

**MINUTES OF MEETING
CITY COUNCIL OF PEACHTREE CITY
August 3, 1995
7:00 p.m.**

The Mayor and City Council of Peachtree City met in regular session on Thursday, August 3, 1995 at 7:00 p.m. in the City Hall Council Chambers.

Mayor Lenox led those in attendance in the pledge of allegiance. Present were: Mayor Robert Lenox, Councilmembers Annie McMenamin, Robert Brooks, and Ed Bradford. Caroline Price was absent.

Addition of Agenda Items

Lenox moved to add Appointments to the Commission on Children and Youth as agenda item 8-95-5. McMenamin seconded the motion. Motion carried unanimously.

Announcements, Awards, Special Recognitions

Mayor Lenox proclaimed August 14 through August 20 as "Mental Health Week".

Mayor Lenox presented "Employee of the Month Award" to Matthew Robinson.

Department Reports

Lenox announced that the departmental reports for the month of July would be available for review at City Hall after the August 17 City Council meeting.

Minutes

Lenox explained that during the July 8, 1995 meeting he made a motion to amend a motion on the floor, that was not seconded. Lenox restated his motion "to permit nurseries and other retail operations combining both indoor and outdoor sales areas as long as the outdoor sales areas were properly screened" as a condition of rezoning 26.85 acres on the southwest corner of GA 74 and GA 54 from LI and GC to LUC. Lenox asked that the minutes of July 8, 1995 be amended to include this motion. Brooks seconded the motion. Motion carried unanimously.

McMenamin moved to approve the minutes of July 8, 1995 as amended. Bradford seconded the motion. Motion carried unanimously.

McMenamin moved to approve the minutes of July 20, 1995 as presented. Bradford seconded the motion. Motion carried unanimously.

Old Agenda Items

None.

New Agenda Items

8-95-1 Call for Election

Jane Miller, City Clerk, read a Resolution calling for a General Municipal Election on November 7, 1995 for the purpose of electing Councilmembers for Post 1 and Post 2 to serve a term of four years. The date for a run-off election, if required, would be November 28, 1995. Polling places would be open from 7:00 a.m. to 7:00 p.m. on the day of the Election.

The Resolution stated that persons eligible to become candidates for the election must be at least 21 years of age and be a qualified elector of the City. Candidates must also have continuously resided and maintained domicile in Peachtree City for at least six months immediately preceding the election. Candidates could qualify with the City Clerk at City Hall from 8:30 a.m., September 11, 1995 until 4:30 p.m., September 15, 1995 and that the qualifying fee would be \$180.00.

The Resolution stated that Voter Registration for the election would close at 5:00 p.m., October 9, 1995 and that the Superintendent of Elections and Absentee Ballot Clerk would be Jane Miller, who would be authorized to provide an appropriate number of poll workers to conduct the election.

McMenamin made a motion to adopt the Resolution as presented. Bradford seconded the motion. Motion carried unanimously.

8-95-2 Consider Bids for Ambulance

Jim Basinger, City Manager, said two bids were received for a new ambulance on July 13, 1995. Wheeled Coach from Winter Park, FL submitted a bid of \$70,071, and First Response from Griffin, GA submitted a bid of \$62,120. He said both companies took exceptions to the specifications which were acceptable to the City except that First Response failed to supply a performance bond. Basinger said staff discussed with First Response their reluctance to provide a performance bond and they agreed to sign a contract which included a \$100.00 per day penalty for every working day beyond the established 75 day delivery date. Basinger said staff felt the penalty would be adequate incentive for First Response to deliver the ambulance within an acceptable time frame. Basinger said staff had checked with some of First Response's customers and most were pleased with their quality and performance. Basinger said most units had been delivered on time. Basinger said it was imperative that the City

receive the new unit as soon as possible and recommended that the bid be awarded to First Response for \$62,120 and that funding for the ambulance would be in the 1996 Public Improvement Program. However, Basinger recommended that temporary funding for the ambulance come from Council Reserve even though the ambulance would not be delivered until after the beginning of the 1996 fiscal year.

McMenamin said that because staff felt comfortable with the \$100 per day penalty in lieu of a bond, she moved to award the bid to First Response in the amount of \$62,120 with temporary funding to come from the Council Reserve Fund until after the 1996 fiscal year, at which time the funds for the ambulance should come from the 1996 Public Improvement Program. Brooks seconded the motion. Motion carried unanimously.

8-95-3 Consider Ordinance Amendment - Right to Order Imprisonment

Rick Lindsey, City Attorney, addressed Council and stated that the Municipal Court Judge had the authority to sentence individuals to up to twelve months in jail for violations of City ordinances and State laws, but due to a Supreme Court ruling, he recommended that the Judge be authorized to sentence violators of City ordinances to up to six months to serve in jail. Lindsey said he had spoken with the Judge and he concurred that it would be appropriate. Lindsey said Council had before them a proposed ordinance to delete Section 1-8 and add new Sections 1-8 and 7-14 to implement the proposed change. He said the six month sentence limitation would not apply to violations of State law which would include DUI and other serious crimes.

Bradford made a motion to adopt the amendments to the ordinance as presented. Lenox seconded the motion. Motion carried unanimously.

8-95-4 Consider Amendment to Alcoholic Beverage Ordinance

Lindsey said that, while current City ordinance totally prohibits consumption of alcohol by minors, the State law provides exemptions for medical purposes and for alcohol consumed during a religious ceremony. Lindsey said Council had before them a proposed ordinance that would modify section 3-31 by adding a new sub-section (e) which would provide those exemptions. Brooks said he felt that it was a housekeeping item and moved to adopt the amendment to the Alcoholic Beverage Ordinance as presented by staff. Bradford seconded the motion. Motion carried unanimously.

8-95-5 Appointments to the Commission on Children and Youth

Basinger said the Selection Committee interviewed seven applicants for the vacancies on the Commission on Children and Youth and recommended that Ms. Lynn Smith and Mr. Jim Papac be appointed to serve one year terms ending August 31, 1996 and that Ms. Joyce Divinyi, Ms. Sandy McPeeks and Mr. Andrew Tolbert be appointed to serve three year terms

ending August 31, 1998. The Committee also recommended that Ms. Susanne Routh and Ms. Christine Edgar be appointed to serve as alternates for any vacancies which would occur within the next year. Basinger said the Commission on Children and Youth had also recommended that Ms. Kirsten Fochtman be reappointed as the student representative for a one year term ending August 31, 1996.

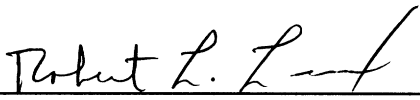
McMenamin moved to appoint applicants to the Commission on Children and Youth as recommended by staff. Bradford seconded the motion. Motion carried unanimously.

Lenox moved to adjourn to Executive Session to discuss a law suit. McMenamin seconded the motion. Motion carried unanimously.

Executive Session

No action was taken in Executive Session. Lenox moved to adjourn the meeting at 8:15 p.m. McMenamin seconded the motion. Motion carried unanimously.

Attest:


Robert L. Lenox, Mayor


Nancy Baillo, Deputy City Clerk