

**MINUTES OF MEETING
City Council of Peachtree City
May 6, 1993**

The Mayor and City Council of Peachtree City met in regular session on Thursday Night May 6, 1993 at 7:00 PM in the City Hall Council Chambers.

Mayor Lenox led those present in the pledge of allegiance. Present were Mayor Robert Lenox, Councilmembers Annie McMenamin, Edward Bradford, Robert Brooks and Caroline Price.

There were no items added to the agenda.

Announcements, Awards, Special Recognitions

Mayor Lenox presented a ten year service pin to Ron Mundy, Sergeant in the Fire Department.

Ms. Karen Davis, Chairman of the Commission on Children and Youth, presented checks to the Fayette Youth Protection Home, Children and Family Services and the Peachtree City Police Department for the purchase of anatomically correct dolls.

Mayor Lenox proclaimed the week of May 9, 1993 as "Respect for Law" week in Peachtree City. Present to accept the proclamation was Optimist Club member Tim Kaigler.

Department Reports

Mayor Lenox announced that Department Reports would be available for review at City Hall after the next scheduled meeting.

Minutes

McMenamin made a motion that the minutes of the April 1, 1993 and April 15, 1993 meetings be approved as presented. Bradford seconded the motion. Motion carried unanimously.

Old Agenda Items

4-93-2 Consider Alcoholic Beverage License - Pigskin Ribs

Mayor Lenox made a motion to strike the item to consider an alcoholic beverage license for Pigskin Ribs from the agenda. McMenamin seconded the motion. Motion carried unanimously.

New Agenda Items

5-93-1 Adopt Resolution calling for Bond Referendum Election

Mayor Lenox stated that in order for the City to conduct a bond referendum election to consider obligation bonds in the amount of three million dollars to fund recreation facilities, a resolution calling for the election had to be adopted. Mayor Lenox read the wording as it would appear on the ballot on June 15 for the benefit of the public. Mayor Lenox stressed to the public that the City budget would pay the loan and that the referendum would be done with no increase in taxes to the citizens of Peachtree City. McMenamin stated that the referendum would allow for the construction of a permanent senior citizen center in Peachtree City. Bradford stated that the City had planned for the loan payback and the cost of operating the facilities in the operating budget. Price stated that recreation was important to all Peachtree City residents and that the package put together would satisfy the needs of all residents. Price made a motion to adopt the resolution as presented. Bradford seconded the motion. Motion carried unanimously.

5-93-2 Public Hearing - Golf Cart Ordinance

Mayor Lenox announced that the Golf Cart Ordinance would be conducted as a public hearing and limited the discussion to ninety minutes. Mayor Lenox asked that citizens keep their comments brief and to use the microphone provided.

Mr. Bob Konrad, 117 Chadwick Drive, came forward and stated his concern that golf carts were taking over the paths and asked what normal rules of the road for carts were. Mayor Lenox explained the rules of the road for golf carts were the same as that for an automobile as follows: keep to the right, pedestrians have the right-of-way, driving at night means carts must be equipped with head lights and tail lights and signaling when turning.

Mr. Mike Baudhuin, Parkgate subdivision, came forward and stated that changing the age of children allowed to drive golf carts with their parents would penalize those children who did not violate the ordinance. Baudhuin stated the need to identify the problems that exist and to put more officers on the paths to enforce the ordinance that already existed. Baudhuin went on to say that most parents do not let their underage children drive carts alone and that by making the ordinance more restrictive Council would force citizens to violate the ordinance.

Mr. Jack Dye, 129 Scatterfoot, came forward and stated that he saw possible accidents every day with underage drivers and suggested registration so that those underage drivers could be reported.

Brooks stated that the main purpose for registration of golf carts would be to enable the police to identify carts and return them to the rightful owner.

Mr. Don Washburn, 215 Melrah Hill, stated his support of the proposed ordinance and raising the age to drive with a parent to the age of fifteen. Mr. Washburn suggested that insurance on golf carts be made mandatory.

Four middle school students came forward and spoke on behalf of students at Booth Middle School. The students stated that they had collected two hundred signatures asking that the age for driving golf carts with a parent remain at twelve. The students stated they felt they were responsible enough to drive a golf cart with a parent with them. McMenamin read a letter from thirteen year old Chris Franklin, asking that the age requirement remain the same. The letter was entered as part of the public record.

Ms. Cindy Justine, resident, came forward and stated that she felt that gasoline carts should be permitted. Ms. Justine asked if carts were registered and a number was given to the Police Department when a violation was cited, would the person reporting the incident need to swear out a warrant and appear in court. Lenox stated that if a warrant was taken out the person would need to appear in court. Chief Murray came forward and stated that even if a warrant was not sworn out the police would call the owner of the cart to say that a child had been seen driving the cart in violation of the ordinance. Murray explained that registration would also help the police identify property which had been reported stolen and assist in returning the property to the rightful owner.

There was a discussion of the number of citations given for underage drivers and the number of accidents caused by underage drivers. The statistics provided by the Police Department to Council showed all reported accidents which involved underage drivers occurred with no adult in the cart. No accidents had been reported involving children with an adult in the cart.

Ms. Susan Jobson, 120 Jumpers Run, came forward and stated that she had been involved in a serious accident involving a child driving a cart without a parent. Ms. Jobson stated that she had contacted the manufacturers of Eazy Go and Club Golf Carts and was told that they did not recommend anyone under the age of twenty one driving the carts. Jobson stated that children did not need to be driving 2,000 pound vehicles and asked Council if the City was ready to accept responsibility for accidents caused by underage drivers on carts made for adults.

There was further discussion on gasoline carts and the fact was raised that they have a longer driving range than that of electric carts. A citizen stated that he did not see any difference in a gas cart as opposed to a gas lawn mower.

Mr. Jim Grinde came forward and stated that he worked for a golf cart manufacturer and stated that gasoline carts, if maintained properly, did not omit fumes. Price asked Mr. Grinde about solar

powered golf carts and was told that the technology was not in the range of recreational vehicles.

Mr. Steve Mitchell, 304 Pinegate Road, stated that his twelve year old daughter had been hit by a fourteen year old driving a golf cart unaccompanied by an adult. Mr. Mitchell stated that he was in favor of the proposed age requirement being fifteen with an eighteen year old adult in the cart. Mr. Mitchell stated that most residents think of golf carts as toys their children can play with.

Mayor Lenox asked City Attorney Jim Webb if the parents of an underage driver could be held liable for an accident. Webb stated that they could be held liable and charged with negligence. Webb stated that a monetary amount could be assessed from the parents personal assets.

Ms. Pat Cooper, 1000 Stevens Entry, came forward and stated that the legal age to drive a car was sixteen and felt that children of a young age were not physically or mentally capable to handle a golf cart. Ms. Cooper also asked about safety restraints for children and was told that there were no approved safety restraints for golf carts.

Mr. Tom Jobson, 120 Jumpers Run, came forward in support of raising the age a child is allowed to operate a golf cart. Mr. Jobson stated that the State of Georgia established the age of fifteen as the age when a child should learn to drive a car and felt it should be the same for a golf cart.

After hearing no more discussion the Mayor called the public hearing closed and called for Council discussion.

Mayor Lenox stated that he wished to discuss six major changes to the golf cart ordinance individually and stated the items were as follows: Registration, Insurance, Warning Signal/Device, Driving Conditions/Ages, Gasoline Carts and Penalties. Mayor Lenox asked that Council begin the discussion with registration.

Registration: Mayor Lenox stated that he felt it was the consensus to register all golf carts in Peachtree City and he proposed that registration costs should be \$10.00 to cover the cost of two decals that would be issued to each owner. Lenox proposed that transfer fees should be \$5.00 with a ten day period for transferring the cart. Price stated that she felt registration was the most important item. Lenox suggested a \$20.00 penalty if a registration was not transferred within 10 business days.

Insurance: Mayor Lenox suggested that insurance should be required on all registered carts. It was brought to Council's attention by staff that all insurance companies contacted stated that to be able to obtain insurance a valid drivers license was needed. As many senior citizens in Peachtree City do not wish to have drivers licenses and therefore would not be able to obtain insurance it was

proposed that it be suggested in the ordinance to have insurance but not made mandatory.

Warning Signal/Device: It was suggested by Mayor Lenox and Council concurred that a verbal warning be used when a cart was approaching a pedestrian and that the ordinance should suggest carts be equipped with a bell or horn as a warning device.

Driving Conditions/Ages: After much Council discussion about age it was the consensus of the Council that according to police reports there were no reported accidents with a child driving a cart accompanied by a parent and that it was a family activity that should not be taken away. Council agreed that the ages should be as follows: No person under the age of twelve shall be allowed to operate a golf cart. Children from the ages of twelve through fifteen shall be allowed to operate a cart over the streets and paths with a parent or legal guardian possessing a valid driver license in the front seat with them. Children age fifteen shall be allowed to operate a golf cart with a licensed driver at least eighteen years of age in the front seat. Those sixteen years of age and older may operate a cart over the streets and paths of the City.

Gasoline Golf Carts: After discussion Lenox suggested that registration on gasoline carts would be valid for two years. Before registering the golf cart after the two year period the gasoline cart would need to pass an emissions test for which standards will be developed. Those carts that could not pass the emission standards would not be allowed to be registered. Current gasoline carts would be grandfathered for a two year period before an emission test would be required.

Penalties: Council felt that higher fines would be the only way to enforce underage driving without a parent in the front seat and the penalties recommended by Council were as follows:

- 1st violation - not less than \$250.00
- 2nd violation - not less than \$500.00
- 3rd violation - if within a year of the second violation not less than \$1000.00, possible impoundment of the cart and the cart would not be allowed to be registered by any member of the family for a two year period.

Discussion followed about the above fines and it was stated that the fines for violations of the age requirement (Section 19-32) and all other violations would be enforced under Section 1-8 of the City Code of Ordinances. Mayor Lenox made a motion that the ordinance be sent back to staff for re-drafting. Bradford seconded the motion. Motion carried unanimously.

5-93-3 Solid Waste Management Plan

Mr. Cam McNair, City Planner, came forward and presented the Solid Waste Management Plan to Council and stated that with landfills

filled to capacity a solid waste management plan would be essential. McNair stated that Peachtree City generated 33,000 tons of waste each year and that the Atlanta Regional Commission (ARC) and the State were concerned with all the waste generated. McNair stated that most of the waste in Peachtree City came from the commercial and industrial sector with twenty five percent coming from the residential sector as many homeowners are recycling. McNair stated that the Solid Waste Management Plan made provisions for cutting down on waste generated by the commercial and industrial sector. McNair stated that Fayette County was working on their Solid Waste Management Plan and that there had been discussions with Fayette County to co-op with Peachtree City on a composting facility. McNair stated that the Planning Commission held a public hearing on the plan and recommended that the final draft of the Plan be approved for submittal to ARC and that staff also recommended that Council authorize staff to submit the Solid Waste Management Plan to the ARC for review and onto the State for approval. McNair stated that staff would like to begin implementation of the plan as soon as it was approved for submittal as it was felt that the solid waste problem needed to be addressed immediately rather than waiting for State approval. McNair reported that a final ordinance would be brought back for consideration at a later date.

McMenamin asked McNair if the City would still be able to work with other municipalities on joint facilities after the plan had been sent to the State for approval and what the time frame was for having a plan in place. McNair stated that the City would still be able to work with other agencies on joint facilities and that the Georgia Solid Waste Management Act of 1990 required every municipality to have a solid waste management plan in place by July 1, 1993 or be a part of a plan on a county wide level. McNair stated that it was his understanding that when the law was passed Fayette County made a decision that they did not want a county wide plan, but that each municipality should have their own. Price stated that when the law was passed it was to help insure that by 1996 there would be a twenty five percent reduction in waste.

After further discussion on the need for a plan and the consensus that the City should work with the County and other municipalities to join forces on facilities, Brooks made a motion to approve the Solid Waste Management Plan as drafted for formal review and designate the City Planner to implement the plan. McMenamin seconded the motion. Bradford brought several changes to McNair's attention and asked that Aberdeen Woods Conference Center be added to the Commercial and Industrial list due to the waste they generated and questioned the reduction shown in the next few years based on a population increase. Bradford suggested there should be an explanation on the page so it would not be misinterpreted. Bradford also questioned using volume based pricing structure for garbage collection services and was assured by McNair that volume based pricing was already being used. Brooks stated that the document was a starting point that would continue to grow and felt the document needed to go forward. Bradford stated that he did

not want the Plan started the wrong way. After further discussion City Manager Jim Basinger asked that the motion be amended to allow the City Manager to designate a person to implement the Plan. Lenox seconded the motion. Motion carried unanimously as amended.

5-93-4 Fayette County Recreation Funds

City Manager Basinger stated that Council had a recommendation from the Recreation Commission to request that the County Commissioners distribute funds allocated for County recreation to municipalities based on population. Basinger stated that Recreation Commission member Creighton Warren had developed the proposal. Basinger stated that the City had received approximately \$25,000 from the County the past several years and this year the City Recreation Commission requested \$126,500 to renovate Pebblepocket Pool and renovate Wynnmeade Park. The Recreation Commission has recommended that Council approve the request and forward to the County Commission for their consideration.

Mayor Lenox asked if the County Recreation Budget of \$401,801 was their operating budget and not funds to build facilities. Price asked if the City knew what recreation funds were given to other municipalities. Basinger stated that he believed the County funded all recreation facilities in every municipality in the County except Peachtree City. Price stated that there needed to be a formula on which to base funds given to each municipality. After further discussion Mayor Lenox made a motion to table the item to give staff a chance to do more research on possible funds. Price seconded the motion. Motion carried unanimously.

5-93-5 Consider Bids - Public Works Vehicle

City Manager Jim Basinger reported that the City had solicited bids from fifteen vehicle dealers for the purchase of one 1993 Ford Ranger Pickup Truck for the Public Works Department. Basinger explained that the truck would replace a 1983 Ford Ranger pickup truck. Basinger reported that seven firms had responded as follows:

Gene Evans Ford
Union City, Georgia

Base Bid - Ford Ranger	\$11,640.00
Less Trade in allowance	1,200.00
Bid Amount with trade in	\$10,440.00
Option - Lumbar Support	974.00
Total Bid	\$11,414.00

Southlake Ford
Jonesboro, Georgia

Base Bid - Ford Ranger	\$10,956.00
Less Trade in allowance	300.00
Bid amount with trade in	\$10,656.00
Option - Lumbar Support	1,047.00
Total Bid	\$11,703.00

Richard Distel Spalding Ford
Griffin, Georgia

Base Bid - Ford Ranger	\$11,623.00
Less trade in allowance	800.00
Bid Amount with trade in	\$10,823.00
Option - Lumbar Support	920.00
Total Bid	\$11,743.00

Chuck Clancy Ford
Marietta, Georgia

Base Bid - Ford Ranger	\$13,524.24
Less trade in allowance	1,000.00
Bid Amount with trade in	\$12,524.24
Option - Lumbar Support	included
Total Bid	\$12,524.24

Family Ford
Dallas, Georgia

Base Bid - Ford Ranger	\$11,708.00
Less trade in allowance	400.00
Bid Amount with trade in	\$11,308.00
Option - Lumbar Support	NA
Total Bid	\$11,308.00

Carey Paul Ford
Decatur, Georgia

Base Bid - Ford Ranger	\$11,410.00
Less trade in allowance	0.00
Bid amount with trade in	\$11,410.00
Option - Lumbar support	NA
Total Bid	\$11,410.00

Crown Ford, Inc.
Alpharetta, Georgia

Base Bid - Ford Ranger	\$12,957.00
Less trade in allowance	800.00
Bid amount with trade in	\$12,157.00
Option - Lumbar Support	NA
 Total Bid	 \$12,157.00
 Budgeted Amount	 \$12,500.00

Basinger stated that staff recommended that the bid for supplying the 1993 Ford Ranger Pickup Truck be awarded to Gene Evans Ford, Inc. of Union City for the amount bid of \$11,414.00 which included the lumbar support option and a trade-in allowance of \$1,200.00 for a 1983 Ford Ranger truck that was surplusd by City Council in January. Staff also requested authorization to increase the City fleet by one vehicle and retain the 1983 Ford Ranger being replaced and assign it to the Landscape Supervisor. Price made a motion to award the bid for a 1993 Ford Ranger Truck to Gene Evans Ford and increase the City fleet by one vehicle. McMenamin seconded the motion. Motion carried unanimously.

5-93-6 Business License Fee for Insurance Companies

City Manager Basinger reported that State law prohibited Cities with a population of less than 10,000 to charge insurance companies more than \$50.00 per year for business licenses. State law does allow those Cities with a population over 10,000 to charge \$75.00 per year. Basinger stated that Staff recommended that the rate for insurers be increased to \$75.00 and that the ordinance be changed to charge all insurance companies \$75.00 and reported that the City at the present time only charged life insurance companies. Bradford made a motion to raise the business license fee for insurance companies to \$75.00 and charge all insurance companies the fee. Price seconded the motion. Motion carried unanimously.

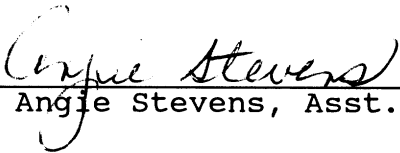
5-93-7 Disaster Relief Funds

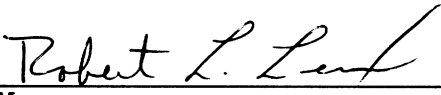
City Manager Basinger reported that the City could receive disaster relief funds for debt incurred due to the March blizzard. Basinger stated that for the City to receive the funds Council would need to adopt a resolution naming Colin Halterman, Director of Public Services, to act as the City's agent. Basinger reported that the City did incur expenses of approximately \$8,000 for manhours, equipment and materials during and after the storm. Price made a motion to authorize Colin Halterman to act as agent for the City. Brooks seconded the motion. Motion carried unanimously.

There being no further business to come before Council, Mayor Lenox made a motion that the meeting be recessed to be reconvened in executive session to discuss a real estate and a legal matter. Bradford seconded the motion. Motion carried unanimously.

Executive Session

There was no action taken in executive and McMenamin made a motion that the meeting be adjourned at approximately 11:15 PM. Price seconded the motion. Motion carried unanimously.


Angie Stevens, Asst. City Clerk


Attest
Mayor