MINUTES OF MEETING
City Council of Peachtree City
September 2, 1993
7:00 p.m.

The Mayor and City Council of Peachtree City met in regular session on Thursday Night, September 2, 1993 at 7:00 p.m. in the City Hall Council Chambers.

Mayor Lenox led those in attendance in the pledge of allegiance. Present were Mayor Robert Lenox, Councilmembers Annie McMenamin, Edward Bradford, Robert Brooks and Caroline Price.

No items were added to the agenda.

Department Reports

Mayor Lenox announced that Department Reports would be available at the next City Council meeting.

Minutes

McMenamin made a motion that the minutes of the August 19, 1993 City Council meeting be approved as presented. Bradford seconded the motion. Motion carried unanimously.

New Agenda Items

9-93-1 Hotel/Motel Tax Ordinance

City Manager Jim Basinger reported that he and Mayor Lenox had met with owners of the hotels and motels in the City and that none had an objection to raising the tax fee to 2% from 1%. Basinger explained that the fees would be used to promote weekend visitors to Peachtree City to use the City recreational amenities such as the Nature Preserve and sports tournaments. Basinger reported that the 1% increase would raise revenue in FY94 by $143,000 and that staff recommended that Council approve the amendment to Section 13-19.2 to increase the hotel/motel tax to 2%. McMenamin asked when the 1% sales tax had been implemented on the hotels and motels. Basinger stated that it was at least three years previous. McMenamin made a motion to amend Section 13-19.2 to increase the hotel/motel tax to 2%. Brooks seconded the motion. Motion carried with Bradford abstaining due to a possible conflict of interest.

9-93-2 Public Hearing 1994 Fiscal Year Budget

City Manager Jim Basinger gave an overview of the budget process that occurred with the Directors and Chiefs for the benefit of the public explaining that Budget I was submitted for review by the City Manager and Finance Officer and from that review the budget was revised. Budget II was reviewed with the Mayor and from that Budget III was submitted for Council review in a public workshop.

Basinger went on to say that from the Council workshop came the final budget that was before Council to be reviewed. Basinger stated that the process had begun in March and felt it was important that the public know the process involved.

Basinger stated that the proposed 1994 budget totaled $13,897,492 and represented a $4,850,000 increase over 1993. Basinger stated that much of the increase was attributed to the $3,000,000 bond issue and a carryover in the public improvement projects from 1993 representing over $1,000,000. Basinger stated that there was a projected 13% increase in general fund revenues, with almost 5% of the increase being attributed to the Insurance Premium Tax now based on the 1990 census as opposed to the 1980 census. Basinger stated that the budget was based on two fee increases, the first being the, just passed, hotel/motel tax increase to 2% and the second an increase in the EMS basic ambulance transport fee to $175.

Basinger stated that the self insurance fund had some problems this year due to employee claims and workers compensation, and that more funds were earmarked for that area. Basinger stated that Staff's goal was to have $1,000,000 in reserve funds for insurance. Mr. Christy Jendra came forward and asked if there were any reserve funds in self insurance. Basinger stated that there was $636,000 carried from 1993 to 1994.

Basinger presented a revenue and expense comparison between 1993 and 1994. Basinger stated that while the projected revenues would be increased by 13%, the operating budget had increased just over 4% which staff felt was a modest increase. Basinger reported that there was just over a 2% increase in the combined budget of Administrative Services and Developmental Services and just over 3% in Public Services. Basinger stated that the major increase was in the Fire Department, of 24%, attributed to the new Kedron Fire Station under construction. Basinger stated that the 24% increase was for personnel and operating of the facility.

Basinger stated that Public Safety Services accounted for 39% of the budget, which were the Fire Department, Police, EMS, and Communications, and 39% of the budget was Public Services, which was Public Works, the Library and the Recreation Department. Basinger went on to say that Administrative Services accounted for 15% which was the City Clerk office, City Hall, Personnel, Purchasing, Municipal Court and Accounting and that Developmental Services accounted for 7%, which included Planning, Building and Engineering. Basinger stated those percentages were the breakdown of the operating budget expenses.

Basinger stated that the Public Improvement Program totaled $2,851,568 of which over $1,000,000 were projects carried over from FY93. Basinger reported that one of the major projects was the Highway 74 Bicycle Bridge for which the City would get a 75% State grant. Basinger stated that the City was expecting design approval at any time on that item. Basinger went on to say that the Kedron

Fire Station had also been carried over and was now under construction. Basinger stated that the major expense for 1994 would be the library expansion which totaled $364,254 for the City's share of the project.

Mr. Christy Jendra asked if there were any funds earmarked for maintaining and cleanup of green belt areas and cartpaths. Basinger stated that the Public Works Department maintained the areas and funds came out of their operating budget.

Basinger stated that on the revenue side, the Dedicated Public Improvement Program was $1,396,000 this year, that projected development fee revenue was $285,000, with $200,000 of that for payment of the debt service for the outstanding bonds.

Basinger stated that the total dollars being spent in the budgeted areas were as follows: Public Improvement Program 21%, Commissions and Authorities .005%, Operating Budget 42%, Debt Service 3%, Self Insurance 11%, Reserve Fund 2%, and the bond issue 22% of the expenses.

Basinger stated that the following was a breakdown of the revenue sources for FY94: General Fund revenues 56%, Development Fees 2%, Self Insurance Carryover Funds 5%, Public Improvement Re-budgeted items 8%, Bond Issue 22%, rollback 7% and grants of .004%.

Basinger thanked the Council for their help on the budget as well as the Directors and Chiefs, Department Heads and Jill Daughtry for their work on the budget. Basinger advised Council that the Directors and Chiefs were present to answer questions on the budget and that staff recommended Council approval of the 1994 Fiscal Year Budget.

Mayor Lenox asked if the Insurance Premium Tax Revenue that the City had budgeted as revenue was to stabilize the amount the City should get in the future. Basinger stated that it was and that it was hoped it would increase in the future. Mayor Lenox stated that one of the key considerations of the entire budget was the services budget, which was 4%. Mayor Lenox stated that a large portion of the increase was due to the new Kedron Fire Station, and that without the new station the budget would have increased only $80,000 or 1 1/5%. Mayor Lenox commended the staff on their ability year after year to operate the City on small increases.

Brooks stated that the City grew 5% and with inflation the demand on the budget grew from approximately 5% to 8% yet through quality control staff had been able to maintain less of an increase. Price stated that the Staff worked on the budget throughout the year and that Staff had put together the most manageable way to do the budget and the results reflected that work. McMenamin echoed the comments of Council and made a motion to approve the Fiscal Year 1994 Budget. Price seconded the motion. Motion carried unanimously.

9-93-3 Authorize Bank Account for City Budget Reserve Fund

City Manager Basinger stated that previously the Reserve Fund had been held in either the General Fund account or the Public Improvement Fund account and that staff recommended that the funds be separated and placed in a separate interest bearing account with funds not being spent being carried over to the next year. Basinger stated that staff was advised by representatives of Moody's Rating Services in New York that the City bond rating could have been higher on the recent bonds had the City had more reserve funds. Basinger stated that Staff recommended that Council authorize Staff to open an interest bearing account at Peachtree National Bank for the City Budget Reserve Fund. Price stated that it appeared to be a wise decision and made a motion to authorize Staff to open an interest bearing account at Peachtree National for The City Budget Reserve Fund. McMenamin seconded the motion. Motion carried unanimously.

9-93-4 Public Hearing - Variance to Street Sign Standards for Planterra Ridge Subdivision

Mayor Lenox stated that the request by Peachtree City Development Corporation for a variance to the Street Sign Standards would be conducted as a public hearing and read the rules for the benefit of the public. Mayor Lenox allowed each side twenty minutes and asked to hear first from the applicant.

Mr. Don Burns, representing Peachtree City Development Corporation, came forward and stated that the request was for a variance to the street sign standards for the Planterra Ridge Subdivision currently being developed on the west side of Peachtree City. Burns stated that the subdivision would have many amenities such as a golf course and private and public recreation areas and would be home to four hundred families. Burns stated that Peachtree City Development Corporation would like to develop a comprehensive signage system for the entire subdivision and would like to deviate slightly from the City standards. Burns stated that PCDC would like to coordinate and modify the street signs to match the entrance signs. Burns stated that the height would comply with City standards, that they wished to change the color and graphics of the signs. Burns stated that the streets would be dedicated to the City but that the Homeowners Association would maintain the street signs. Mayor Lenox asked if there was anyone else present who wished to speak on behalf of the variance.

Mr. Jim Williams, Director of Developmental Services, came forward and stated that staff recommended approval of the variance. Williams stated that staff had looked at the public safety issue and felt the signage would be legible. Williams stated that staff had also looked at cost and determined that the City could replace the signs if needed and could budget a certain amount to cover costs. Williams stated that staff did have one concern and asked that a condition be added that if anytime the Homeowners Association could not or did not maintain the signs that the City could replace them with City signs. Williams stated that the property would be unique and deserved special treatment. Mayor Lenox asked to hear from anyone present wishing to oppose the variance and hearing none asked if anyone had any questions. Price asked Chief Murray if he had reviewed the signs and asked him to comment on the safety of the signs for street identification purposes for EMS or Police services. Murray stated that he had seen the design of the signs and for the view they looked fine, but when illuminated or seen at night it might be different but that he would accept Mr. Williams and the developers word that it would meet the standard currently in place.

Mayor Lenox asked Mr. Burns if the signs would be reflective and Mr. Burns stated that they would be. Hearing no opposition Mayor Lenox called the public hearing closed and called for Council debate.

McMenamin stated that she had concerns and that the most important concern was that the City had been expending a great deal of time and energy, not to mention tax dollars whether on the local level, state or federal, to bring the residential areas on the west side closer to the amenities enjoyed on the east side of the City and to grant a variance to distinguish Planterra Ridge as different from the other subdivisions in the City would probably be inappropriate. McMenamin stated that there were other peripheral concerns, such as the homeowners having the long term responsibility for the placement of the street signs as they deteriorate or were maliciously damaged. McMenamin stated that the concern there would be that eventually they would turn into City signs anyway so why create a nightmare. McMenamin stated that she felt it would set a precedent for other subdivisions, that she did not think the subdivision to be overly unique and that the City might very well have a need in a subdivision that might be more unique in its development. McMenamin stated that she had not heard anything to change her opinion and unless the other Councilmembers had some reason that would change her mind, she would probably not approve the variance.

Brooks echoed McMenamin's comments and stated that safety and welfare was a concern and he felt there were certain benefits to standardization of street signs for the identification of the roads for the Fire and Police Departments, particularly when its late and dark and new personnel are on the streets. Brooks stated that Peachtree City was doing many things to try to bring the western side of the City into the fold and he understood that PCDC was proud of Planterra Ridge but would prefer to see Planterra Ridge become a part of Peachtree City. Brooks stated that he appreciated the desire to enhance the neighborhood but did not see the neighborhood as any different as any other area of the City, but if Council gets into the habit of granting a variance every time a new neighborhood comes on line, he did not see how Council could ever again deny a variance for street signs. Brooks stated that long term, the City would need to work out safeguards for quality and standardization. Brooks stated that the major concern he had was the variance ordinance. He felt it would confer on the applicant special privileges that was denied by the ordinance to other land, structures or buildings in the same zoning district. Brooks stated that Council would be granting the variance to the developer to enhance the area and did not feel they could do that according to the requirements that needed to be met for a variance to be granted. Brooks felt Council's decision would be somewhat arbitrary and that if citizens felt there did not need to be standardization to street signs Council needed to look at the overall picture and see about changing the requirements for all areas.

Bradford stated that he echoed all the comments by the Council and that he felt the City had a good street sign standard, that he liked the street signs and by changing Planterra Ridge it would not be bringing the subdivision into the fold of Peachtree City. Bradford stated that he was concerned about future maintenance of the signs. Bradford stated that he was also concerned about the safety issue, that while most of the safety personnel are familiar with City streets, if new personnel was not, it could delay getting service to someone in need if the street signs were not sufficient or missing. Bradford stated that Council just went through the budget and discussed saving money and that one of the ways the City does that is to standardize on particular items that make maintenance more efficient. Bradford stated that he had not seen anything that would compel him to grant a variance.

Brooks stated that a homeowner association would not be set up to maintain signs and while the signs are nice, he was concerned that if one was damaged or stolen it could take some time to have it replaced. Brooks felt if the signs were standardized the City Public Works Department could replace them very quickly.

Mayor Lenox stated that he did not like variances, but also did not like to dictate or impose his taste on the community. Mayor Lenox stated that, looking at what the developer was trying to achieve, if signage in all villages were different it would be very interesting from an aesthetic standpoint. Mayor Lenox stated that he felt the Council had a legitimate concern that the signage be sufficient in height, size, location and legibility but beyond that he did not feel it was up to Council to dictate what the nature of the design and color of the signage should be. Mayor Lenox stated that standardized signage minimized the City's cost on an ongoing basis, which was a legitimate concern. Mayor Lenox went on to say that in 1986 Council approved signage for Dover Square that was not standardized with the condition that they provide the City with a complete set of standardized street signs that could be used if needed. Mayor Lenox stated that he was a fan of diversity, that Planterra was somewhere between a village and a subdivision and anything that could be done to architecturally enhance the development would be to the City's advantage. Mayor Lenox stated that he was not in favor of variances but would approve the variance if that were the only way to allow the signage. Mayor

Lenox stated that he would like to encourage the diversity as opposed to the plain brown sign.

Mr. Burns asked to speak and Mayor Lenox stated that he would allow Mr. Burns to make additional comments and anyone else in the public if they wished to.

Mr. Don Burns came forward and stated that the request for a variance was not a precedent setting request, referring to areas such as Southpark Industrial Park and Ridgefield Condominiums. Burns stated that the design of the signs had not been finalized and when they were they would not take any longer to fabricate than standardized signs. Burns stated that the signs were metal, the panel shape was different the color different, but other than that nothing was different about the signs. Burns stated that the homeowners association would for some time be comprised of PCDC. Burns stated that he would propose that the ordinance be modified in this instance or similar instances that if the signs were vandalized, stolen or missing a certain period of time be allowed by the City to have the signs replaced by whomever responsible for maintaining them. Mr. Burns stated that when the City signs needed to be replaced the City was very quick in doing so and he felt that they could match that performance. Mr. Burns asked that Council rethink their concerns, and stated that PCDC was trying to enhance Planterra Ridge.

McMenamin stated that in response to the variance given to Dover Square, there were only two signs in the area and Mr. Dixon, the developer, was trying to model Dover Square after another development in another City. McMenamin stated that Dover Square was a unique subdivision in that it was a multi-family development. McMenamin stated that she was not sure that she would have granted the variance on Dover Square ten years ago. McMenamin stated that she felt it was important for an upscale neighborhood to stay consistent with the majority of the City, that each subdivision had it's own entry signage to distinguish it and that certainly Planterra will be with the two main entries.

Mayor Lenox stated that the City writes ordinances to protect a standard for the community, but if not careful they can be used to stifle creativity and originality and the differences that can make a community interesting.

Brooks stated that granting a variance was not the way to handle street sign design.

Mayor Lenox agreed and stated that the request for a variance to the street sign standards did not meet the six requirements necessary to be present for Council to be able to grant a variance.

Price stated that she had no problem with variation of signs as long as they met the safety requirements, but did not feel it appropriate to put the burden of maintenance on the homeowners associations. She felt it was the City's responsibility to maintain signs for safety purposes.

Mayor Lenox asked Colin Halterman, Director of Public Services, if the City accepts a street with the normal signage on it and the sign disappears, was it at that point the City's expense to replace the sign. Halterman stated that street signs were City's responsibility once the streets have been accepted by the City. Mayor Lenox stated that if a subdivision with special signs were not maintained the City could put up standard signs.

A citizen came forward and stated that he felt that diversity of street signs would probably be a benefit to the community and stated that he would like to see his subdivision signs changed, however the City had guidelines to follow when issuing a variance and encouraged Council to follow those guidelines.

After Council discussion McMenamin made a motion that the variance be denied. Bradford seconded the motion. Motion carried unanimously. Mayor Lenox directed Staff and the Planning Commission to look at whether there was any room to exercise any latitude in the area or not.

9-93-5 Street Resurfacing Bids

City Manager Basinger stated that the City had solicited bids from nine qualified paving contractors for the 1993 Street resurfacing Program and that three firms had responded to the request as follows:

1. McIntosh Trail Reconstruction LAU-21-8530-51 (113)

    1. Moore Bros. Paving
       Conley, Georgia — $152,119.88

    2. Couch Construction Co., Inc.
       Peachtree City, Georgia — $202,208.22

2. McIntosh Trail Reconstruction LAU-21-8530-51 (113)
   Alternate 1

    1. Moore Bros. Paving
       Conley, Georgia — $172,869.88

    2. Couch Construction Co., Inc.
       Peachtree City, Georgia — $220,027.22

3. LARP Funded Streets LAU-22-8530-55 (113)

1.	Couch Construction Co., Inc. Peachtree City, Georgia	$ 32,220.15
2.	Moore Bros. Paving Conley, Georgia	$ 32,328.00
3.	Stewart Brothers, Inc. Doraville, Georgia	$ 41,012.50

The following explanation of the bids was given:

Base Bid I
McIntosh Trail Reconstruction with a 1 1/2" asphalt overlay.
Base Bid II
McIntosh Trail Reconstruction with paving fabric and a 2" asphalt overlay.

Base Bid III
List of streets to be resurfaced:
1. Appleseed Court
2. McIntosh Trail (West of Peachtree Parkway)
3. Pinegate Road (from Riley Parkway to Dogwood Court)
4. Walnut Grove Road (from Pinegate to Amblewood Court)

City Manager Basinger stated that Staff recommended that the contract for the 1993 Street Resurfacing Program be awarded to Moore Brothers Paving of Conley, Georgia in the amount bid of $205,197.88 for the combination of Base Bid II and Base Bid III. Basinger stated that there was $142,598 available in the street resurfacing program, $32,600 in the Georgia Department of Transportation LARP funds and $30,000 available in the 1993 Public Improvement Program - Highway 54 Median Landscape Account totaling $205,198. Basinger stated that due to above normal rainfall the City's street repair program exceeded the projected cost for patching and that $30,000 needed to be transferred from the highway 54 Median Landscape Account to cover the cost. Basinger stated that Staff recommended the award of the contract and the funding as proposed.

Bradford stated there had been problems with fabric on sloping areas of road and asked Halterman if Council could be assured that would not occur in this case. Halterman stated that he felt confident with the fabric and the fact that heavy trucks would not be using the roads it would not occur. McMenamin made a motion to award the bids for the 1993 Street Resurfacing Program to Moore Brothers Paving. Price seconded the motion. Motion carried unanimously.

9-93-6 Flat Creek Cartpath Bids

City Manager Basinger stated that the City had solicited bids from seven paving contractors for the paving of a cart path on the north side of Flat Creek road from Flat Creek Golf Course to Country Club Court and that two firms had responded as follows:

1. Moore Bros. Paving
   Conley, Georgia $ 8,340.00

2. Couch Construction Co., Inc.
   Peachtree City, Georgia $10,850.00

Basinger stated that Staff recommended that the bid be awarded to Moore Brothers Paving, the low bidder, for the amount bid of $8,340.00 and stated that there were sufficient funds available in the 1993 Public Improvement Program. Brooks made a motion that the contract for paving the Flat Creek Cartpath be awarded to Moore Brothers Paving for the amount bid of $8,340.00 Price seconded the motion. Motion carried unanimously.

9-93-7 Highway 54/Highlands Cartpath Bids

City Manager Basinger stated that the City had solicited bids from seven contractors for the paving of a cart path on the north side of Highway 54 from the Peachtree Executive Conference Center to Highlands Way and that two firms had responded as follows:

1. Moore Bros. Paving
   Conley, Georgia $29,835.00

2. Couch Construction Co., Inc.
   Peachtree City, Georgia $35,428.00

Basinger stated that it was staff's recommendation that the bid for paving the cart path be awarded to Moore Brothers Paving for the amount bid of $29,835.00 and stated there were sufficient funds available in the 1993 Public Improvement Program for paving the cart path. Price made a motion to award the bid for paving of the Highway 54/Highlands Cartpath to Moore Brothers Paving, the low bidder, for the amount bid of $29,835.00. McMenamin seconded the motion. Motion carried unanimously.

There being no further business to come before Council Mayor Lenox made a motion that the meeting be recessed to be reconvened in executive session to discuss a lawsuit and a personnel matter. McMenamin seconded the motion. Motion carried unanimously.

Executive Session

No action was taken in executive session and Bradford made a motion that the meeting be adjourned at 9:00 p.m. Brooks seconded the motion. Motion carried unanimously.

Angie Stevens

Angie Stevens, Asst. City Clerk

Robert L. Prunel

Mayor Attest