

**MINUTES OF MEETING
CITY COUNCIL OF PEACHTREE CITY
May 5, 1994
7:00 p.m.**

The Mayor and Council of Peachtree City met in regular session on Thursday Night, May 5, 1994 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

Brooks made a motion that the McIntosh Theater Guild be added to the agenda to discuss a matter with Council as requested by them. McMenamin seconded the motion. Motion carried unanimously. Item was added as 5-94-5.

Brooks made a motion that an item be added to discuss Musk Thistle Control. McMenamin seconded the motion. Motion carried unanimously. Item was added as 5-94-6.

Announcements, Awards, Special Recognitions

Mayor Lenox presented Mia and Jim Dietvorst with "Citizen Achievement Awards" for their consistent efforts of picking up litter along Peachtree Parkway South.

Mayor Lenox proclaimed the Month of May as "Older Americans Month" in Peachtree City. Mr. Bernie O'Neil, Peachtree City Pioneer Club, was present to accept the proclamation.

Mayor Lenox proclaimed May 21, 1994 as "Fight Against Cystic Fibrosis Day" in Peachtree City and urged all citizens to participate in the Great Strides Walk-a-thon to be held that day. Mr. Rick Lindsey was present to accept the proclamation.

Mayor Lenox proclaimed the week of May 8 - 14 as "Respect for Law Week" in Peachtree City. Police Chief Jim Murray, and Optimist Club Members Tim Kaigler and Ed Bradford were present to receive the proclamation.

Mayor Lenox proclaimed the week of May 15 - 21 as "National Emergency Medical Services Week" in Peachtree City. Fire Chief Gerald Reed was present to accept the proclamation.

Mayor Lenox and Peki Prince, Instructor, presented certificates to graduates of the First Responder Course that was offered to Fire and Police Department Employees. Ms. Prince explained that the course was the first step toward EMS certification.

Mayor Lenox presented a fifteen year service pin to Cheryl Rogers, Communications Manager.

Department Reports

Mayor Lenox reported that Department Reports would be available at the next Council meeting.

Minutes

Price made a motion that the minutes of the April 21, 1994 Council meeting be approved as presented. Bradford seconded the motion. McMenamin stated that she would abstain from voting as she was not in attendance of the meeting. Motion carried with McMenamin abstaining.

New Agenda Items

5-94-1 Consider Alcoholic Beverage License Amphitheater Concessionaire

Mayor Lenox stated that Ms. Barbara Dyche, concessionaire for the Frederick Brown Jr. Amphitheater, had made application for an alcoholic beverage license to sell malt beverage and wine at the amphitheater and to be the licensee and license representative. Mayor Lenox asked Ms. Dyche to come forward.

McMenamin stated that she had great respect for Ms. Dyche and her business, but that she had been against selling alcohol at the amphitheater and would abstain from voting.

Bradford stated that he also was not in support of alcohol being sold at the amphitheater but that battle had been lost and was not the issue before Council presently. Bradford asked Ms. Dyche if she was familiar with the alcoholic beverage license ordinance. Ms. Dyche stated that she was a member of an Off Premises Catering Coalition in Atlanta and that she was familiar with the law and would continue to educate herself and employees. Bradford encourages Ms. Dyche to contact the Police Department for assistance. Bradford made a motion to grant an alcoholic beverage license for malt beverage and wine at the Frederick Brown Jr. Amphitheater and appoint Ms. Dyche the licensee and license representative. Price seconded the motion. Motion carried with McMenamin abstaining.

5-94-2 Consider change in License Representative - Kwickie

Mayor Lenox stated that Kwickie/Flash Foods had made application to change the license representative for their store on Crosstown Road to Ms. Linda Avery. Mayor Lenox asked Ms. Avery to come forward to answer any questions Council might have.

Ms. Linda Avery, along with the regional manager for Kwickie came forward. Price stated that all paperwork appeared to be in order

and encouraged Ms. Avery to keep up to date with the laws of alcoholic beverage sales. McMenamin made a motion to approve the change in license representative to Ms. Linda Avery. Bradford seconded the motion. Motion carried unanimously.

5-94-3 Consider Re-zoning of 130 acres in Northwest Kedron

Mayor Robert Lenox stated that Peachtree City Development Corporation (PCDC), agent for the Equitable, had made application to re-zone approximately 130 acres of property in Northwest Kedron Village. Mayor Lenox stated that the item would be a public hearing and read the rules for the benefit of the public. Mayor Lenox asked to hear first from Jerry Peterson, representative of PCDC.

Mr. Jerry Peterson, Vice President of Planning for PCDC, came forward and stated that the land they were proposing to re-zone was located off Highway 74 just South of Crabapple Lane. Peterson stated that the current zoning was done when all of Kedron Village was re-zoned in 1988 from AR Agricultural Reserve. Peterson stated that currently 110 of the 130 acres was zoned GR-16 General Residential and OS Open Space. Peterson stated that the remaining acres were zoned GR-14 General Residential, R-43 Residential and LUC Limited Use Commercial. Peterson stated that GR-16 usually produced condominiums or apartments, that the OS Open Space was planned for a Fire Station and Middle School, and LUC Limited Use Commercial which would leave the possibilities for use open ended.

Peterson stated that the re-zoning request was a result of several items that had taken place such as the Fire Station and School site not being required due to their being located in other areas of the City. Peterson stated that the proposed zoning was for GR-4 General Residential and that the land was more desirable for single-family than multi-family. Peterson went on to say that a bridge would be constructed over the rail-road tracks eventually, although it was not a part of the re-zoning request, and that there would be a median cut on Highway 74. Peterson stated that the proposed re-zoning would result in a one-third reduction of the potential population of the area. Mr. Peterson asked Mr. C.L. Douthard, Landscape Architect for PCDC to come forward to present the plan to Council.

Mr. Douthard presented the plan to Council by using a display map of the Northwest Kedron area and showed the intermittent streams through the property that would provide for natural buffers in the area. Douthard stated that an adequate buffer would be used to protect the adjacent homeowners. Douthard stated that most of the property would be single family cluster homes and that a ten acre parcel directly south of two existing homes would be marketed for a church or day care. Douthard went on to say that it was felt that the downsizing would be a benefit to all in the area.

Mayor Lenox asked to hear from anyone else present that was in favor of the rezoning.

Mr. Julian Campbell, Planning Commission member, came forward and stated that the Planning Commission had reviewed the proposal twice and that no one had come forward in opposition to the rezoning. Campbell stated that the Planning Commission was concerned for the protection of the adjacent homeowners and was satisfied that adequate buffering would be done during sit plan review. Campbell stated that the Planning Commission was also concerned with how the development would work with the current Land Use Plan. Campbell stated that the Land Use Plan was currently being revised by staff and that the proposed zoning would be in accordance with that plan. Campbell went on to say that the Commission had recommended the current R-43 site be marketed for a day care or church.

Mr. Cam McNair, City Planner, came forward and stated that Staff concurred with the Planning Commission recommendation. McNair stated that staff felt the area would work well with the Land Use Plan and that proper buffering could be done during the site plan review stage. McNair stated that staff recommended approval of the re-zoning.

Mayor Lenox asked to hear from anyone in opposition to the rezoning and Ms. Bonnie Beerbower, Crabapple Lane, came forward and stated that she had ten acres of property that backed up to the site that was currently zoned R-43 Residential. Ms. Beerbower stated that she was concerned about a buffer between her property and the site which if approved would be GR-4 Residential. Ms. Beerbower stated that she felt that GR-4 zoning was too much of a step down from the current R-43, and that a twenty-five foot buffer would not be adequate and stated that she was not in favor of a GR-4 zoning.

Mr. Harold Jones, 279 Senoia Road, came forward and asked what the price and size of lots would be. Mr. Douthard stated that the lots would be one quarter acre and that prices between \$100,000 and \$150,000. Mr. Jones stated that he had a two acre lake on his property and was concerned with children from adjacent property falling in.

McMenamin asked Mr. Peterson if there was a time frame on the construction of the bridge and Mr. Peterson stated that the bridge was not a part of the proposal and he did not know a time frame.

Brooks asked Mr. Peterson if The Equitable owned the land on the other side of the railroad track and Mr. Peterson stated that they did.

Mayor Lenox asked to hear from anyone else in opposition to the rezoning and hearing none called the public hearing closed and called for Council debate.

Price stated that she felt the zoning would be consistent with the Land Use Plan, that she had heard the sensitivity about the ten acre site on Crabapple, but felt that adequate buffering could be

dealt with at the Development stage. Price stated that she was in support of the re-zoning.

Bradford stated that he had two areas of concern which were the buffering of estate lots and changing the nature of the industrial area adjacent to the property. Bradford stated that both the old and new residents needed to be protected. Bradford stated that overall he was in favor of the proposed re-zoning and would support it.

Brooks asked Peterson about the road on the south end of the property and asked if it would be considered a minor collector. Peterson stated that it would be a major collector. Brooks stated that on the north side of the property, there would be a natural buffering with the intermittent streams. Brooks echoed the comments made to try and buffer the northern edge that was currently R-43. Brooks asked Mr. Peterson if there were immediate plans for that parcel. Peterson stated that there were no current plans to develop the parcel but that a day care or church would be considered as the parcel was only ten acres.

Mayor Lenox echoed the comments of Councilmembers and stated that he felt the plan was an overall benefit to Peachtree City. Mayor Lenox stated that his only concern was for the buffering of the estate lots and that he had confidence in the Planning Commission and PCDC that proper buffers would be used. Mayor Lenox stated that he would support the re-zoning request.

Price made a motion to approve the re-zoning of 130 acres in Northwest Kedron Village to GR-4, OS and LC. Brooks amended the motion to direct the Planning Commission to look at a larger buffer on the current R-43 site. Bradford asked that the area by the industrial property be looked at for additional buffering. Price stated that the point had been made that the Planning Commission could be more specific at the site plan change and a message could be sent to them to look closely at the buffers. McMenamin seconded the motion. Motion carried unanimously.

5-94-4 Consider Bids - Microfilming

City Manger Jim Basinger stated that the City solicited bids from six qualified firms for the first phase of microfilming approximately 247,000 Construction Permits and approximately 17,000 Construction Plans. Basinger stated that two firms did not meet the specifications and were disqualified. The bids considered were as follows:

**Layton Graphics
Marietta, Georgia**

Construction Plans Only

17,000 drawings on silver film	\$ 7,650
17,000 aperture cards	11,050
10 rolls of film	250
Indus #4601-03 Aperture Card Reader	656

TOTAL**\$19,606**
Southern Business Communications
Norcross, Georgia
Construction Permits Only

247,000 permits (includes film)	\$ 9,139
Delivery charge per trip \$40.00	80
Canon MP-90 plain paper Reader Printer	6,950

TOTAL**\$16,169**
DBB Microfilm Services
Riverdale, Georgia
Construction Permits

247,000 permits	\$ 5,928
100 rolls 16mm film	600
Micro Copy 1000 Reader Printer	3,889
Subtotal	\$10,417

Construction Plans

17,000 Microfiche Filming	\$ 5,950
2,834 Microfiche	1,134
10 rolls 35 mm film	150
Eyecom 6000 Engineering Reader	619
Subtotal	\$ 7,853

TOTAL**\$18,270****Construction Plans Alternate**

17,000 Aperture Filming	\$ 5,950
17,000 Aperture Cards	6,800
10 rolls 35mm film	150
Eyecom 6000 Engineering Reader	619
Subtotal	\$13,519

ALTERNATE TOTAL**\$23,936**
Datek, LTD.
Atlanta, Georgia

Construction Plans & Permits

Lump Sum Bid - Reconditioned Equipment	\$22,500
Micro Copy 1000 plain paper Reader Printer	
Realist dual lens Viewer	

Lump Sum Bid - New Equipment	\$24,200
Micro Copy 1000 plain paper Reader Printer	
Micron 797 dual lens Viewer	

Basinger stated that staff recommended that the bid be awarded to DBB Microfilm Services of Riverdale, Georgia for the microfilming of the Building Department Permits and Construction Plans on microfiche and for the purchase of the reader printer and viewer at a total cost of \$18,270.00. Basinger stated that there were sufficient funds in the Public Improvement Budget for this project. Basinger went on to say that a permanent record would be stored at the Georgia Department of Archives.

Bradford asked what the aperture cards were and Ms. Marcie Blind, Purchasing Agent, came forward and showed Council a copy of the aperture card which was one film on a card as opposed to a microfiche which contained six pictures. Bradford stated that he was comfortable with the bids and made a motion to award the bid to DBB Microfilm Services for the microfilming of the Building Permits and Construction Plans in microfiche and for the purchase of the reader printer and viewer for a total cost of \$18,2770.00. Price seconded the motion. Motion carried unanimously.

5-94-5 McIntosh Theater Guild

Ms. Susan Smith, President of the McIntosh High School Theater Guild, came forward and stated that the Guild was upset by the amount to be charged for the McIntosh Drama Club to have a performance at the Frederick Brown Jr. Amphitheater. Ms. Smith stated that the Club only received \$1800 per year from the Fayette County Board of Education for expenses and that the fees for use of the amphitheater would be a hardship on the Club. Ms. Smith asked that Council waive all the fees charged and allow the Drama Club one performance per year at the amphitheater for no charge to the club.

McMenamin asked Ms. Smith if the residents were charged an admission price to see performances and Ms. Smith stated that they were, that the cost of tickets paid for costumes, props, etc. Ms. Smith stated that the price of tickets were \$6.00 for adults and \$4.00 for children. McMenamin stated that she understood from the City Manager Jim Basinger that staff would work with the group to resolve the matter. City Manager Basinger stated that he had assured Mr. Rogers of the Guild, that he would meet with them the next day to discuss the matter and try to resolve it. Ms. Smith stated that she understood that it would take Council action to waive the fees which was why they felt the need to come before Council. Mayor Lenox stated that the amphitheater was now being

operated by the Peachtree City Development Authority and asked Ms. Smith if she had spoken with them. Ms. Smith stated that she had spoken to Mr. Tom Farr, Chairman of the Development Authority, and that he had referred her to the City Council. Mayor Lenox stated that it was not the City's policy to give donations to charitable organizations. A parent of a drama student came forward and stated that Council should not look at the drama club as a charitable organization but look at it as investing in the youth of Peachtree City.

McMenamin stated that Peachtree City did support the youth of the City in many different ways and stated that there were many different civic organizations in the City that could be approached for assistance.

Ms. Smith stated that the City had donated funds to The Spirit Drum and Bugle Corp, when they performed last summer. Mayor Lenox stated that the City had contracted with "The Spirit" for their performance in the July 4th parade and the City no longer would be associated with The Spirit. Ms. Smith asked that Council contract with the drama club for their performance at the amphitheater.

Brooks stated that if the City gave a donation to the drama club every other non-profit organization in the City would come to Council for assistance. Brooks stated that since the amphitheater was now being managed by the Development Authority an overall look should be taken at fees charged for non-profit organizations.

Mayor Lenox asked that Ms. Smith meet with him the following day to try and resolve the situation.

Ms. Cindy Cochran, student drama member, came forward and stated how much it meant to her to perform at the amphitheater, how small their working funds were and asked that Council waive the fees charged to the drama club.

Price stated that the Fayette County Cultural Arts Endowment worked with groups such as the drama club and could be of assistance.

A meeting with staff was set with the Guild members for the following day and no action was taken by Council.

5-94-6 Musk Thistle Control

Mr. Martin Murphy, 503 Barstone Place, came forward and stated that he felt a weed call Musk Thistle was growing in abundance in Peachtree City and should be taken care of before it became out of control. Mr. Murphy stated that the weed was a rapid growing thistle, that if left to grow, could overtake other plants and vegetation.

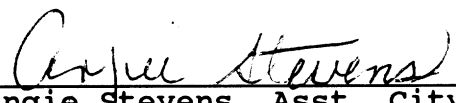
Mayor Lenox thanked Mr. Murphy for his concern and stated that staff had been in contact with State officials who were familiar

with the thistle. Mayor Lenox stated that staff was told that any area receiving regular mowing was not in danger of being infiltrated with the thistle. Mayor Lenox went on to say that the Public Works Department had already begun to identify the thistle and would take measures to control the problem. No action was taken by Council.

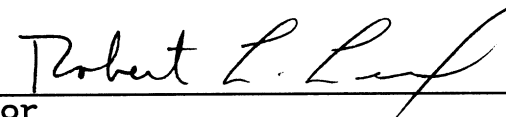
There being no further business to come before Council, Mayor Lenox made a motion that the meeting be recessed to be reconvened in executive session to discuss a legal matter. Bradford seconded the motion. Motion carried unanimously.

Executive Session

No action was taken in executive session and Brooks made a motion that the meeting be adjourned at 9:15 p.m. Bradford seconded the motion. Motion carried unanimously.



Angie Stevens, Asst. City Clerk



Mayor

Attest: