

MINUTES OF MEETING
City Council of Peachtree City
May 20, 1993
7:00 PM

The Mayor and City Council of Peachtree City met in regular session on Thursday night May 20, 1993 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, Edward Bradford, Robert Brooks and Caroline Price.

Addition of Agenda Items

Mayor Lenox made a motion to add an item to the agenda to consider a request for a temporary BB and archery range. McMenamin seconded the motion. Motion carried unanimously and was added as item 5-93-15.

Announcements, Awards, Special Recognitions

Mayor Lenox proclaimed June 5, 1993 as "Melissa Segars Day" in Peachtree City. Mayor Lenox stated that Melissa was a 24 year old Fayette County woman in need of a heart/lung transplant. Mayor Lenox went over a list of activities planned to raise funds for Melissa. Ms. Segars and her family were in attendance to accept the proclamation.

Mayor Lenox and Police Chief Murray presented certificates to the graduates of the 3rd Citizens Police Academy.

Department Reports

Mayor Lenox stated that Department Reports were available for review at City Hall.

Minutes

McMenamin made a motion that the minutes of the May 6, 1993 City Council meeting be approved as presented. Price seconded the motion. Motion carried unanimously.

Old Agenda Items

5-93-2 Golf Cart Ordinance

Mayor Lenox stated that a public hearing had been held at the May 6, 1993 Council meeting and that Council had, at that time, instructed staff to re-draft the ordinance with changes made that night. For the benefit of the public Mayor Lenox re-capped the major changes of the golf cart ordinance: age requirement; no one under the age of 12 may operate a motorized cart, ages 12 to 15 can

drive a cart with a parent or legal guardian with a valid driver license in the front seat, those 15 years of age may drive a cart with a person at least 18 years of age with a valid driver license in the front seat, those 16 years of age or older may drive a cart over the streets and paths. gasoline carts: gasoline carts must be registered every two years and have a inspection stating the cart meets emission standards set by the City. signals/warning devices: a verbal warning must be given but the ordinance recommends equipping the cart with a horn or bell to warn pedestrians of the approach of a cart. registration: all carts must be registered; the fee would be \$10.00 with a \$5.00 transfer fee and a \$20.00 penalty for failing to register within 10 days of ownership of the cart. penalties: 1st violation not less than \$250.00, 2nd violation not less than \$500.00 and 3rd violation not less than \$1,000 and if within one year of the second violation the family would not be able to register the cart for a two year period.

City Manager Jim Basinger recommended that the ordinance be amended to change the date of required registration to be September 1, 1993 and that all gasoline carts must be certified by September 1, 1995 allowing for the two year grandfathering of existing gasoline carts. Basinger stated that citizens could pick up forms to register carts after June 15th and that the registration may be mailed to City Hall or registered in person at City Hall or the Recreation Department.

Price stated that there was much concern over young users on the paths and stated that she felt with the higher penalties and mandatory registration Council had found a middle ground. Price stated that it was important to create a comfortable atmosphere for all recreation path users. Brooks made a motion to approve the ordinance as amended by City Manager Basinger. Price seconded the motion. Motion carried unanimously.

New Agenda Items

5-93-8 Public Hearing - Variance for Mr. and Mrs. Ron Allen
204 Battery Way

Mayor Lenox stated that Mr. and Mrs. Ron Allen had requested a variance for their home at 204 Battery Way. Mayor Lenox stated that the item would be conducted as a public hearing and stated the rules of the public hearing for the benefit of the public. Mayor Lenox set a time limit of fifteen minutes for each side of the issue and asked to hear first from the applicant.

Mr. Ron Allen came forward and stated that his family had lived at 204 Battery Way for twelve years and that several years ago when he was trying to re-finance the home a survey was done and a discrepancy was found with the side setback. Mr. Allen stated that the mortgage company would not lend money for the home until a letter was written to the mortgage company by the City. Mr. Allen stated that Mr. Paul Melvin, who was with the City at the time,

wrote the letter and he was able to re-finance his home. Mr. Allen did say that Mr. Melvin had advised him to request a variance if he would try to sell the home. Mr. Allen stated that he now wished to sell the home and was requesting a three foot variance to the side setback to bring his home into compliance with code.

Mayor Lenox asked if there was anyone else wishing to speak in favor of the variance and Mr. Jim Williams, Director of Developmental Services, came forward. Williams stated that Mr. Allen was not the original owner of the home and that the violation was not the fault of the homeowner. Williams went on to say that the variance would apply to only the existing structure and that staff recommended approval of the variance. Mayor Lenox asked to hear from anyone opposing the variance and hearing none called the public hearing closed and called for Council debate. Brooks made a motion to approve a three foot variance to the side setback. McMenamin seconded the motion. Motion carried unanimously.

5-93-9 Consider alcoholic beverage license - Classic Cue II

Mayor Lenox stated that The Classic Cue II had applied for an alcoholic beverage license to sell distilled spirits and that they currently had a pouring license for malt beverage and wine. Mayor Lenox asked Mr. John Grunden, licensee and Mr. Trenton Pauley, license representative to come forward. Mayor Lenox asked Police Chief Murray if there had been any problems with the Classic Cue II. Chief Murray came forward and stated that there had been incidents but that the management of the Classic Cue II had always worked well with the department. Bradford stated that the City Clerk, Frances Meaders, had contacted Mr. Grunden about Sunday sales and asked Mr. Grunden to comment on the status. Mr. Grunden stated that they were working on compiling figures but that he did not have an answer yet. Grunden assured Council that the Classic Cue II had ceased selling alcohol on Sunday until they could show that fifty percent of their profits were in food sales. McMenamin made a motion to approve the alcoholic beverage license for Classic Cue to sell distilled spirits. Price seconded the motion. Motion carried unanimously.

5-93-10 Land Swap - Mr. Bob Dixon

Mayor Lenox stated that Mr. Bob Dixon, the developer of the Honeysuckle Ridge subdivision, had requested to swap equal amounts of land with the City and asked Mr. Dixon to come forward to present his request. Mr. Bob Dixon came forward and explained to Council that he wished to construct a model home in Honeysuckle Ridge and that he was proposing to swap land with the City which was behind the model home site and give the City land in front of the home along Kedron Drive. Mr. Jim Williams came forward and stated that it would be in the City's best interest to approve the swap as it would give the City more greenbelt along Kedron Drive therefore allowing for a larger buffer. Mr. Williams also stated that Mr. Dixon had agreed to plant Cypress trees to screen the area of the garage on its south and west sides. Williams stated that

staff joined the Planning Commission in recommending that Council approve the request.

Price made a motion to approve the land swap with Mr. Bob Dixon. Bradford stated that it was a good move for the City and seconded the motion. Motion carried unanimously.

5-93-11 Radar Permit

Mayor Lenox stated that every three to five years the City was allowed to update the radar permit to include new streets. Mayor Lenox stated that the ordinance did need the Department of Transportation approval and that approval had been obtained. Price made a motion to approve the radar permit ordinance. Brooks seconded the motion. Motion carried unanimously.

5-93-12 Log House Well Agreement

City Manager Jim Basinger stated that the City owned a well on Loghouse Road that was donated to the City in 1986 by Frenchy Homes. Basinger went on to say that the City leased the well to the County and was allowed to use water from it to water fields. Lenox stated that staff had begun to renegotiate the contract which would allow for credit to the City on water bills. Basinger stated that it would save the City \$25,000 per year and \$1,000,000 over the life of the contract period of fifty years and that Staff recommended approval of the agreement with the County. McMenamin made a motion to approve the loghouse well agreement and send it to the County for consideration of approval. Price seconded the motion. Brooks thanked staff for their work to save the City money. Motion carried unanimously.

5-93-13 Award Contract for Design of McIntosh Trail Reconstruction

City Manager Jim Basinger reported that the City had solicited proposals from qualified engineering firms for the design of improvements to McIntosh Trail. Basinger stated that the reconstruction would be from Peachtree Parkway west to the bridge and that the curbs would be enlarged and more space place between the road and cartpath. Basinger went on to say that there would be a turn lane into Huddleston Elementary which would alleviate a large traffic problem in the morning and afternoon. Basinger stated that only one firm initially responded to the request and that the proposal exceeded the budgeted amount. Staff refined the project description and requested new proposals from the firms. Three firms responded to the second request as follows:

Haines, Gipson & Associates	\$ 6,000
Prime Engineering	\$22,000
Ashford Engineers	\$22,200

Basinger stated that only one firm contacted the City to discuss the project and that the price discrepancy reflects that. Basinger stated that it was staff's recommendation that the bid be awarded

to Haines, Gipson & Associates for the amount bid of \$6,000 and that there were sufficient funds in the Capital Improvement Program. McMenamin asked Basinger when work would begin on the project. Basinger stated that the design work would begin right away and that the City hoped that the construction would be completed by August. McMenamin made a motion to award the bid to Haines, Gipson & Associates for the amount bid of \$6,000. Bradford seconded the motion. Motion carried unanimously.

5-93-14 Resolution - Federal Unfunded Mandates

City Manager Basinger stated that the City had a request from the Georgia Municipal Association to pass a resolution urging the passing of legislation which would provide for federal assistance in mandates on municipalities. Basinger stated that the federal government had been imposing mandates, such as the American with Disabilities Act, on cities with no provision of funds. House Bill 140 which has been introduced would require the government to provide funds to cities for necessary mandates. Lenox stated his support of the resolution stating that many cities could incur millions of dollars of debt complying with mandates. Price stated that Peachtree City was not being greatly impacted now but that in the future unfunded mandates could be cumbersome. Brooks made a motion to pass the resolution as presented by the Georgia Municipal Association. McMenamin seconded the motion. Motion carried unanimously.

5-93-15 Consider BB and archery range

Mayor Lenox stated that the added agenda item had been requested by Mr. Mike Baudhuin for Council consideration of a BB and archery range for a Boy Scout camp. Mr. Baudhuin came forward and stated that the Boy Scout camp was held at the Kiwanis Field in Fayetteville but that the number of boys enrolled had reached a point that a second location was needed. Baudhuin stated that he was requesting a range site be approved for Oak Grove Elementary School for the week of June 28 - July 2, 1993. Baudhuin stated that the ranges would be enclosed within tents provided by the 3rd Army Headquarters Company. Baudhuin went on to explain that the BB range would be supervised by two fully qualified United States Army range safety officers and that the archery range would be supervised by a Boy Scout trained range officer. Baudhuin stated that he had surveyed all residents within 1000 feet of the ranges and found no opposition. McMenamin asked Baudhuin how old the scouts were and was told they were Cub Scouts between the ages of 8 and 12. McMenamin asked if the two ranges could be considered separately and there was no Council objection. Mayor Lenox stated that the ranges would be considered separately. Brooks asked Basinger if it was illegal to discharge a BB gun in the City limits and Basinger stated that it was, that it was considered an air rifle. McMenamin asked Police Chief Murray his opinion of the safety factor of an archery range. Murray stated that he felt if it was a Boy Scout program it would be made as safe as possible. Brooks made a motion to approve an archery range at Oak Grove

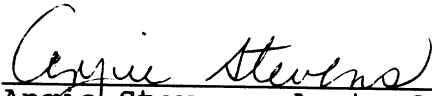
Elementary. Bradford asked to hear more about the archery range. Baudhuin stated that bails of hay would be set up behind the target in the tent. Baudhuin stated that in the unlikely event that an arrow got beyond the target, hay and tent, it would impact a dirt berm behind the tent. Price asked how many scouts would be at the camp and Baudhuin stated there would be 100 at Oak Grove. Price asked the hours of the camp. Baudhuin stated that day camp hours would be from 9:00 a.m. to 3:30 p.m., with 8-10 boys at a range at one time. McMenamin asked about the Boy Scout liability and Baudhuin stated that each scout would be paying \$25.00 to attend camp and that \$1.65 per scout would be for insurance. Bradford asked about the ratio of adults to scouts and Baudhuin stated for the archery range there would be 4 adults to 8 scouts. Bradford seconded the motion to approve the archery range. McMenamin stated that she had concerns about the archery range but that she would support it. Price felt that the boy scouts did an excellent job of teaching children safety precautions. Price stated that she would like to see additional supervision since the camp would be on the grounds of a school and would be likely to draw the interest of others. Motion carried unanimously to approve the archery range at Oak Grove Elementary for the week of June 28th - July 2nd, 1993.

McMenamin asked Chief Murray about the safety of a BB range and Chief Murray stated that he did not approve of handguns being used by anyone but that if it was a Boy Scout event, safety would not be a problem. McMenamin stated that she did not feel Council would be protecting the welfare of citizens by approving the BB range and that she could not support it. Brooks stated that Council needed to follow the intent of the ordinance which was to ensure safety and not judge whether or not scouts should use BB guns. Brooks stated that he felt that boys could learn about safety of guns when participating in camp. Bradford stated his support of the BB range and stated that he hoped the scouts would learn a respect for firearms. Bradford stated that he felt the concerns of the ordinance had been met. McMenamin stated that she did not feel that children should be educated on how to use a firearm but rather on not to use them. Price asked if the scouts would be recognized with badges for BB shooting and was told that it was not a required badge but that the scouts could earn them. Price stated that she felt Cub Scouts were too young to shoot BB guns, but that in a supervised program felt it would be a safe activity. Lenox stated that he felt there should be stricter gun control but that he felt children were going to be around guns, therefore they should learn to respect them. Brooks made a motion to approve a permit for a BB range at Oak Grove Elementary on June 28 - July 2, 1993. Bradford seconded the motion. Motion passed with Brooks, Bradford, Price and Lenox voting aye and McMenamin voting nay.

There being no further business to come before Council, Lenox made a motion that the meeting be recessed to be reconvened into executive session. McMenamin seconded the motion. Motion carried unanimously.

Executive Session

No action was taken in executive session and McMenamin made a motion that the meeting be adjourned at approximately 8:45 PM. Price seconded the motion. Motion carried unanimously.



Angie Stevens, Asst. City Clerk



Mayor

Attest: