

MINUTES OF MEETING
City Council of Peachtree City
August 2, 1990

The City Council of Peachtree City met in regular session on Thursday Night, August 2, 1990, at 7 PM in the City Hall Council Chambers.

Mayor Brown called the meeting to order and led those in attendance in the pledge of allegiance. Members present were: Mayor Frederick Brown, Jr. and Council members David Good, Annie McMenamin, Robert Brooks and Rich Parlontieri.

Addition of Agenda Items

Motion was made by Mayor Brown that item be added to discuss a request by Mr. Sam Leveto, President of Lifestyle Communities, Inc., for a change to the watershed ordinance as it related to the proposed Prestwick Subdivision development. Motion was seconded by Brooks. Motion carried with Good abstaining. Item 8-90-5

Announcements, Awards, Presentations

Mayor Brown recognized Mayor Norman Davis, Mayor of Tyrone, who was in attendance and welcomed him to the meeting.

Minutes of Meetings 6/5/90, 6/21/90/ 7/5/90, 7/13/90/ 7/19/90

Mayor Brown called for action on minutes for meetings held June 5, June 21, July 5, July 13, July 19, 1990. Motion was made by Parlontieri that the minutes of the meetings be approved as submitted. Motion was seconded by McMenamin. Motion carried unanimously.

Old Agenda Items

7-90-6 Alcoholic Beverage License - Corelli's Restaurant

City Manager Basinger presented application submitted by Corelli's Italian Restaurant located on Huddleston Drive for a license to sell beer and wine. Mr. Robert Lee Grove had applied as Licensee with Mr. Joseph Armando Alterio, Manager, as License Representative. Basinger reported that both the licensee and license representative were residents of Peachtree City. He reported that the paperwork was in order and Mr. Grove and Mr. Alterio were present.

Mayor Brown called for comments or questions from Council and McMenamin questioned Mr. Grove about the status of Mr. Giuseppe Affrunti who was the former lease holder for the business. Mr. Grove stated that he was an employee.

Mayor Brown questioned Mr. Grove about his knowledge of the city ordinances relating to the sale of alcoholic beverages and Mr. Grove stated that he was familiar with them and would be providing training to his employees in this area. There was a statement in the file that would be signed by all employees acknowledging the fact that they were aware of

the regulations.

McMenamin asked if Mr. Alterio had ever applied for an alcoholic beverage license before and Mr. Grove answered that he had not.

Motion was made by Parlontieri that the application be approved. Motion seconded by McMenamin. Motion carried unanimously.

7-90-8 Employee Insurance

Basinger reported that at the last meeting bids were presented for employee health insurance and, due to the high bids, a self insurance program was discussed. As a result of that discussion bids were sent out to a number of firms for cost in administering such a program and bids are due back on August 21st. Basinger stated that staff recommended this item be tabled until the September 6th meeting at which time the bids will be available. Motion was made by Parlontieri that the staff recommendation be approved and the item be tabled to the September 6th meeting. Motion seconded by Brooks. Motion carried unanimously.

7-90-9 Radar Ordinance

Basinger called attention to a revised speed zone ordinance before Council and explained that all revisions had been previously approved by Council except for the proposed increased speed limit on the wide section of Dividend Drive south of TDK Blvd. Staff recommended the speed limit in that area be 40 MPH. Basinger asked for approval of the revised speed zone ordinance which included the Dividend Drive area. Motion was made by Good that the Ordinance be approved. Motion was seconded by Parlontieri. Motion carried unanimously.

New Agenda Items

8-90-1 Police Department Computer

City Manager Basinger pointed to letters from Police Chief Murray, Frances Meaders, City Clerk, Jill Daughtry, Computer Analyst and Marcie Blind, Purchasing Agent, recommending the purchase of computer equipment from Modemplus, Inc. of Atlanta, Georgia for the Police Department. The total cost for hardware and software was \$28,883.50 with \$30,000 budgeted for the system. He called on Chief Murray to present his request and answer any questions of Council.

Chief Murray reported that in October of last year he established a committee to research the department's needs for computers and that the committee had spent six months reviewing the needs and programs and equipment to meet those needs. He explained that the committee narrowed the possibilities to five or six systems and after many demonstrations and visits to other sites the final decision was for the Modemplus system. He reported that the firm currently had over 330 of the recommended units in operation in the State of Georgia and, in addition, all GCIC terminals within the State were being replaced with the Modemplus equipment and that Peachtree City already had such a unit in place. Murray reported that the system was on State Contract.

Murray reported that in the price there was training and maintenance and in answer to question from Brooks, stated that the estimated monthly cost for maintenance after the warranty expires would be \$350.

Good stated that he had reviewed the proposal and in respect to the software he completely accepted the Chief's recommendation. With respect to the hardware he was familiar with the equipment and, although he realized the file server being proposed was to stay within budget, there were several more updated versions of that piece of equipment available and he had asked Chief Murray to provide him the estimated cost of an alternate piece of equipment. To upgrade the file server to what he would recommend, which was the 386 version would be an additional \$2300. Also, the tape backup unit being proposed was outdated and he would recommend a more updated backup unit which would cost an additional \$2000. He stated that he would support the Chief's recommendation with an upgrade on the equipment at a total cost of \$33,183.

Jill Daughtry stated that she agreed with Mr. Good that the updated equipment would better serve the Police Department and her recommendation was based on budgeted funds and trying to stay within that amount.

Mr. Jim Davis, representing Modemplus Inc., agreed also that the newer version would provide more speed in operation and would be a better piece of equipment for the Police Department. He felt they could have everything ready in thirty days if the equipment was available.

Motion was made by Good that the equipment be purchased with the upgrade to the file server and tape backup with total amount being \$33,183. Motion was seconded by McMenamin. Chief Murray was asked if he could find the additional funds within his department budget and he felt he could. Motion carried unanimously.

8-90-2 Banner on Highway 54 Bridge - CCY

Basinger explained that the Commission on Children and Youth had requested that they be permitted to place a banner on the pedestrian bridge over Highway 54 announcing their citywide event called "The Last Fling", an event to be held on August 23rd at the Braelinn Parking Lot at Kroger's from 5 PM to 11 PM.

The Commission asked that the banner be displayed from August 16th to August 24th.

Motion was made by Mayor Brown that the request be granted. Motion was seconded by Brooks. Motion carried unanimously.

8-90-3 E-911 Administrative Charges

Basinger explained that currently the telephone subscribers in Peachtree City are paying thirty two cents per month for E 911 maintenance costs. Because Council has decided not to increase the cost for this as is allowed by recent changes in the law by the General Assembly, the telephone company finds it necessary to separate Peachtree City records from those of Fayette County who are charging the additional charge. To do this they are increasing the administrative charges by an additional six cents for

Peachtree City subscribers resulting in a total cost of thirty eight cents for Peachtree City telephone subscribers. The decision needed at this time was whether or not to pass this additional six cents on to the subscribers. Basinger reported that if the City paid the additional charge it would be \$5760 annually. Mayor Brown pointed out that as subscribers are added the cost to the City would increase if the City paid the additional charge.

Brooks stated that he could support passing this on to the subscribers because they were still being saved the additional cost which Fayette County was passing on to those in the unincorporated areas which was up \$1.50.

Motion was made by Brooks that the amount be increased from thirty two cents to thirty eight cents for monthly telephone subscribers for access to the E 911 network system. Motion was seconded by Parlontieri. Basinger stated that there was a Resolution on hand that should be signed passing the cost on to the subscriber and Mayor Brown felt that if the motion passed the Resolution was also passed. Motion carried unanimously.

8-90-4 Private Streets in General Residential Zoning Districts

Basinger called attention to a memorandum from the City Planner in which he was seeking a clarification on the City's policy concerning the ownership of streets. The memo stated that the issue was "should private streets be permitted in single family residential subdivisions within General Residential zoning districts?"

Mr. Williams addressed Council on the subject stating that there was ambiguity between the Zoning Ordinance and the Land Development Ordinance. He explained that the Zoning Ordinance permitted single family detached subdivisions to occur within the GR zoning district. The Land Development Ordinance allows private streets in GR zoning districts only, however, the Land Development Ordinance also requires a certification on the final subdivision plats whereby the developer must convey ownership of all streets to the City for permanent public use.

Mr. Williams stated that if the streets were dedicated to the City a right of way would be required. If they were not dedicated, the streets would be built to city regulations but there would be no right of way requirement and the developer would own property to the street. Williams felt that in that case the owner would be required to make a satisfactory arrangement to assure that the streets were maintained.

Williams stated that if Council felt that private streets should be permitted in single family subdivisions within GR Zoning Districts, wording could be added to the ordinance to provide for them. If, on the other hand, Council felt they should not be allowed the ordinance should be revised to provide for private streets only in projects such as condominiums and apartments and specifically not including fee simple single family subdivisions.

Williams recommended that it be made clear that the City permits private streets in single family residential developments in the GR zoning district. He felt it would encourage the development of the types of subdivisions the City would be looking for. He explained that it would

encourage affordable cluster housing projects and it would allow the houses to be closer to the street because of the elimination of the right of way. This would allow for small lots and provide for more creativity.

Good questioned Williams about whether parking on the street could be a problem and would the regulations need to be changed in that regard. Williams felt there were already requirements for garages and off street parking areas in addition to garages. He did not anticipate parking on the street to be a problem.

Good also asked about maintenance of private streets if they were permitted. He agreed that there could be an advantage for the city in not maintaining the streets but asked what assurances would be given that they would be maintained. Williams stated that the primary concern would be that the developer convince the city that there are permanent provisions for street maintenance. In the case of one development, it would be a mandatory association to which the homeowner would contribute funds for all maintenance of the public areas in the project, not only streets.

Good asked if this requirement could be incorporated in the deeds and City Attorney Powell felt this could be placed in the deeds and/or deed covenants. He pointed out that there was always the problem of people not reading these documents but it could be required. He also pointed out the problem of property changing hands through the years and new owners not understanding or knowing about the requirement.

Mayor Brown asked if this could not be required to be placed on the final plat to relieve the City of any responsibility and the City Attorney thought that would be fine.

Good asked Williams for assurance that the streets would be built completely to city standards including curb and gutter, paving widths, radius, etc. and Williams assured him that the only item to be changed would be the right of way requirement.

Mayor Brown stated that he supported the recommendation. He felt there was a need to encourage affordable housing and he thought this would help.

Motion was made by Good that private streets be permitted in the General Residential Zoning District with language in the ordinance modified to include that the homeowner is responsible for maintenance of streets and that it be so recorded on the plat, the deed covenants and the deed. Motion was seconded by Parlontieri. John Setlock, resident of the City, asked if the maintenance requirement was based on 100% occupancy and if so what would happen if it was only partially occupied. Williams stated that the developer would remain as the responsible person for those lots not occupied until the development was completely sold out. Motion carried unanimously.

8-90-5 Land Development Ordinance - Prestwick

Mayor Brown introduced the added agenda item as requested by Mr. Sam Leveto. Councilman Good stated that he had a possible conflict of interest in this item and would abstain from discussion on the subject.

The Mayor explained that the request from Mr. Leveto, which would affect the proposed development known as Prestwick, was for an amendment to the Land Development Ordinance, Section 201, (jjj) which was a definition of State Waters. The request was that wording be changed to: State Waters. Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, natural drainage systems which contain flowing water in excess of 187 days per year, and WHICH APPEARS ON THE USGS QUADMAPS AS A PERINEAL STREAM (caps indicate change).

Mayor Brown did not recommend that any change be made at this time but that the request be forwarded to the City Staff, the Planning Commission and the Water and Sewer Authority and that they be asked to make a recommendation. He felt this could be done in two weeks and could be on the the next City Council agenda.

Mr. Leveto agreed with Mayor Brown's recommendation. He stated that he had employed a professional engineer to provide him a report back in letter form after reviewing the City Ordinances and visiting the site.

Motion was made by Mayor Brown that this be forwarded to the City staff for further study and coordination with the Planning Commission and Water and Sewer Authority and that a recommendation be available at the next City Council meeting. Motion was seconded by Parlontieri.

John Setlock questioned where the Prestwick project was to be located and what the problem was. Mayor Brown explained that Prestwick was proposed for Peachtree Parkway South, north of Loghouse Road. The problem is that after conceptual plat approval the City had found what is believed to be a perineal stream flowing on the property. The request from Mr. Leveto is that the Land Development Ordinance be amended which would allow the developer to pipe the stream and continue on with the project.

Brooks stated that he would support postponing this for one meeting and stated that the city staff was working with environmental groups in the City and County. He felt that at the next meeting there would be revisions to the watershed protection ordinance to consider and that he felt it would be appropriate to consider this at the same time.

Motion carried with Good abstaining.

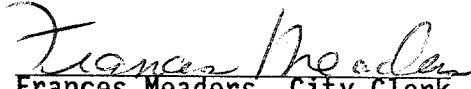
There being no further business, a motion was made by Mayor Brown that the meeting be recessed to be reconvened in executive session to discuss lawsuits including those of Black, Kelly, Justice/Simon and Samples. Motion was seconded by Parlontieri. Motion carried unanimously.

Executive Session

Building Permit - Battery Way

Motion was made by Mayor Brown that the plan submitted to City Planner Jim Williams, that consisted of an all weather corridor tying the two sections of the home together, dated August 3, 1990, be denied. Motion was seconded by McMenamin. Vote: Mayor Brown and McMenamin aye; Good, Brooks and Parlontieri, nay. Motion failed.

Motion was made by Parlontieri that the meeting be adjourned. Motion was seconded by Mayor Brown. Motion carried unanimously.


Frances Meaders, City Clerk


Mayor Attest