

City Council of Peachtree City
Minutes of Meeting
August 17, 2000
7:00 p.m.

The City Council of Peachtree City met in a regular session, Thursday, August 17, 2000, at 7:00 p.m. in the City Hall Council Chambers. Mayor Robert L. Lenox led those attending in the pledge of allegiance. Other Council members present were: Carol Fritz, Annie McMenamin, Dan Tennant and Bob Brooks.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Mayor Lenox read a Proclamation for Literacy Month.

Mayor Lenox presented the Employee of the Month award to Thomas Holmes.

MINUTES

McMenamin made a motion to approve the minutes of the August 3, 2000, meeting as presented. Fritz seconded the motion. Motion carried unanimously.

CONSENT AGENDA

1. Consider Bids – Holly Grove Church Road
2. Consider Bids - Sumner Road
3. Consider DOT Contract – 2001 LARP

Brooks made a motion to approve the consent agenda items. Fritz seconded the motion. Motion carried unanimously.

McMenamin asked that the 2001 LARP information be placed in the UPDATE.

Brooks made a motion to rearrange the agenda to discuss the annexation issue prior to the Katz Rezoning. Lenox seconded the motion. Motion carried unanimously.

08-00-11 Discussion – Westside Village

Brooks said he wanted to obtain the overall opinion from Council regarding the annexation of the Westside Village. He thanked citizens, volunteers, Mayor Lenox and Betsy Tyler for their work with the task force, but stated that he had decided not to support the annexation. He gave a number of reasons for his decision, such as school and traffic issues. He felt the proposed development plan was beautiful but that it did not reflect the citizens' vision. He said the feedback he had received from residents indicated they wanted lower density and that it should be developed at County standards. He said that since he knew Councilman Tennant also opposed the annexation, he wanted to get feedback from the other Councilmembers on the issue so that the Task Force did not waste their time if there was another Councilmember opposed to the annexation.

McMenamin said she could not support the annexation. She agreed with Brooks' comments. She felt the original proposal provided flexibility to lift the moratorium for purpose of discussion. She

— liked the idea that a great deal of citizen input and research was provided. She felt the task force's vote to continue with annexation was weak. She stated that in 1992 she and Councilman Brooks turned down an annexation request because an at-grade crossing of railroad tracks was proposed. She said the same at-grade crossing was put back into the new plan. She felt the density for the proposed annexation was too high and that the development would not benefit the traffic issue and unsafe conditions on Highway 54.

Fritz said she spent a lot of time researching the issue and that she appreciated the citizens' efforts as well. She did not feel they wasted their time because many things were learned about the situation. She said the school issue was important to her and that it seemed to have been disregarded. She said she served on the School Facilities Committee and that their 20-year projection expected 4 to 5 schools every five years because the population of Fayette County was expected to double. She also did not feel the task force was looking at placement of the quarry and wetlands close enough. She said Joel Cowan had stated he chose this location to develop Peachtree City because the watershed in the area would provide water to the residents. She was concerned that wetlands were developed to build Morallion Hills and Braelinn Shopping Center and she felt those were issues that should be watched carefully. She said she had come to the conclusion that she could not support the annexation as discussed by the Task Force, but that she would be in favor of annexation of the property at its current zoning and density.

— Brooks made a motion to make a decision that Council would not annex the property on the west side and to recognize the citizens who served on the Annexation Task Force at a future public meeting on behalf of all Peachtree City. McMenamin seconded the motion. Fritz asked if Brooks would consider annexation of the property at the current zoning. Brooks replied that the current zoning was involved in a lawsuit between Pathway Communities and Fayette County and he felt that it would not be wise at this time. Lenox felt the Task Force would support annexation at the current zoning. Tennant said he had not been prepared for the discussion that evening, but he was delighted with what he heard and thanked Council for their remarks. Motion carried unanimously.

OLD AGENDA ITEMS

06-00-05 Public Hearing – Rezoning – Katz Tract

— Lenox reconvened the public hearing that was previously tabled and read the rules for conducting such. Doug Dilliard, attorney for the applicant, addressed Council. He stated that the property in question had been zoned for industrial use for 27 years and that for the last 10 years it had been land locked. He stated if Council were to deny the rezoning request it would be an unconstitutional taking of Mr. Katz's property without paying fair, adequate and just compensation. He said Katz's developer, Dan Fields, had served on the Task Force in the spirit of compromise. He said they had amended their development plans to be consistent with the recommendation of the Task Force. He said the Planning Commission had not reviewed the new plan but that it was consistent with the residential concept of the Task Force. He said Mr. Katz owned 180 acres, of which, 100 acres were located in city and 80 acres were located in unincorporated Fayette County. Dan Fields reviewed and explained the proposed plan.

— Lenox felt there was a procedural problem. He said Council did not make decisions on rezoning matters without a recommendation from the Planning Commission. Since the proposed plan was

— significantly different than what was presented to the Planning Commission, he was reluctant to make a decision without remanding it back to the Planning Commission.

Brooks said he was not supportive of the original plan because he felt the density was too high. He said that if the Planning Commission approved the current plan, he would not reject it.

Tennant felt the plan should be sent back to the Planning Commission.

Lenox felt it was important to try and preserve the road right-of-way to allow access to property that would be eventually developed in the County. He felt it was the City's only opportunity for the City to ensure that there would be access into that area without an at-grade crossing of the railroad tracks.

Brooks noted that several members of the Planning Commission were present that night. He asked them to consider the commuter rail need in that area when reviewing the plan.

Lenox made a motion to close the public hearing, table the item with a target to have it on City Council's agenda on September 20th with a recommendation from the Planning Commission relative to the significant changes in the plan. Fritz seconded the motion. Motion carried unanimously.

— Lenox made a motion to take a five-minute recess. Fritz seconded the motion. Motion carried unanimously.

NEW AGENDA ITEMS

08-00-05 Appeal – Wal-Mart – Conceptual Site Plan

The City Manager, Jim Basinger, said the City had received a letter from Ram Development, the applicant, asking for a delay in consideration of their appeal until September 7th to allow further discussions between the attorneys. Brooks made a motion to table the issue until the next meeting. Fritz seconded the motion. Motion carried unanimously.

08-00-06 Appeal – Kedron Commons – Conceptual Plat

Mayor Lenox said the applicant had requested to have this agenda item withdrawn.

08-00-07 Ordinance – Dumpster Regulations

— Basinger explained that the proposed ordinance would prohibit solid waste collection companies from servicing dumpsters and compactors between the hours of 11:00 p.m. and 7:00 a.m. in all zoning districts except industrial. He said that over the years the City had periodically received complaints from residents that the metal-on-metal noise disturbs their sleep, and that the complaints appeared to have increased in recent months.

A citizen from Fetlock Meadows address Council with her concerns. She said her sleep had often been disturbed between 3:50 a.m. and 4:45 a.m. She said understood that the proposed

— ordinance restricted the hours of 11:00 p.m. to 7:00 a.m., but she felt that 6:00 a.m. would be more reasonable. She stated that some businesses were open for business at 7:00 a.m. and she felt they should be allowed to have their trash picked up before customers were in the parking lot.

Steve Brown suggested that companies could retro fit their containers with rubber stops or plastic lids to keep doors from slamming. He suggested there might be other alternatives to consider as well.

David Langis, Environmental Partners, addressed Council with several concerns about the ordinance. He explained that their companies operated in early morning hours out of concern for the public. He said there were school buses, parked cars, bicycles, or pedestrians during the early morning hours. He said their business was a safety sensitive business and that parking lots were small and access to bins were narrow. He also said they had an agreement with the School System and various business to empty their containers before their operating hours. He was not opposed to some type of conflict resolution, but he felt the proposed ordinance would have an adverse effect on public safety.

Robert Brown, suggested the issue be studied further. Council discussed the issue briefly with the City Manager. Mayor Lenox instructed staff to place information concerning the ordinance in the UPDATE to determine problem areas in the City before proceeding with modifications to the ordinance.

08-00-08 WASA Update

Larry Turner, General Manager for WASA, addressed Council to review the status of sewerage system projects. He said that all Capital Improvement Projects (CIP) that had been planned at the time the system was acquired were complete. He said WASA was implementing an annual CIP program to address deficiencies it may find in the system. He reviewed the CIP projects for the coming year, which totaled \$2.5 million. Projects included: a pump station replacement and standby generator, significant maintenance to the Wynnmeade trunk sewer, and the design and development of the plant expansion. He explained that the original agreement with the City required Council to approve WASA's CIP for the first three years, but that it had expired and no action was required by Council.

Brooks said that WASA's demonstration during the Retreat was impressive. He noted that sewerage rates in Peachtree City had gone from being some of the highest rates in Georgia to being mid-range with a significantly enhanced system.

08-00-09 Consideration of EMS Fee Increases

— Basinger explained the proposed revisions for the EMS fees for ambulance transport services. He said the fees had not been revised since 1991. He noted that the City's current base rate of \$175 per trip was the lowest among entities that were surveyed and from staff's perspective; the City could not afford to continue to provide the service at that rate. He stated that in fact, the proposed budget for the Fire Department for FY 2001 was over \$2.2 million dollars. Additionally, 3 new paramedics were hired in the past several years and staff was asking Council for six new paramedics positions in 2001. He said the reasons for the increased manning was a lack of

— volunteer paramedics. He also noted that the survey indicated that Fayette County charges \$200 per trip, which was also lower than any of the other entities surveyed and he expected the County to review their rates in the near future and begin making appropriate increases.

Basinger said staff recommended the base rate be increased from \$175 to \$300. He said the increase of \$125 was certainly not an insignificant amount but staff felt the cost of providing this service warrant such an increase.

Councilman Tennant suggested it would be sensitive to waive fees in the event a death occurs.

Ron Mundy addressed Council and supported the fees that were suggested.

Brooks felt that Council should guard against having user fees pay for the entire cost of provided EMS service, but he felt it had been a number of years since the fees had been raised and it was appropriate to do so.

Tennant objected to having a 75% increase in the fee, which was 50% higher than Fayette County's fee. He said he would be more comfortable having an incremental increase over the next four years.

— Fritz felt the County was going to raise their fees in the near future and made a motion to approve the cost structure as presented and to instruct staff to review the fees every two years to avoid having the same situation happen again. Brooks seconded the motion and said that six years ago, Council had instructed staff to review user fees on an annual basis as part of the budget process, excluding EMS fees. Brooks moved to amend the motion to waive user fees in the event of a death. Lenox seconded the amendment. Ron Mundy addressed Council and explained that those types of incidents required higher cost medications and equipment. Tennant asked how many incidents resulted in death each year. Fire Chief Lohr replied that he did not have that information readily available. Brooks withdrew his amendment. He stated that he may support waiving the fee in the future but he felt additional information was needed and asked staff to research the issue to determine the cost and procedures involved. McMenamin seconded the withdrawal of the amendment and stated that Chief Lohr had the authority to waive the fee in compassionate circumstances. Fritz said she had the personal experience of having to pay an ambulance bill for an incident that resulted in a death. She said part of the unfortunate process that a family must deal with when a death occurs is paying bills. She empathized with families in that situation and added that in her case, she sent the bill to the insurance company for payment. Lenox called for a vote on Fritz's motion. Motion carried with Tennant opposing.

08-00-10 Employee Pay Plan Study

— Basinger said the study was not complete. He requested Council to table the issue until September 7, 2000. Lenox moved to table the issue until September 7, 2000. McMenamin seconded the motion. Motion carried unanimously.

COUNCIL/STAFF TOPICS

— Basinger congratulated the City Clerk, Nancy Faulkner, for receiving certification from the International Institute of Municipal Clerks.

Basinger said several Council members would be out of town on September 21, 2000, and it was necessary to reschedule the next meeting to be held a day earlier on September 20, 2000.

George Kadel addressed Council and congratulated Council on their action concerning annexation. He also expressed his appreciation to the Mayor for his efforts.

Jim Steinbach addressed Council and expressed appreciation to Betsy Tyler for her efforts with the Annexation Task Force.

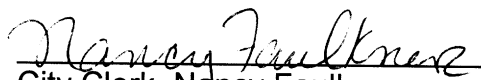
Mark Klynott addressed council and expressed his appreciation to the Mayor and the members of the Task Force.

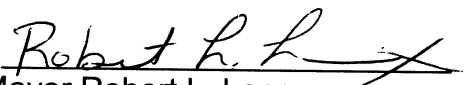
Lenox made a motion to take a brief recess and adjourn into executive session to discuss a lawsuit. McMenamin seconded the motion. Motion carried unanimously.

EXECUTIVE SESSION

No action was taken in executive session.

Lenox made a motion to adjourn the meeting. Fritz seconded the motion. Motion carried unanimously and meeting adjourned at 9:20 p.m.


City Clerk, Nancy Faulkner

Attest: 
Mayor Robert L. Lenox