

CITY COUNCIL OF PEACHTREE CITY

Minutes of Meeting

July 18, 1996

7:00 p. m.

The City Council of Peachtree City met in regular session on Thursday, July 18, 1996, at 7:00 p. m. in the City Hall Council Chambers.

Mayor Pro-Tem Brooks led those in attendance in the pledge of allegiance. Present were: Councilmembers Jim Pace, Annie McMenamin, and Caroline Price.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

McIntosh After Prom Committee presented an Award of Appreciation to the Commission on Children and Youth and the City Manager.

Optimist Club presented \$500.00 to the Police Department for the Bullet Proof Vest Fund.

Brooks presented the Employee of the Month award to Becky Kimble.

Brooks presented Supervisor of the Quarter award to Lola Williams.

Brooks thanked the Peachtree City Torch Run Committee for fine job they did on the Olympic Torch Ceremony on behalf of the Mayor and City Council.

ADDITIONAL AGENDA ITEMS

Price moved that an additional agenda item for funding of the traffic signal for Wynnmeade Parkway and Highway 54 intersection be added as item number 07-96-03. Brooks seconded the motion. Motion carried unanimously.

MINUTES

McMenamin made a motion to approve the June 20, 1996 minutes as presented. Pace seconded the motion. Motion carried unanimously.

OLD AGENDA ITEMS

There were no old agenda items.

NEW AGENDA ITEMS

07-96-01 Public Hearing - Variance Request Palmer/Hyde Property located on Stagecoach Road

Brooks turned the matter over to the City Attorney for comments. Lindsey said that upon review of the law of ordinances that govern variances and when variances could be granted, it was his opinion that Council could not take action on this request tonight or at any time in the future. Lindsey paraphrased Section 1202.2, Subsection (h) and said that variances from this ordinance may be approved by the Council if it is determined that it would not cause substantial detriment to other parties or impair the purpose or intent of this ordinance and that no variance could be granted for a use that was specifically prohibited by this ordinance within the zoning district in which a property was located. Lindsey said further that this particular variance request asked that the provisions under Section 1003.4, Subsections (b), (c), (d), and (e) which concern minimum zoning lot area, minimum land area per dwelling unit, minimum lot width and the front setback depth of the ER requirement had a variance that reflected the minimum areas under the R-43 which was found in 1002.4, Subsection (b), (c), (e), (f), and (g) which applied to the minimum zoning lot area, land area per dwelling unit, lot width, minimum lot width adjacent to existing or future public or private street right-of-way line, and minimum front setback depth. This variance asked that the ER requirements, setbacks, etc. be modified to reflect the R-43 requirements. Lindsey stated it was his opinion that this variance request was contradictory to the requirements of Code Section 1202.2, Subsection (h) for the purpose, intent and use of the ordinance and that Council could not act on this request.

Price commented that this topic had been dealt with for a while and that to treat it through a variance would be unfair to the input they had received from the homeowners in the area and all parties who were concerned.

Brooks said that he felt it was bad policy to handle zoning matters through variances and requested staff to revisit the protocol for items like this as they go through the Planning Department and suggested that the question of legality be added to the checklist.

Brooks made a motion not to consider the variance request. Price seconded. Motion carried unanimously.

07-96-02 Consider Ordinance Amendment for Heavy Trucks.

Basinger said there had been some businesses that had questioned the load limits on some of Peachtree City's collector roads which Council had set a 3-ton weight limitation on and that the Police Department had researched this matter. Basinger said Chief Murray recommended that the limit be increased to 6-tons or 12,000 pounds

due to the increase in size and weight of such vehicles as suburbans, 4-door pick-up trucks, etc., because many of these type vehicles exceeded the 3-ton limit. The new six-ton limit would still enable the Police Department to keep tractor trailers and other large-size vehicles off the restricted roads. This new restriction, as stated in the revised ordinance, would apply to:

Stevens Entry between SR54 and Bridlepath Lane
Crabapple Lane between Senoia Road and SR74
Sumner Road between Smokerise Point and SR54
Peachtree Parkway between SR74 and Robinson Road
McIntosh Trail between Robinson Road and SR 74

Basinger said staff had also recommended that the weight limitation be deleted on that section of Dividend Drive between TDK Boulevard and SR74 because since this section of Dividend Drive had been widened, the limitation was no longer necessary and this was just a housekeeping correction. Basinger stated that staff recommended Council's approval of the proposed revisions.

Price made a motion to amend Chapter 19, Article I, Sections 19-20, 19-20.1, 19-20.2, 19-20.3, and 19-19-21 by deleting the ordinances in their entirety and replacing with Section 19-20. McMenamin seconded the motion. Motion carried unanimously.

07-96-03 Traffic Signal for Wynnmeade Parkway @ Highway 54 Intersection

Basinger said that staff had been authorized to obtain bids for the Wynnmeade traffic signal after obtaining a DOT permit for the signal, but that with the prospects of obtaining a new subdivision entrance onto the Line Creek Collector Road and with the pending development of Cedar Croft subdivision, the homeowners asked that installation of the signal be delayed. However, since no progress had been made on construction of the collector road, the residents had asked that the city proceed with the installation of the traffic signal at Wynnmeade Parkway and Highway 54. Basinger stated further that staff had obtained an updated price bid from the contractor, McCoy Grading Company, and that the cost of the signal had increased approximately 15% from \$139,483 to \$161,296. Basinger stated that staff had bid this project out twice and received no bids and that the original bid was a negotiated price.

Basinger said staff recommended this bid be awarded to McCoy Grading Company for \$161,296 with the fifteen percent (15%) increase of \$18,771 to be transferred from the Wynnmeade Cart Path project that had been completed which had just over \$19,000 remaining. The original funding of \$142,525 was approved by Council at the March 1 meeting this year with funds to come from the Council Contingency.

Price made a motion to award a contract for the construction of the traffic signal and other intersection improvements at Wynnmeade Parkway and Highway 54 to McCoy Grading Company in the amount of \$161,296.24 and that the excess of \$18,771.24 be transferred from account #2-55098 to account #2-50150. McMenamin seconded. Motion carried unanimously.

Brooks said that the state-imposed burning ban ran from May until October and that apparently this was part of the significant increase in cost. Brooks suggested that staff keep in mind that if this project were delayed well into September for a matter of two weeks that it looked like it could be a potential cost savings of \$6,000 to \$7,000.

Brooks asked the City Manager for an update regarding the Hyde ethics investigation due to an inquiry from a citizen. Basinger said the attorney in the investigation advised him this date that it was ongoing and should be concluded by the end of next week and should be ready for presentation to Council on August 1.

Bill Wheelock addressed Council representing the Peachtree City Concerned Citizens Committee. Wheelock requested a status report of the ongoing negotiations for Georgia Utilities. In addition, Wheelock requested that Council add the Hyde ethics matter as an agenda item for August 1.

Brooks said he felt it was important that there was due process and that it was incumbent upon them to do so; particularly for the short time that was needed to obtain the information in order to make a correct and informed decision.

Brooks stated that there had been a meeting with consultants and the Water and Sewerage Authority on July 17 and that over the last two to three months they had been working to determine what the sewer system was worth. Brooks said further that Council was uncomfortable just making the decision based on what was obtained from the sewer company so consultants had been hired. The consultants gave a preliminary presentation on July 17 with an extensive evaluation of the company's assets and a valuation of the system. Brooks said this information was being discussed by Council at this time and within the next 45 days there were two to three meetings scheduled with Georgia Utilities and that more specific information should be kept confidential at this time. However, negotiations were moving forward very rapidly and that more information would be coming out in the next two months.

Mildred Harris, Chairman of the Peachtree City Concerned Citizens Committee, addressed Council and asked if the buffer at Weeks Construction would be consistent with the other buffers in that area.

Brooks stated that the buffer in that location was somewhat unique to that lot because most of the trees started a little bit farther back and there was not as much natural buffer. Brooks said further that when the other lots had been cleared, there was a large number of trees in the buffer between the road and the construction site. Brooks said that when the project was completed they would have to have the buffer in place and suggested that Jim Williams, Director of Developmental Services, could offer more information.

Brooks made a motion to reconvene in Executive Session to discuss a real estate matter. Price seconded the motion. Motion carried unanimously.

EXECUTIVE SESSION

Brooks made a motion to approve additional funding of \$18,000 and \$13,500 for consulting services to Hartman and Association for valuation services of Georgia Utilities. Price seconded the motion. Motion carried unanimously.

Brooks made a motion to adjourn the meeting. Pace seconded. Motion carried unanimously.


Gloria Strobel, Executive Secretary

Attest: 
Mayor