

MINUTES OF MEETING
City Council of Peachtree City
August 19, 1993
7:00 p.m.

The City Council of Peachtree City met in regular session on Thursday Night August 19, 1993 at 7:00 p.m. in the City Hall Council Chambers.

Mayor Pro-Tem Robert Brooks led those present in the pledge of allegiance. Present were Mayor Pro-Tem Robert Brooks, Councilmembers Annie McMenamin, Edward Bradford and Caroline Price. Mayor Robert Lenox was out of town.

Announcements, Awards, Special Recognitions

Mayor Pro-Tem Brooks presented the "Employee of the Month" award for July to Chris Bowden, Public Works Department.

Mayor Pro-Tem Brooks presented Jane Miller, Personnel Officer, with a pin for ten years of service with the City.

Department Reports

Mayor Pro-Tem Brooks announced that Department Reports were available for review at City Hall.

Minutes

Price made a motion that the minutes of the August 5, 1993 City Council meeting be approved as presented. McMenamin seconded the motion. Motion carried unanimously.

New Agenda Items

8-93-8 Public Hearing - Variance, Dr. Potts Building,
Eastbrook Bend

Mayor Pro-Tem Robert Brooks stated that the variance request for Dr. Potts building in Eastbrook Bend would be conducted as a public hearing and read the rules for the benefit of the public. Mayor Pro-Tem Brooks asked to hear first from the applicant.

Mr. Bob Adams, contractor for Dr. John Potts, came forward and stated that when Dr. Potts had made application for building permits to put an addition on the building at 12 Eastbrook Bend, the building was found to be in violation. Mr. Adams stated that a variance was needed so that the addition could be constructed. Brooks asked if there was anyone else wishing to speak in favor of the variance and Mr. Jim Williams, Director of Developmental Services, came forward and stated that the building was now a non-conforming use in the OI Zoning District. Williams stated that the zoning was changed for the area in 1981 prior to the building being

constructed requiring a 20 foot setback for parking and a 40 foot setback for the building, but that during the process the violation was not noticed. Williams stated that the building had existed for ten years with no adverse affect on the area and stated that staff felt that the 19.9 foot variance to the front setback and a 0.9 foot variance to the parking setback should be approved.

Brooks asked for anyone wishing to speak against the variance and hearing none called the public hearing closed and called for Council debate.

Price stated that it seemed to her that with the research that had been done we could see that somehow it just fell through the cracks, that it did meet the prior requirements and yet was approved at a time when it should have had more of a setback. She stated she believed, as Mr. Williams had said, if the property had existed without problems for a period of nine years, she did not have a problem with approving the variance. McMenamin stated that she agreed with Councilman Price and she thought that all the proper procedures were followed and made a motion that the 19.9 foot variance to the front setback and 0.9 foot variance to the parking setback be approved. Price seconded the motion. Bradford stated that he did not like granting the variance but since the City was partially at fault he would support it. Bradford stated that he hoped the City would ensure that the same type violation did not occur in the future. Motion carried unanimously.

8-93-9 Election Resolution

Frances Meaders, Elections Superintendent, stated that on November 2, 1993 the City would conduct an election to elect a Mayor and Councilmember to Post 3 and Post 4. Meaders stated that it would be the first year for four year terms and the first year the election would be held in November. Meaders stated that the City was now following the State Law mandated changes. Meaders also stated that the Director of Elections for the State has rendered an opinion that a qualifying fee is required for all elections and, if the Council positions are salaried positions, the fee must be 3% of the annual salary. Meaders said that she thought the law was open to interpretation and she didn't agree with the interpretation that had been made that a qualifying fee was required. She reported that she had asked the Director of Elections to obtain an opinion from the Attorney General, however, she felt that if one is given it will probably be too late for this election and because of that the Resolution contained the requirement for a qualifying fee of \$270 for the Mayor's position and \$180 for the Council position. Meaders asked that Council adopt the resolution calling for the election as submitted. Bradford made a motion that the resolution be adopted. Price seconded the motion. Motion carried unanimously.

8-93-10 Authorization to open bank account for
Recreation Bond Projects

City Manager Jim Basinger stated that the City had received the three million dollars for the Recreation Projects and that staff was requesting that Council authorize the opening of an interest bearing checking account so that funds could be dispersed. Price made a motion to authorize staff to open an account at Peachtree National Bank for Recreation Bond Projects. Bradford seconded the motion. Motion carried unanimously.

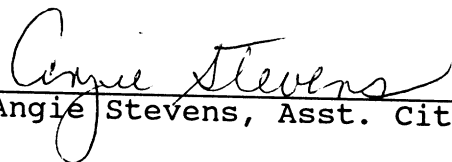
8-93-11 Atlanta Gas Light Franchise Acceptance Letter

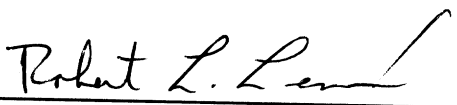
City Manager Jim Basinger stated that on June 17, 1993 a franchise agreement between the City and Atlanta Gas Light was approved and that Atlanta Gas Light had requested that the acceptance letter be read into the minutes of the meeting. The letter was read as follows into the minutes:

Atlanta Gas Light Company accepts the terms of an ordinance passed June 17, 1993, by the City Council of Peachtree City. The ordinance grants Atlanta Gas Light Company, its successors and assigns the right and franchise to install and maintain a gas distribution system within and through Peachtree City, Georgia, subject to the terms and conditions therein granted.

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

No action was taken in executive session and McMenamin made a motion that the meeting be adjourned at 8:00 p.m. Price seconded the motion. Motion carried unanimously.


Angie Stevens, Asst. City Clerk



Mayor

Attest: