

City Council of Peachtree City
Minutes of Meeting
August 21, 1997
7:00 p.m.

The City Council of Peachtree City met in a regular session Thursday, September 4, 1997, at 7:00 p.m. in the City Hall Council Chambers.

Mayor Lenox led those attending in the pledge of allegiance. Council members present were: Robert Brooks, Jim Pace, Caroline Price and Annie McMenamin.

ADDITION OF AGENDA ITEMS

There were no added agenda items.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Mayor Lenox presented the awards to for Employee of the Month to Becky Kimble.

MINUTES

Price made a motion to approve the minutes of the August 7, 1997 meeting as presented. McMenamin seconded the motion. Motion carried unanimously.

OLD AGENDA ITEMS

There were no old agenda items.

NEW AGENDA ITEMS

8-97-07 Consider Election Resolution

Lenox stated that the City would conduct an election in November to fill expiring terms for Mayor and for Post 3 and Post 4. Strobel read the resolution at Lenox's request for the benefit of the audience. McMenamin made a motion to approve a resolution establishing a date for the City election for the purpose of electing a Mayor and Council Members for Post 3 and Post 4; establish a date for qualifying of candidates; establish dates for voter registration and for other purposes. A copy of the resolution is attached and made a part of these minutes herein. McMenamin seconded the motion. Motion carried unanimously.

8-97-08 Consider Hyde Property Dedication to City

Lenox stated that an offer had been received from Mr. Mike Hyde to dedicate a narrow strip of land totaling approximately two-tenths of an acre at the intersection of SR-74 and Wisdom Road. The offer was considered by the Planning Commission pursuant to Mr. Hyde's written offer and the Planning Commission recommended acceptance of the dedication. Subsequent to that, the City received a verbal communication from Mr. Hyde stating that, after further consideration, he was going to withdraw the offer. Council had considered deleting this item from the agenda, but as no written confirmation had

been received and because real estate dealings were supposed to be in writing, he would suggest that Council decline to accept the dedication and if Mr. Hyde wished to re-offer it at some later date, Council would reconsider same.

McMenamin made a motion to decline Mr. Hyde's offer to dedicate the narrow strip of land along SR 74 and Wisdom Road. Price seconded the motion. Motion carried unanimously.

8-97-09 Consider Bid - Maintenance Storage Building

Basinger addressed Council and stated that bids were solicited for the construction of a Field Maintenance Building at the Highway 74 South Baseball/Soccer Complex. He said the purpose of the building was to store mowers and sundry equipment used for maintaining the fields. Basinger said the necessary equipment for daily maintenance was currently being transported from Public Works. Thus, the building would result in saving numerous man hours and expense in transporting the equipment back and forth each day.

Five Bids were received:

Huddleston-Thompson, Inc.	PTC	\$88,500
Leslie Construction, Inc.	Fayetteville	\$90,818
Daniel Construction	LaGrange	\$99,742
Gene Barker Construction	Fayetteville	\$104,495
Burcher Inc.	Fayetteville	\$117,495

Basinger stated that staff recommended the bid be awarded to the low bidder, Huddleston-Thompson, for \$88,500 and that there were adequate funds available in the Public Improvement Program for this project.

Brooks made a motion to award the bid to Huddleston-Thompson, Inc. for \$88,500 to be taken from the Public Improvement Program of 1997. Price seconded the motion. Motion carried unanimously.

8-97-10 Consider Ordinance - Burning Ban

Lenox explained he would like to give a little history and what Council's intentions were from a procedural standpoint. He said this subject came up about eight to nine months ago when several citizen complaints had been received about the same time before the State's Burn Ban went into effect last year. Lenox said further that City staff had been instructed at the February 1997 Retreat to review other ordinances which existed around the state, as well as the state-wide ban that is in effect April through October and develop something that would solve the problem. Lenox said it was not Council's intention to pass an ordinance tonight because very little public input had been received and that although this was not listed as a public hearing, Council would like very much for this to be an informal public hearing because Council's job was to be reflective of the desires of the majority of the community. Therefore, the usual procedure for a public hearing would not be followed, but all those with comments would be heard.

Brooks suggested that the City Engineer present the proposal.

City Engineer Cam McNair addressed Council and summarized the proposed ordinance and answered questions from the Council.

The following Peachtree City residents addressed Council and voiced their opposition to the Burn Ban:

Don Dickinson - 263 Spear Road
Tony Juicy - 167 Interlochen Drive
Calvin Shine - 24 Park Gate Lane
Bill Wheelock - 110 Treillage Lane
John McGinn - 103 Robinson Bend Trail
Orville Barber - 165 Wynnmeade Parkway
Ted Thomas - 102 Camp Creek Trail
Ralph Jerome - 116 Fountainhead
Jane Langley - 107 Chipstone Court
Walt Mashburn - 505 Golfview Drive

Major concerns were that this was not a major environmental issue; most only burn a few times a year; it was difficult to get rid of debris; prohibiting burning would probably increase dumping in greenbelts; if burning was a nuisance and bothers neighbors, there is a process in place for that person to have the fire department respond to have the fire put out.

Jim Steinbach, who resides at 609 Grecken Green, addressed Council and spoke in favor of the Burn Ban.

Phyllis Aguayo addressed Council and stated that she thought the environmental issue should be thoroughly investigated and also try to find out how much burning is taking place before the idea of a Burning Ban is dismissed. In addition, Ms. Aguayo said that Council should address the types of frequent fires we have on the part of the developers and suggested that home owners with large parcels of land think twice before cutting down trees because they provide a habitat for the creatures who live in the woods.

Ms. Aguayo asked if the City could also increase the limit allowed at the Recycling Center as well as increase the size of yard trimmings allowed. Lenox advised that the City is actively working on both and would like to find a better home and a better setup for the Recycling Center, but that it would take some time. Lenox said residents would probably not see an increase in the size allowed in the near future. The City does not own the equipment that does the chipping - we rent it twice a year and the cost for the machine that can handle the size allowed now costs about \$200,000.

Price asked McNair to clarify what the current situation was with commercial builders because some people this evening had alluded to the fact that the builders are allowed to burn when they clear their lots. McNair said yes they are, but not in May through September because of the Atlanta ban and that there was a permitting process. McNair also clarified that large scale land clearing operations do use

air curtain destructors which make it a more efficient fire and that developers are paying haulers to have building debris mulched or disposed of in some other way or pay exorbitant tipping fees to have the materials buried.

Lenox thanked everyone for their input and stated that it was extremely helpful to the Council.

McMenamin said this issue did not start nine months ago and that on most of the City Retreats there were requests for Council to consider a ban on burning and that Council had heard only the side of those who were for the ban and that was what generated this proposed burning ban. Additionally, McMenamin thanked everyone and asked that this item be continued for one more meeting because there may be some things that needed fine tuning.

Price said most of the comments suggested responsible use of fires two or three times a year which led her to believe that, if anything, Council might want to simply put a limit of four or six permits within six months. However, the air quality issue is something we need to be a step ahead of what the state is doing in disseminating enough information so that people use all of the options available to them. Price said she would support a continuation.

Brooks stated that all the messages he had received were negative and felt that it should not be continued. Brooks stated further that with the six month ban in place, he did not necessarily think the issue should be completely abandoned because there were some legitimate things we could look into as far as staff educating themselves from an overall pollution standpoint and become more aware of things we need to continue to do from a recycling standpoint.

Brooks made a motion to turn down the proposed Burn Ban Ordinance. McMenamin seconded the motion. Motion carried unanimously with Price abstaining due to a potential conflict of interest.

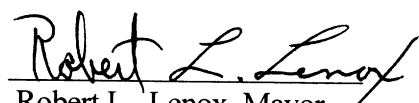
Lenox made a motion to adjourn the meeting into executive session to discuss a legal matter. Price seconded the motion. Motion carried unanimously and meeting adjourned at 8:20 p.m.

EXECUTIVE SESSION

Brooks made a motion to authorize the City Attorney to proceed with mediation of a law suit. Price seconded the motion. Motion carried unanimously.

Lenox made a motion to adjourn the meeting. McMenamin seconded the motion. Motion carried unanimously and the meeting adjourned at 10:20 p.m.


Gloria Strobel, Acting City Clerk

Attest: 
Robert L. Lenox, Mayor