

CITY COUNCIL OF PEACHTREE CITY

Minutes of Meeting

May 16, 1996

7:00 p. m.

The Mayor and City Council of Peachtree City met in regular session on Thursday, May 16, 1996, 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 L. Lenox, Councilmembers Caroline Price, Robert Brooks, Jim Pace and Annie McMenamin.

Announcements, Awards, Special Recognition

Mayor read a proclamation declaring the month of May as Mental Health Month.

Mayor read a proclamation declaring EMS week.

Mayor presented a ten-year service pin to Pat Webster, Leisure Program Coordinator, Senior Citizens.

Mayor encouraged citizens to attend the annual Police Officer Memorial Service to be held Friday, May 17 at 10:00 a.m. in front of City Hall.

Mayor announced that the bicycle bridge over Highway 74 would be erected May 31 through June 2.

Mayor presented an Employee of the Month award to John Jenkins, Police Officer.

ADDITIONAL AGENDA ITEMS

Mayor Lenox said Council had received a request to amend the Land Use Plan to the agenda. He said the item needed to be advertised in the newspaper and made a motion to decline the request. Brooks seconded the motion. Motion carried unanimously. Lenox instructed staff to advertise that the item would be considered at the June 6, City Council meeting.

Lenox said Council had also received a request to consider an investigation to an alleged violation of the Ethics Ordinance. Lenox moved to add the issue to the agenda as agenda item 05-96-07. Brooks seconded the motion. Motion carried unanimously.

MINUTES

Price made a motion to approve the May 2, 1996 minutes as presented. McMenamin seconded the motion. Motion carried unanimously.

OLD AGENDA ITEMS

There were no old agenda items.

NEW AGENDA ITEMS

05-96-05 Consider Alcoholic Beverage License Johnny's New York Style Pizza & Subs

Basinger said an application for an Alcoholic Beverage Pouring License had been submitted for Johnny's New York Style Pizza and Subs to be located in the Westpark Shopping Center.

Mr. Bruce Kelley had applied to be the Licensee and License Representative to sell beer and wine and was present answer any questions Council might have.

McMenamin asked if Mr. Kelly had previous experience selling alcoholic beverages and if he understood the alcoholic beverage ordinance. Kelly said he did have experience and had read the ordinance. McMenamin made a motion to approve the License and to appoint Mr. Kelly as the Licensee and License Representative. Price seconded the motion. Motion carried unanimously.

**05-96-06 Consider Approval to Display
Olympic Torch Banners**

Basinger said the Olympic Torch Relay would pass through Peachtree City on Wednesday, July 17, with special ceremonies planned at City Hall upon its arrival around 11:30 a.m. Basinger said the Olympic Committee had also provided each city on the Torch Route a Greek Flag to fly along side the U.S. flag in honor of the origin of the first Olympics in that country.

He said the Olympic Torch Committee had requested a permission for the following:

- To place a 25' X 4' Olympic Banner on each side of the 54 Highway Cart Path Bridge;
- For TDK to place a banner over TDK Blvd.;
- To permit 2 1/2' x 8' Olympic banners to be hung from light poles in the City Hall Plaza;
- To permit 2 1/2' x 8' Olympic banners to be hung from light poles along the Torch Relay route;
- To permit 2 1/2' x 8' Olympic banners to be hung at other locations in the City that may purchase the banner;
- To allow the sponsor of the Torch Run, Coca Cola, to print their name on the banner; and
- To fly the Greek flag along side the U.S. Flag at City Hall.

Basinger recommended Council grant approval for these request and recommended the banners be displayed from July 16 through the entire Olympic period, to be taken down on August 5, the day after the Olympics.

Brooks made a motion to approve the Olympic Torch Committee's requests as staff had recommended. Price seconded the motion. Motion carried unanimously.

The Olympic Torch Committee presented the City and Councilmembers with commemorative Olympic medals.

05-96-07 Investigation of Alleged Violation of Ethics Ordinance

Lenox said the City had received a written complaint from eighteen citizens stating they believe a Planning Commission Member, Mike Hyde, had violated the Ethics Ordinance. Lenox said the ordinance required Council to direct the City Attorney to perform an investigation.

Webb said the allegations stated in the complaint dealt with Hyde's activities as a Land Use Task Force Member and Planning Commissioner. He said Hyde had filed a law suit against the city and was currently in litigation over zoning issues which had an indirect bearing with the ethics complaint. Webb said he had the responsibility of representing the city in the zoning law suite and for that reason, he believed his law firm would have a conflict on interest if they were to investigate the Ethics Violation charges. Webb recommended that Council hire an independent attorney to conduct the investigation. Webb stressed that it was important to remember that Hyde was innocent until proven guilty.

Lenox said this was the first complaint of an Ethics Violation ever filed in Peachtree City and that the City had excellent reputation. He said any complaint of this type should be investigated.

McMenamin made a motion to authorize the Mayor to hire an impartial attorney to investigate the charges of the City Ethics Ordinance violation. Price seconded the motion. Motion carried unanimously.

Price stated she would like Mr. Hyde to continue serving on the Planning Commission while the investigation was taking place because he was innocent until proven guilty. She stated she felt the investigation would be for Mr. Hyde's benefit as well as for those bringing the charges.

Lenox made a motion to take a brief recess and reconvene in Executive Session to discuss a legal matter.

EXECUTIVE SESSION

Price made a motion to approve the Memorandum of Understanding and Confidentiality Agreement pertaining to the sewerage system. McMenamin seconded the motion. Motion carried unanimously.

Lenox made a motion to adjourn the meeting at 8:30 p.m. Brooks seconded the motion. Motion carried unanimously.

Attest: Robert L. Long
Mayor

Nancy Fallo
Nancy Fallo, Deputy City Clerk