

City Council of Peachtree City
Minutes of Meeting
August 3, 2000
7:00 p.m.

The City Council of Peachtree City met in a regular session, Thursday, August 3, 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 recognized the outgoing Roller Hockey Association President, Gary Phelps, and the outgoing Soccer Association President, Dave Meaders.

Mayor Lenox presented ten-year service pins to Councilmembers Annie McMenamin and Bob Brooks.

MINUTES

Fritz requested that minutes of the Budget Workshop be amended to reflect that Dan Tennant was absent. McMenamin made a motion to approve the minutes of the July 20, 2000, budget workshop as amended. Brooks seconded the motion. Motion carried unanimously.

Fritz requested that the minutes of July 20, 2000 be amended to correct two statements that she made. McMenamin made a motion to approve the minutes as amended. Fritz seconded the motion. Motion carried unanimously.

CONSENT AGENDA

1. Comprehensive Plan Update – Short-term Work Program

McMenamin made a motion to approve the agenda item. Fritz seconded the motion. Motion carried unanimously.

OLD AGENDA ITEMS

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

Lenox reconvened the public hearing that was previously tabled. Doug Dilliard, attorney for the applicant, addressed Council and explained that applicant had requested that the hearing be tabled two months ago to allow the West Side Annexation Task Force to make a recommendation. While he said the recommendation had not been made, he was told it would be forthcoming next week. Therefore, he requested the hearing be tabled once again to the next meeting. He said that if the committee came forth with a recommendation that was consistent with what the applicant felt was a proper use of his property, they would ask Council to rezone that portion of the property already located in Peachtree City prior to the annexation and zoning of his remaining property outside the city limits. Lenox made a motion to continue the public hearing until the August 17th meeting. Brooks seconded the motion. Motion carried unanimously.

NEW AGENDA ITEMS

08-00-01 Consider Zoning Ordinance – Retail Big Boxes

At Council's request, Jim Williams, Director of Developmental Services, addressed Council to present regulations to control the size and characteristics of retail development known as the 'big box'. He felt that the problem with the large stores was actually an architectural problem rather than the use of the store. He felt it was possible to design a large store so that it would not seem out of scale with the surrounding area. He felt the Kedron and Braelinn Villages were well designed.

He proposed an ordinance requiring retail establishments over a certain size to follow more demanding rules and development regulations. He arbitrarily suggested that stores larger than 6,000 square feet and/or lots larger than 100,000 square feet should be considered as conditional uses, and that conditions on their development be established to minimize their scale. He suggested that a provision be written to restrict large retailers from moving from one location to another and then deliberately leaving their prior location vacant to prohibit competition. He felt that a large building could be architecturally designed to appear as a series of smaller buildings. He also suggested that the large developments be required to have a traffic planner certify that traffic problems would not overwhelm the area, as well as a qualified engineer to certify that the water management aspects of the development were handled. He felt it was important to limit the amount of impervious surface on a site.

Williams asked for council direction so that he could prepare an ordinance for the Planning Commission's review prior to Council's final adoption. He explained that since the proposed ordinance would amend the zoning ordinance, certain public hearing and advertising requirements must be followed.

Lenox felt the issue warranted discussion, and he had two concerns. He asked how they could differentiate contents of stores. He also asked where in Peachtree City was a potential site that could accommodate a store larger than 100,000 square feet.

Williams suggested that the City not be regulating the contents of a store, but rather the sale of the building. He felt large buildings should be designed in such a way that it would be easier to convert into smaller stores at a later date. He said during the site plan review process for the Wal-Mart/Home Depot site, he was surprised at how attractive and well designed the proposed Wal-Mart compared to the Home Depot.

He felt that potential sites that could accommodate stores larger than 100,000 square feet included the Kedron Village Shopping area, the Braelinn Village Shopping area (if parking decks were used), the site at Walt Banks Road since it has not yet been developed, and there was possibility that existing developed sites could be redeveloped.

McMenamin said she had checked the size of the three largest stores in Peachtree City and learned that the Braelinn Kroger was 63,000 square feet, the Kedron Kroger was 65,000 square feet, and the Kmart was 87,000 square feet. She felt that to be consistent with the village concept the leasable floor area of a retail building should be limited to 80,000 square feet. Her concern

— was that large stores could negatively impact the community if their business was discontinued and the building was left empty. She felt that it was easy for Harris Teeter to remodel and take over the existing store vacated by A & P Grocery Store.

Williams said he felt a small, junior type department store might be something they would want in Peachtree City, which was normally 100,000 square feet. McMenamin felt it should not be larger than the existing K-Mart.

Tennant asked Williams what type of store citizens would want in Peachtree City. Williams said he was not a shopper and was probably not a good person to ask, but that he had heard people were in favor of having a Parisians Department Store in Peachtree City. Tennant asked if Williams used 100,000 square feet as a random figure. Williams said he had talked with a number of people who were familiar with retail development and they felt 100,000 square feet was appropriate. Tennant also instructed that the proposed ordinance be clarified that any traffic management solutions should be made at the developer's expense.

Brooks felt that Williams should provide Council's comments to the Planning Commission and they should explore the issue further.

Fritz questioned the impervious surface requirement. Williams felt that development should be limited to 75% of the site, leaving 25% impervious areas.

— No action was taken.

08-00-02 Consider Ordinance Amendment – Ethics Ordinance

The City Attorney, Rick Lindsey, said that after the last meeting on this issue three months ago, Council instructed him to review the financial disclosure and conflicts of interest areas of the ordinance. He said he did review the ordinance and compared it to several others. He felt the City's ordinance was well written and was better than any he had reviewed. But, he said he had presented an amendment to the City Clerk, Nancy Faulkner, that included financial disclosure requirements for the City Attorney. Lindsey said Faulkner had concerns about requiring the City Attorney to provide financial disclosure when no other position was required to do the same. He said it was very clear that the attorney position was subject to the ordinance, although he did not feel it would apply to volunteer fireman since they did not conduct official city business. He said the ordinance would be distributed to all affected individuals and they would be required to sign a document acknowledging receipt.

— McMenamin felt that the ordinance was clear and easy to understand. Tennant asked that the ordinance be clarified as it concerned political activity. He asked that the words "by letter" be changed to "in writing". After some discussion, Lenox also asked that the words 'political party' be changed to 'political activity'. Tennant asked Lindsey if he did not have a problem adhering to the ordinance, then why wouldn't he put it in writing? Lindsey said the Ordinance did not specifically mention the City Attorney because it was written to include other positions appointed by Council. He felt that if someone signed receipt acknowledging they were covered by Ethics Ordinance they could not argue that fact at a later date.

Faulkner said she recommended that the ordinance not be amended to include financial

— disclosure requirements for the City Attorney until the entire issue regarding the position of City Attorney could be resolved. Council had asked staff to investigate all aspects of the City Attorney's position and to present the findings later in the year. She said some cities had responded to the request for information and she anticipated being able to provide the information to Council soon.

Brooks reminded Council that they had discussed how they should handle the position of City Attorney, since technically the position was a contract employee as opposed to an official as designated in some cities. He said Council had asked staff to research the entire subject so that Council could revisit the issue by the end of the year. He felt that if Council decided to keep the position as a contract employee, they should also decide what rules should be established for contract employees.

Brooks made a motion to adopt the Ethics Ordinance as amended that evening and that staff should continue to research the issue of City Attorney. Fritz seconded the motion. McMenamin asked if staff could also research the issue of City Auditor. Brooks amended his motion to have staff research the issues of contract employees. Fritz seconded the amendment. Motion carried unanimously.

08-00-03 Consider Ordinance Amendments – Watershed Protection

— Williams said the Department of Community Affairs (DCA) suggested that the City adopt two new ordinances concerning Groundwater Recharge Area Protection and Wetland Protection. Williams said staff incorporated the ordinances into an amendment to the City's Land Development Ordinance. He recommended that Council authorize staff to forward the documents to DCA prior to final adoption. Brooks made a motion to send the ordinances to DCA for review. Fritz seconded the motion. Motion carried unanimously.

08-00-04 Discussion – Jail Impact Fees

Lindsey said County Attorney Davenport agreed to reconvene all cities in a meeting last week to discuss the impact fees. He said they discussed the non-residential component of the fee and proposed a flat fee rather than a sliding scale. Davenport said that if Peachtree City was the only city to exclude non-residential components from the impact fee, then Peachtree City would have to make up the loss of revenue from the other components. However, he also said that if all cities were to exclude non-residential components from the impact fee, the fees would be distributed evenly among the entities.

Lenox explained the proposed fees as such:

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Residential Buildings – to be determined
Retail Buildings under 10,000 square feet - \$3,000
Retail Buildings over 10,000 square feet - \$6,000
All other buildings not retail or residential – \$2,000

Lenox said all other buildings could be described as any building without a cash register, such as offices and churches. Tennant felt that churches should be exempt. Lenox agreed and stated he only brought it up for discussion because he felt that was how the County would interpret it.

Lindsey said churches were targets of crime just as office buildings were. Lenox said that at the last meeting he had a serious concern that the impact fee would restrict the City's ability to exact system-wide improvements from developers, but that Lindsey had researched the issue and did not feel it would be a major impediment.

Robert Brown suggested allowing the County to establish enterprise zones for the impact fees rather than determine different rates by business type.

Council discussed the issue further and felt that it would be a worthwhile effort to come up with something they could all agree upon. They indicated they were comfortable with the fees discussed. McMenamin thanked Lenox for his work regarding this issue. No action was taken.

COUNCIL/STAFF TOPICS

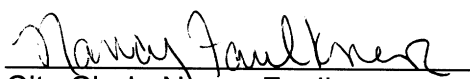
City Manager Jim Basinger said the First Call Emergency Warning Auto Dialer System is in place in the Fayette County Dispatch Center. He said the system was recommended during ongoing meetings between Photocircuits and the Planterra Homeowner's Association. He said many industries contributed funds for the system. He said the system would be tested on Saturday, August 12th at 10:00 a.m. with a brief message to the Planterra residents. He added that the system had already been used to notify residents in the Landings Subdivision about a gas leak in their neighborhood. He said it took approximately three minutes to notify 157 homes for a cost of \$60.

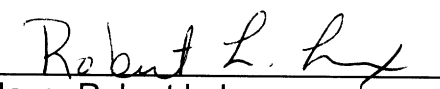
Lenox made a motion to take a five-minute recess and to reconvene into Executive Session to discuss a legal matter and a personnel matter. Fritz seconded the motion. Motion carried unanimously.

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 9:00 p.m.


City Clerk, Nancy Faulkner

Attest: 
Mayor Robert L. Lenox