

**CITY OF ACWORTH GEORGIA
4415 SENATOR RUSSELL AVENUE
ACWORTH, GEORGIA 30101
MAYOR AND BOARD OF ALDERMEN
PUBLIC HEARING/WORK SESSION
6:30 P.M. BOARD ROOM
MONDAY, JANUARY 29, 2007**

Present: Mayor Tommy Allegood, Aldermen Albert Price, Tim Richardson, Doug Allen, Tim Houston, Bob Weatherford, City Manager Brian Bulthuis, Assistant City Manager Jeremy Hayes, City Attorney Doug Haynie, and City Clerk Regina R. Russell

1. CALL TO ORDER

Mayor Allegood called the meeting to order at 6:30 p.m.

2. Public Hearing: Bobby & Lina Williams request (WITHDRAWN) for a variance to reduce the minimum floor area (house size) required for property located to the rear of 4748 Fowler Circle.

Mayor Allegood advised that the applicant withdrew their application for public hearing and confirmed with the City Attorney if a public hearing was needed. City Attorney Doug Haynie advised that one was not needed since the applicant withdrew their request.

3. Public Hearing: Needle Development, Inc. request to rezone/change the approved plan and layout for a 6.93 acre mixed use development located at 4461 South Main Street.

Mayor Allegood opened the Public Hearing at 6:30 p.m. and called on the applicant for discussion. Dan Needle, Developer – 10 South Prado, Atlanta, GA 30309 advised for proposed redevelopment of the old Days Chevrolet property. Mr. Needle gave a summary of the detailed comprehensive report to include the request for additional parking units to include underground or below grade parking with 1,500 square feet of retail, ten additional assistant living units, and 22 memory impaired living units. Mr. Needle further advised that the building height was slightly modified. Further discussion held. Mayor Allegood called on staff for comments. Assistant City Manager Jeremy Hayes advised on the request. Mr. Hayes advised that the property was rezoned from C-2 to mixed use in September 2004. Mr. Hayes advised that the purpose to revise the plan as submitted at the time rezoning was approved, and further advised for the elimination of the separate detached building. Further discussion was held with review of the site plan. Mr. Hayes advised that staff reviewed the request as the plan was presented at last week's Planning Commission meeting with a recommendation for approval (7:1). Mr. Hayes advised that staff recommended approval of the revised plan. Mayor Allegood opened discussion for public comment. There was none. Mayor Allegood asked if there were any comments from Board members. Alderman Weatherford asked if the current plans were the original or new site plan. Mr. Hayes advised. Alderman Weatherford requested clarity from Mr. Needle on egress and ingress. Discussion was held with review of site plan. Mr. Needle introduced constituents for the proposed project, Neil Turner, Architect of Fully Design and Al Holbrook, Co-developer/Owner/Management Company of Alternative Lifestyles.

Further discussion was held regarding parking and egress. Alderman Weatherford inquired with staff about cuing and stacking for parking. Further discussion held. City Manager Brian Bulthuis advised further that there would not be a lot of traffic at one time unless there was a big event taking place. Further discussion held. Alderman Allen inquired about stipulations if there was an issue of stacking the within the right-of-way and to visit the owner to request a no-parking area. Mr. Bulthuis advised that everything was internal. Further discussion was held with review of site plan. Alderman Price advised that the proposed project may be the most anticipated in the community and most positively looked at development for quite sometime. Alderman Price inquired about the type of retail envisioned and if everything was for rent. Mr. Needle advised yes and that it was lease property. Further discussion held. Mr. Needle advised that the retail would get seniors out into the community and the community involved with the seniors. Mr. Needle advised for the types of amenities proposed for the senior living facility and that they wanted to see more local merchants. Alderman Price advised that he was in agreement. Further discussion held. Alderman Houston inquired with the applicant for a project commencement date. Mr. Needle advised that project development would commence between April 1st and April 15th. Further discussion held. Mr. Bulthuis asked Mr. Needle what he envisioned for the amenity area for the residents. Mr. Needle advised for an interior pool and fitness center. Further discussion held with review of the site plan. Mr. Needle advised for the first retail center that would be operated by the community and a hair salon that would be open to the public. Further discussion held. Mr. Bulthuis inquired about the partner, Dogwood Forrest and other related locations. Mr. Needle referred to Al Holbrook, 1000 Trey Brun - Alpharetta, GA. for further discussion. Mr. Holbrook advised that his firm had been doing business for 20 years. Mr. Holbrook further advised on Mr. Bulthuis' request. Mr. Holbrook advised that they were attempting to get away from "warehousing" senior adults. Further discussion held. Mr. Bulthuis asked Mr. Holbrook if he had packets to present on his company and for related locations. Mr. Holbrook advised that he didn't at the time and further discussed related locations. Alderman Allen inquired with Mr. Holbrook of proposed rates. Mr. Holbrook advised for \$2,200.00 to \$2,400.00 per month. Further discussion held. Alderman Allen advised if there would be government aide or subsidized leasing. Mr. Holbrook advised no, and further advised that they did not provide middle class programs for long-term care. Further discussion held. Alderman Richardson advised on the rendering and inquired for the difference between brick linear and simulated brick linear. Neil Turner, Architect of Fully Design explained the difference and made reference to similar materials used for the construction of Atlantic Station in downtown Atlanta. Alderman Houston inquired with the applicant if the project would come to fruition. Mr. Needle advised that's the reason they were there. Further discussion held. Alderman Allen moved to place the request on Thursday night's Consent Agenda. Mayor Allegood reiterated on Alderman Allen's request and advised the applicant of the expectations. Mayor Allegood closed the Public Hearing at 6:52 p.m.

4. Public Hearing: Flowing Waters Ministries request for a Special Land Use Permit to operate a church meeting facility located at 3801 Old 41 Highway, Suites C & D.

Mayor Allegood opened the Public Hearing at 6:52 p.m. and called on the applicant for discussion. Mr. Clay Bentley of Flowing Waters Ministries advised that his congregation had been meeting at McCall Primary for the past year, and that they were looking for a

place that has more to offer. Mr. Bentley advised that his congregation were currently meeting on Sundays only, and that they wanted the opportunity to meet at other times as well. Mr. Bentley advised of the proposed location being a perfect place to meet. Mayor Allegood called on staff for comments. Assistant City Manager Jeremy Hayes advised on the applicant's request and that the property was zoned C-2. Further discussion held. Mr. Hayes advised that the applicant was requesting to locate in suite(s) C and D, and that the request was presented to the Planning Commission last week with an unanimous vote for approval. Mr. Hayes advised that the applicant was requesting use of 20,000 square feet with the existing owners to remain at the shopping center. Mr. Hayes advised that staff recommended approval. Mayor Allegood opened discussion for public comment. There was none. Alderman Allen advised the applicant that the proposed church location was next to a convenience store that sold beer and wine. Alderman Allen advised that he wanted to make the applicant fully aware that the existing store had been in place for quite a long time. City Manager Brian Bulthuis advised that if the property (convenience store) was sold, the church would have no right to object to alcohol sales at the facility. Alderman Weatherford inquired with the City Attorney if this was legal. City Attorney Doug Haynie advised that it was. Alderman Allen moved to place the request on Thursday night's Consent Agenda. Mayor Allegood reiterated on Alderman Allen's request and closed the Public Hearing at 6:57 p.m.

5. Public Hearing: Request to TABLE Text amendments to the Zoning Ordinance and Sign Ordinance.

Mayor Allegood opened the Public Hearing at 6:57 p.m. and advised that text amendments to the Zoning Ordinance and Sign Ordinance were requested to be tabled. Mayor Allegood opened discussion for public comment. There was none. Mayor Allegood called on staff for comments. Assistant City Manager Jeremy Hayes advised that staff presented revisions to certain sections of the Zoning Ordinance at last week's Planning Commission meeting. Further discussion was held. Mr. Hayes advised that the Planning Commission discussed the matter in detail with several questions and voted to form a subcommittee to address concerns in detail. Mr. Hayes advised that the request would be brought back before the Board. City Manager Brian Bulthuis advised that they would further review and that he spoke with the City Attorney concerning modular and trailer homes, locations and regulations for construction. Alderman Richardson recommended that staff study special land use permits for churches so that requests can be approved by staff instead of through special land use permits for Board approval. Mayor Allegood closed the Public Hearing at 7:01 p.m.

6. Discussion of Retirement

Mayor Allegood called on staff for discussion of retirement. City Manager Brian Bulthuis advised that council had requested over the past few years that staff present a plan for changes to retirement. Mr. Bulthuis advised for current contributions from employees (at zero) and the five year vested plan. Mr. Bulthuis further advised for proposed employee contributions and years of vesting. Mr. Bulthuis advised that there would be a one time decision where new employees hired after May 1st cannot opt in/opt out. Mr. Bulthuis advised that whether an employee leaves the City and returns they would have to select the new retirement plan as proposed and that the new plan should be in effect for all

employees within 30 years. Further discussion was held. Mr. Bulthuis advised that vesting be changed from five to seven years, and once vested; contributions would remain in the program until employee retires. Mr. Bulthuis also advised that employees would be entitled to monies as contributed for up to four years. Further discussion held. Alderman Allen inquired if the current percentage was attributable to a 401 package. Mr. Bulthuis advised only for department heads only. Mr. Bulthuis advised that employees could currently contribute to a 457, with no match. Alderman Allen inquired with Treasurer Sharron Burtz for the total payroll. Ms. Burtz advised for 3.6 million. Alderman Allen inquired about the percentage for the general fund. Ms. Burtz advised for 75-80%. Alderman Allen inquired about the average employee salary in the City. Ms. Burtz advised that the information was not readily available. Mr. Bulthuis advised for approximately \$30,000.00. Alderman Allen inquired about when an employee and fully vested, what benefits applied to retirement. Mr. Bulthuis advised for vesting and medical, which would be received at the age of 60. Further discussion was held. Alderman Allen advised that in the future, the City would not be able to afford 100% medical insurance for retirees. Further discussion held. Alderman Allen advised that the City could not burden tax payers with medical expenses and that they would have to be able to offer some type of assistance. Mr. Bulthuis advised. Further discussion held. Alderman Weatherford inquired for clarification on GIRMA's retirement fund and if the City pays a premium. Mr. Bulthuis advised that it was similar to a large 401. Mr. Bulthuis reiterated on the proposed plan and advised that if the Board was satisfied, they could have GIRMA prepare a contract to present to council for approval at the next meeting. Mr. Bulthuis further advised that he would inform the employees of the proposed plans. Alderman Richardson advised that he needed clarification for the equivalence for government opposed to the private industry's 401k. Mr. Bulthuis advised that currently there was a 3% match for department heads. Alderman Richardson advised that the trend was pushing private industry employees to sign up for the 401k, which allows probability with benefits when moving from job to job. Alderman Richardson recommended City providing contribution toward investments and retirement when moved to another employer. Mr. Bulthuis advised that this benefits one-fourth of the employees and that conversion was difficult to do. Mr. Bulthuis advised that 401 hurt a lot of employees, especially longevity employees due to years not compounded, and them getting penalized. Further discussion held. Alderman Richardson advised that staff needed to go back and review. Further discussion held. Alderman Allen inquired about employee turnovers. Ms. Burtz advised for approximately 30 per year/one per pay-period. Further discussion held. Alderman Richardson advised for City match at 6% per year. City Manager advised that the police inquired if a 401K could be provided. Alderman Richardson advised that very few employees were still here from the time he was elected to council. Alderman Weatherford advised for the Board to review and then advise staff, as they had been looking at the matter for so many years. Further discussion held. Alderman Allen advised staff to look into insurance status. Mr. Bulthuis advised that he was in agreement. Mr. Bulthuis advised that improved retirement encouraged employees to stay longer. Alderman Allen advised for comparison. Alderman Weatherford advised. Discussion was held. Mr. Bulthuis advised for a 401 and that the conversion was very difficult. Alderman Allen referred to General Motors and Ford and the problems they were experiencing with employee retirement. Mr. Bulthuis advised that the plan looked satisfactory and if the

Board wanted to also see if there was a way for a 401 plan. Further discussion held. Alderman Richardson advised making the plan financially encouraging and making a plan attractive to employees where the City does not offer medical insurance to retirees. Mr. Bulthuis advised that staff would advise and educate employees on aspects of a 401, 457 and IRA and financial planning. Mr. Bulthuis advised that staff would review and further advise council. Mayor Allegood advised of the City Manager's expectations. Mr. Bulthuis advised that the proposed plan must coordinate with GIRMA.

7. Staff Report on Trailhead/Welcome Center.

Mayor Allegood presented the item and called on staff for discussion. City Manager Brian Bulthuis advised on the proposal for the Trailhead/Welcome Center and funding for staffing a facility 60 hours per week, with no employees would cost approximately \$34,300.00 not to include building maintenance, gas, and lawn maintenance. Mr. Bulthuis compared other expenses to the existing administrative offices at parks and recreation, which would be approximately \$13,000.00 for the welcome center, with annual maintenance being approximately \$45,000.00 to \$47,000.00 per year, and another \$10,000.00 for start-up costs. Further discussion held. Mr. Bulthuis advised on revenues from hotel/motel tax that was dedicated to tourism, which go to the Convention Visitors Bureau and the statistics for the past three years. Further discussion held. Mr. Bulthuis advised that the City would have to supplement the budget from General Fund of approximately \$12,000.00 to \$15,000.00 per year, if the Convention Visitors Bureau did not want to do anything further. Further discussion held. Alderman Allen inquired what the budget was for this year. Further discussion held. Mr. Bulthuis called on Community Development Director Christine Dobbs to advise on the Best Western variance request. Ms. Dobbs advised that Best Western would be coming before council in March to present a request for a variance regarding their setback and for attaching a two story atrium in the front. Alderman Allen inquired for the number of extended stays. Mr. Bulthuis advised that there were quite a bit. Further discussion held. Mr. Bulthuis advised that they only collect hotel/motel taxes for the first ten days. Mr. Bulthuis advise on the status for funding with the federal government and legislative representatives. Alderman Price inquired about what would happen to the funding. Mr. Bulthuis advised. Mayor Allegood inquired about proposed plans. Further discussion held. Mayor Allegood asked if there were further comments from the Board. There were none.

Mr. Bulthuis advised on a letter forwarded to Cobb D.O.T. referenced 92 and if the Board was comfortable with the position that he had taken. Mr. Bulthuis advised that files were misplaced at GDOT for the Senator Russell Avenue and trail at the lake project(s) and further advised on the status of the paperwork. Alderman Allen inquired if bids had to be requested. Mr. Bulthuis advised that they were completely engineered. Mr. Bulthuis advised that he was very optimistic that the projects were finally moving. Mr. Bulthuis advised that he had received a letter from GDOT requesting the next projects and that the City had until June to present applications, which would require matching funds for anything requested. Mr. Bulthuis reiterated that June was the deadline to apply and welcomed council to submit information for projects.

Mr. Bulthuis introduced Tiffany Hughes, City resident and new City Planner, to the Board

and advised of her Masters Degree in Public Administration.

8. ADJOURNMENT

Alderman Weatherford moved for adjournment. Alderman Allen seconded. The motion approved unanimously. The Public Hearing/Work Session adjourned at 7:46 p.m.

Thomas W. Allegood, Mayor

Regina R. Russell, City Clerk