

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

The City Council of Peachtree City met in a regular session Thursday, August 7, 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.

Mayor Lenox made a motion to rearrange the order of the agenda and hear the Public Improvement Program Presentation last. Pace seconded the motion. Motion passed unanimously.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Mayor Lenox recognized Tom Allen for service on the Development Authority.

Mayor Lenox recognized Dr. Bruce Perlman for 11-years of service as the Medical Director.

MINUTES

Price made a motion to approve the minutes of the July 17, 1997 meeting as presented. McMenamin seconded the motion. Motion carried unanimously.

McMenamin made a motion to approve the minutes of the July 24, 1997 meeting as presented. Price seconded the motion. Motion carried unanimously.

OLD AGENDA ITEMS

7-97-04 Cooper Circle/Hwy 74 Traffic Signal Installation Bid

Basinger said bids were solicited for the construction of turn lane, installation of a traffic signal, and other improvements at the intersection of Cooper Circle and Highway 74. Bids were received from Couch Construction and McCoy Grading for \$256,839 and \$205,452 respectively. After a review of the low bid, McCoy Grading agreed to lower their bid further to \$199,612.

Basinger explained that the signal was being jointly funded by Fayette County, Peachtree City and the Peachtree City Development Authority. He recommended that the City request Fayette County to pay half of the \$17,486 shortfall and that the entire \$17,486 be funded from the Council Contingency pending receipt of the County's share.

Price made a motion to award the bid to McCoy Grading in the amount of \$199,612 and that a request be directed to the County to provide \$8,743 to share in the \$17,486 shortfall. Pace seconded the motion. Price amended her motion to fund the entire \$17,486 shortfall from the Council Contingency

Fund pending receipt of the County's share. Pace seconded the amendment. Motion carried unanimously.

NEW AGENDA ITEMS

8-97-01 Report on Feenaghty Ethics Complaint

Rick Lindsey, City Attorney, addressed Council concerning an Ethics Complaint filed by John Feenaghty questioning whether or not certain acts of the Mayor and Council were ethical. He said the GA Bureau of Investigation conducted an investigation and found no evidence whatsoever of illegal or unethical conduct. Lindsey said his office had also investigated the allegations and likewise concluded there was no evidence of unethical or inappropriate conduct. Lindsey said he felt all of the Mayor and Council's actions were well within the law and ethical standards and were in the best interest of the citizens of the City of Peachtree City. Lindsey added that while Mr. Feenaghty would give no evidence to support his allegations and was completely uncooperative in the investigation, his complaint cost the citizens \$1,300.80 in attorney fees.

Lenox explained that Council's rules for hearing the report required that they wait fifteen days before taking a vote on whether or not to accept the report to allow for public comment. Lindsey recommended that the Mayor and McMenamin refrain from voting due to the alleged personal involvement in the lawsuit. Lenox said Council would vote on the item at the regular meeting of September 4, 1997.

8-97-02 Consider Resolution - Fayette County Master Transportation Plan

McNair said the County-wide Master Transportation Plan was developed during the period of May, 1995 and October, 1996 through a planning effort authorized by the Association of Fayette County Governments (AFCG) with assistance provided by the Atlanta Regional Commission (ARC).

He said analysis of the County's transportation needs included public meetings throughout the County, written surveys, study of the 1990 census data, analysis of the County's Land Use Plans, accumulations of traffics volumes and accident data; and a review of the existing Transportation Plans within the County and its municipalities.

McNair said the result of the analysis was a proposed program of 210 road improvement projects, prioritized into four categories. He said 138 local projects included 96 unpaved roads. He also said 11 bicycle paths were included in the plan to begin an effort to extend bikeways and multi-use trails throughout the County. McNair said 8 of these paths would be located in Peachtree City.

McNair said if it was decided to implement all of the projects it would cost approximately \$230,403,000. He said various funding options would need to be discussed and studied further to determine the best financing plan.

Brooks and McMenamin both felt it was important to keep the lines of communication open with Coweta County regarding road projects on the west side of Peachtree City because they were not a member of the Atlanta Regional Commission.

Price made a motion to approve a resolution signifying adoption of the Fayette County Transportation Plan, a copy of which is attached and made a part of these minutes herein. McMenamin seconded the motion. Motion carried unanimously.

8-97-03 Consider ARC Grant Application Bicycle/Pedestrian Path

Basinger said this subject was discussed at the July 15 meeting of the Association of Fayette County Governments. At that meeting it was discussed that there was approximately \$2.75 million dollars that would be available in fiscal year 1998 from the Atlanta Regional Commission Transportation Improvement Plan for bicycle and pedestrian facilities that would contribute to improving air quality. Basinger explained there was a local 20 percent match required for all funds received and those funds were available for projects that were referred to as "alternate transportation facilities". Basinger said they also learned at the July 15 meeting, the applications had to be in by August 8, which was the next day.

During the discussion of the subject at the July 15 meeting a Countywide path program was presented and each entity was requested to take action to endorse the county wide plan prior to the August 8 deadline. He said since that time staff focused on that part of the plan within Peachtree City that would enhance and expand the existing path system primarily inside the city limits but that the presentation that night would recommend tying in the newly constructed Starr's Mill school complex on Highway 74 South.

If Council elected to apply for any funds, Basinger recommended funding for the local 20 percent match come from the council contingency fund.

David Rast, City Planner, explained that the plan was very conceptual and was subject to change. He said the proposed plan would connect all municipalities within the County to recreation, commercial, residential and other major activity centers by including a combination of bicycle lanes, paved shoulders and separated multi-use paths.

Rast explained the first phase of the overall plan would be the construction of a multi-use path adjacent to Redwine Road, stretching from the Starr's Mill school complex to the County Government Complex in downtown Fayetteville. He said the City of Fayetteville and Fayette County were submitting applications for a 3.1 mile portion of the 10.5 mile path.

Rast said the proposed multi-use paths within Peachtree City would be an integral part of the overall County-wide alternate transportation plant. He said the City has identified two projects, one along Redwine Road (1.25 miles) and another along GA Highway 74 (2.5 miles). He said those paths would connect the Starr's Mill school complex, the Jim Meade Field complex, the Highway 74 Sports Complex and the industrial park with the existing path system in the southern portion of Peachtree City. Rast explained that "multi-use paths" would be wider than the City's cart paths to provide two lanes of traffic.

Rast said the overall cost of construction was anticipated at \$561,000 with the City 20% matching share to be in the amount of \$112,200.

Several citizens had concerns about a county-wide alternate transportation system. Lenox explained that the grant to be considered that night was not a part of the County's plan but would be entirely Peachtree City's project. Rast stressed that the County-wide plan was only conceptual and that comments from citizens would be taken into consideration before the plan was finalized. Lenox said he was not ready to endorse a County-wide plan because he felt more study was needed.

Price made a motion to approve the application for funding for the proposed multi-use path project within Peachtree City and commit to the local 20% match of \$112,200 to come from the Council Contingency fund. Pace seconded the motion. Motion carried unanimously.

8-97-04 Consider Appointments Commission on Children and Youth

Basinger said the selection committee composed of Council members Jim Pace and Bob Brooks, Commission member, Lynn Grant, and himself interviewed seven applicants for the vacancies on the Commission on Children and Youth.

He said it was their recommendation that Dr. Carol Hamilton and Ms. Kim Westwood be appointed to serve terms from 9/1/97 through 8/31/00. It was also their recommendation that Mr. Mike Latella be appointed to serve an unexpired term ending 8/31/98 and that Pastor Willie Kellings be appointed to serve an unexpired term ending 8/31/99.

Basinger said the selection committee also recommended that Ms. Theresa Vannier and Ms. Dorothy Merrick be appointed to serve as alternates to fill any vacancies which may occur.

Pace made a motion to approve the recommendations of the selection committee. McMenamin seconded the motion. Motion passed unanimously.

8-97-05 Consider Bid - 1997 Street Resurfacing

Basinger said the City solicited bids from seven paving contractors for the 1997 Street Resurfacing Program. Couch Construction and APAC-Georgia, Inc. responded with bids of \$162,943 and \$169,931 respectively. Basinger said staff recommended the contract be awarded to the lower bidder, Couch Construction in the amount of \$162,943. He said there were adequate funds in the 1997 PIP fund line item for street repair for the 1997 Street Resurfacing Program.

McMenamin made a motion to award the bid to Couch Construction in the amount of \$162,943. Price seconded the motion. Motion carried unanimously.

8-97-07 Consider Annexation Moratorium

Pace made a motion that the Annexation Moratorium that was lifted by Council at the April 18, 1996, meeting again be instituted by Council effective immediately, and that no city staff time shall be

expended discussing and/or reviewing any plans submitted by a property owner, or developer/builder for any annexation until the moratorium is first lifted by Council action. Brooks seconded the motion. Motion carried unanimously.

8-97-08 Consider Clarification on Apartment Moratorium

Pace said he wanted to make a motion to clarify several aspects of the moratorium on apartments that was passed by Council at the March 7, 1996 meeting. He said the motion was really nothing new but was designed to accurately reflect his intention and what he perceived to be Council's intention when the moratorium was enacted.

Paced made a motion that apartments as used in the moratorium be clarified to include not only apartments, but also condominiums, townhouses, and duplexes, and further, that no city staff time shall be expended discussing and/or reviewing any developer/builder plans for such facilities until the moratorium is lifted by Council action. He said the motion does not include Health Care Facilities such as nursing homes and assisted living units and additionally, the moratorium applies to all properties in the city regardless of current zoning as it was at the time the moratorium was originally enacted. He said the motion was based on major health, safety, and welfare concerns of Council. Among others, these concerns include but are not limited to the Federal Clean Air Act which prohibits the city and state from making essential road improvements to resolve major traffic congestion problems in Peachtree City. Further, Pace said, the Police Chief had expressed significant concern for the impact on the number of calls for service being generated by existing apartment complexes and a possible further degradation of Police services caused by additional apartments. Finally, the Fayette County School System was unable to accommodate all new students in schools located in the city and was having to bus students to schools located in the county. Pace said his motion clarified Council's intention and was retroactive to the date of the original moratorium. Price seconded the motion. Motion passed unanimously.

Representatives of the Fayette County Board of Education, the Police Chief, the City Engineer and several citizens expressed their support for the moratorium.

Councilmember McMenamin announced that while she had been considering running for the Mayor's seat, she had decided she could best serve her community by remaining in her council seat. McMenamin said the City was made up of businesses, commuters, retired people and all walks of life. She said she truly felt every voice should be heard and that she believed the line of dialogue had improved with Mayor Lenox and would continue to remain open.

Lenox made a motion to take a brief recess to allow staff to set up the projector equipment for the Public Improvement Program Presentation. McMenamin seconded the motion. Motion carried unanimously.

8-97-06 Presentation - 5-Year PIP

Basinger explained the process that has transpired to date in developing the \$2,078,803 Five-Year plan being considered that night. Prior to the Council Retreat in February, the staff reviewed a proposed plan with the Recreation Commission and the Commission on Children and Youth. Basinger said during

Retreat, Council closely reviewed the Plan and advised staff to develop a more efficient, practical plan for the construction of new sports fields. He said the plan presented at Retreat called for the construction of a single new field at a time. Council felt it was more economical and practical to build four fields at the same time or least do the grading for a full wheel of four fields. Basinger explained the wheel concept had been incorporated in the plan before them tonight, and had been back to the Recreation Commission for review and approval.

Basinger said there were significant dollars in the plan allocated to the construction of facilities including a number of recreation facilities in this program that were called for in the Master Recreation Plan. He said staff would continue to work closely with the Recreation Commission in the months ahead to update the Master Plan and thus, there could be some changes in the Master Recreation Plan by next year that would affect the 1999 Public Improvement Program.

Basinger said as the city approaches build out, there were several other facilities that needed to be considered. He said while no decision has been made by council on such facilities as a Recycling Center and for additional facility space for city departments, some initial funds have been included in the plan. Regarding department facility space, Basinger said it had become apparent that the lower level of City Hall occupied by the Police Department may not be adequate to handle the department's space requirements at build out. Additionally, he said the Public Works and the Building Department building was at maximum capacity. Basinger added that the City would beginning the planning process for replacing Leach Fire Station with the \$750,000 cash on hand allocated for this project.

Basinger said another key aspect of the plan was the significant increase in funds allocated to street resurfacing. The plan called for \$500,000 in street resurfacing in 1998 and some additional increase each year thereafter. The increase was essential if Council wanted to maintain streets at a standard the citizens expect and deserve. Additionally, Basinger said there were significant increases in the plan for cart path repairs. The plan called for a \$100,000 expenditure in 1998 with some additional increase each year thereafter.

Basinger explained there were basically four sources of \$2,078,803 Public Improvement Program funding for 1998: Ad Valorem Property Taxes, Development Impact Fees, an annual grant from Fayette County, and interest earnings.

He said funds from Ad Valorem Property Taxes included 2.95 mills dedicated to PIP for 1997 which would drop to 2.75 mills in 1998 and to 2.50 mills each year thereafter. The purpose of the reduction was to provide increased funds for operation and maintenance of facilities. He said this would start a transition to transfer some funding from building new facilities to funding for operating and maintaining those facilities.

Funds from Development Impact Fees included staff's projections of receiving \$150,00 in 1998 and 1999 and only \$50,000 each year thereafter. He explained the reduction was necessary as the city approached build out.

The recreation facility grant from Fayette County has been reduced to \$35,000 from the \$50,000 received from the County the last few years.

The final source of funding was interest earnings of \$15,000 that was projected to be earned as result of investment of PIP funds.

Basinger called upon the Finance Director to go through each year and present the plan and answer questions on specific items.

Steve Fodar, a volunteer with the Fire Department, addressed Council and requested funding in the 1998 budget for the purchase of Cairns-IRS Thermal Imaging System which would allow firefighters to see "through" smoke and obstacles by using thermal imaging.

McMenamin asked Chief Reed what the required procedures were for purchasing equipment. Reed explained that an equipment committee and senior staff review suggestions and make recommendations.

McMenamin, Lenox and Price all felt that proper procedures should be followed for budgeting equipment and that more study was needed.

Jergen Dubara also addressed Council in support of purchasing the IRS equipment.

Brooks made a motion to approve the PIP as presented with the understanding that it was subject to change. Price seconded the motion. Motion carried unanimously.

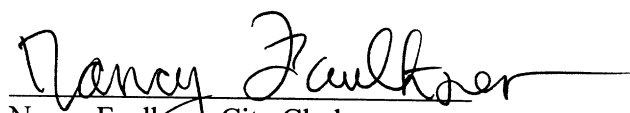
Lenox made a motion to adjourn the meeting into executive session to discuss a legal matter. Price seconded the motion. Motion carried unanimously and meeting adjourned at 9:20 p.m.

EXECUTIVE SESSION

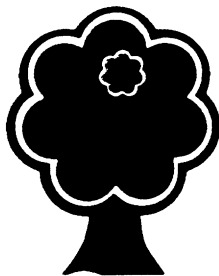
Brooks made a motion to authorize the City Attorney to begin mediation process of a law suit with Council reserving the right to approve the final settlement. Price seconded the motion. Motion carried unanimously.

Pace made a motion to authorize the City Attorney to begin condemnation process if necessary. McMenamin seconded the motion. Motion carried unanimously.

Lenox made a motion to adjourn the meeting. Brooks seconded the motion. Motion carried unanimously and the meeting adjourned at 10:15 p.m.


Nancy Faulkner, City Clerk

Attest: 
Robert L. Lenox, Mayor



Peachtree City

Georgia

**RESOLUTION OF THE LOCAL GOVERNMENTS OF FAYETTE COUNTY
(THE MUNICIPALITIES OF BROOKS, FAYETTEVILLE, PEACHTREE CITY, TYRONE, AND WOOLSEY,
THE FAYETTE COUNTY COMMISSION, AND FAYETTE COUNTY SCHOOL BOARD)
TO ADOPT THE COUNTY-WIDE TRANSPORTATION MASTER PLAN**

- WHEREAS,** The Association of Fayette County Governments was founded in 1991 in the spirit of cooperation to address County-wide areas of concern; and
- WHEREAS,** Transportation systems affect the entire County through the quality of life for the citizens and the economic growth and development within the County; and
- WHEREAS,** Effective transportation systems provide for orderly growth and development throughout the County; and
- WHEREAS,** The Association of Fayette County Governments initiated the Fayette County Transportation Study in May of 1995 to address the transportation needs created by growth in Fayette County with a unified transportation plan that is safe and effective and that protects both human and natural environments through conformance with the provisions of the State's Air Quality Plan; and
- WHEREAS,** A County-wide Transportation Master Plan identifies transportation improvement priorities for the County, allowing the County to compete more effectively at the Regional level for limited transportation funding, thereby maximizing the tax dollars of Fayette County citizens; and
- WHEREAS,** The Association of Fayette County Governments has accepted the Fayette County Transportation Study and the priorities it identifies as a Transportation Master Plan for the County and has recommended it's adoption to the Municipalities of Brooks, Fayetteville, Peachtree City, Tyrone, and Woolsey, along with the Fayette County Commission and the Fayette County Board of Education.

NOW, THEREFORE, BE IT RESOLVED, that we, the Mayor and Council of the City of Peachtree City, Georgia, adopt the Transportation Master Plan and its priorities as the County's priorities for regional transportation planning.

Passed this 7th day of August, 1997.

Robert L. Leno
James D. Poch
Rennie W. McMenamin
Art S. Barab
Caroline K. Price

Nancy Sullivan Attest