Thomas Crossroads intersection to I-85 as opposed to any intersection along GA 74. Rast said staff felt each of the intersections along GA 74 in the City and in Tyrone should also be analyzed. Meeker noted there were very few east-west corridors between GA 154 and GA 54. Rutherford said they would use TDK because it was closer to their homes, and the work on GA 74 would be near completion.

Plunkett said the village concept was live and work, but she did not see much work other than retail. She noted there was no industrial. Rast said there was 120,000 square feet of office space planned.

Kourajian suggested finding out the positions of the Fayette County Board of Commissioners, the Fayette County Chamber of Commerce, and the other municipalities. There needed to be a discussion very soon. He asked Meeker to find out what could be done legally and what the City was required to do based on the documents already signed. Council needed to know all the options and needed a better understanding of what was happening in Coweta County. Kourajian said the retail area planned in the DRIs would kill Braelinn Village and would cost the County major tax revenue. Rutherford added that the purpose of the TDK extension was another route for industrial park employees; the residents in those areas would not be providing support for the City's industrial park. Plunkett said the City should do whatever it could.

Kourajian also wanted to speak to Dennis Chase. He understood the McIntosh DRI was going to put in its own wastewater treatment system, and he wanted to know if the streams could handle that. McMullen said the plan was to use a land application system for the sewer. McMullen said that, according to WASA Executive Director Larry Turner, 280 acres would be needed for that type of system, but Coweta County disagreed. McMullen said Lake McIntosh was waiting for permits, plus there was some litigation concerning the tri-state water issues.

Kourajian and Plunkett both expressed concern about the possibility of 6,000 homes under the flight path to Falcon Field. Kourajian asked if the air space was used just because it was open, or if the airport had to get permission or pay for it. McMullen said the instrument approaches and flight patterns to Falcon Field had been cleared and approved by the FAA and were published in

FAA documents. There was the potential for a significant impact. The City had also addressed that concern with GRTA. Logsdon asked about avionic easements, and whether the airport would have to buy them. McMullen said the airport would not have to purchase any easements, but people would complain about the noise as the project developed. Logsdon asked what would happen if there was a water tower in the area. McMullen said anything that would stick up into the runway slopes would have to get FAA clearance for clearance. Rutherford noted that Senoia built a water tower without asking anyone. McMullen said Senoia had been required to seek permission, but had not.

Plunkett asked how long it would be before the DRIs were approved. Rast answered that Twin Lakes and Sharpsburg had been approved. The McIntosh Village DRI had just started the process. Meeker said the process was 30 to 60 days. Rast added that once the process started, it moved quickly.

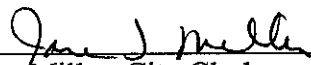
Phyllis Aguayo told Council the proposed DRIs and the potential TDK traffic was worse than she had envisioned. She added that GRTA, ARC, and DOT had no concern for the City. Rutherford pointed out that the ARC was not involved in the process. Aguayo said the City should not let the entities trample on the City's plan. She added that DOT was six-laning GA 74 in order to move traffic from out of the City through the City. The City was not going to be ruled from the outside; it was time to say no.

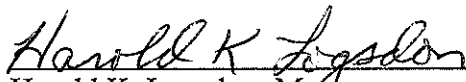
Plunkett asked to look at the ordinance regarding how many unrelated people could live in a single dwelling. She wanted to look at the constitutionality of the ordinance and see where the City was. Plunkett said it could help with some issues. Rutherford said they also needed to look at on-street parking.

Rutherford moved to convene in executive session for threatened or pending litigation, real estate, and a personnel issue. Kourajian seconded. The motion carried unanimously.

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

There being no further business to discuss, Kourajian moved to adjourn. Rutherford seconded the motion. The motion carried unanimously. The meeting adjourned at 10:59:30 p.m.


Jane Miller, City Clerk


Harold K. Logsdon, Mayor


Pamela Dufresne, Recording Secretary