

MINUTES OF MEETING
CITY COUNCIL OF PEACHTREE CITY
April 18, 1991

The City Council of Peachtree City met in regular session on Thursday Night, April 18, 1991, at 7 PM in the City Hall Council Chambers.

Mayor Brown called the meeting to order and led those in attendance in the pledge of allegiance. Council members present were: Mayor Frederick Brown, Jr. and Councilmen Edward Bradford, Annie McMenamin, Robert Brooks and Rich. Parlontieri.

No items were added to the agenda.

Announcements, Awards, Special Recognitions

Mayor Brown read a proclamation designating the week of May 6th through May 12th as Respect for Law Week in Peachtree City. He urged the citizens to join with Optimist Clubs, who were sponsoring law week, in recognizing and appreciating the dedication and professionalism of law enforcement personnel.

Awards

Mayor Brown presented the Employee of the Month Award for March to Hamby Adams, employee of the Public Works Department.

A new practice started with the month of March in recognizing a Supervisor of the Quarter and that award was presented by the Mayor to Keith Dryden, Lieutenant in the Police Department.

Department Reports

Mayor Brown called attention to the monthly departmental reports and urged the public to review them from time to time. He reported the population to be 20,847 as of April 1, 1991 which was an increase of 1,820 over the April 1990 census report.

New Agenda Items

4-91-3 Public Hearing - Zoning Ordinance Section 908.1 Amendment

Mayor Brown called to order a Public Hearing to consider amendments to the Peachtree City Zoning Ordinance. For the benefit of the public he outlined the procedures for the conduct of the public hearing.

Mayor Brown explained that the Ordinance under consideration, which would limit the use of accessory buildings in residential zoning districts, was considered by the Planning Commission at their April 8th meeting but they were unable to decide on a recommendation on the amendment. They wanted more time to study the proposal but, inasmuch as the public hearing had already been scheduled for City Council, that was not possible.

The Mayor explained that the Council could consider the amendment at this time if they so chose or the hearing could be continued to a later date and allow the Planning Commission more time to make their recommendation. He recommended continuing the hearing. The Council members agreed and Mayor Brown made a motion that the public hearing be continued to the May 16th City Council meeting. Motion was seconded by McMenamim. Motion carried unanimously.

4-91-4Public Hearing - Amendment to Zoning Ordinance Section 908.6

Mayor Brown called the public hearing to order to consider a proposed ordinance amending Section 908.6 of the zoning ordinance relating to the location of accessory buildings. He again explained the procedures for the public hearing and asked City Manager Basinger to be the timekeeper and allowed ten minutes for each party to speak. The City was the applicant in this hearing and the Mayor called upon the Director of Developmental Services, Jim Williams, to present the city's proposal.

Mr. Williams explained that a homeowner in an R-22 zoning district wanted to place a structure in the setback of his rear property but the ordinance did not permit it in that particular zoning district. The homeowner asked city staff to review that section of the ordinance that permitted such structures in zoning districts up to R-15 and not the R-22 district to determine the reason for the difference and to possibly change the ordinance. Mr. Williams explained that structures up to 100 square feet and eight feet in height may encroach into the rear setbacks in those smaller lot subdivisions no closer than three feet of the property line.

Williams stated that after studying the situation the city staff could not determine any real reason why, if the structure is not a detriment to the community in a small lot subdivision, it would be a detriment in a subdivision of larger lots. After looking at the situation objectively the staff has proposed an amendment to the zoning ordinance to permit the same use of property in the additional zoning districts. Williams reported that the Planning Commission reviewed the proposal in a public hearing and recommended unanimously that the change be implemented. The proposed ordinance would allow an accessory structure not exceeding 100 square feet and eight feet in height to encroach to within three feet of the rear property line in all zoning districts.

Mr. Dan Fink, the homeowner, requesting the change to the ordinance, spoke in favor of the amendment.

Ms. Bonnie Magagame also spoke in favor of the ordinance. She explained that the current regulation required that an accessory structure be thirty feet from the property line which would place the building in the middle of her rear yard.

With no one else wanting to speak either for or against the proposed ordinance, Mayor Brown at this point ended the public hearing and called upon the Council to debate the issue. Bradford supported the amendment to the ordinance but questioned the limitation to 100 square feet in size. He suggested the size be changed to 120 square feet and the buildings be limited to one per lot. Brooks did not agree to the limiting of one building per lot. Parlontieri felt that the size should be changed to 125

square feet and he did not agree with limiting a property owner to one building.

Mayor Brown stated that he would not be favor of increasing the size to more than 100 square feet because the reason for limiting the size when the encroachment into the setback was approved was to keep them from being obtrusive. The Mayor also pointed out that these changes were not discussed by the Planning Commission and were not part of the proposed ordinance advertised.

Motion was made by McMenamin that the Ordinance be approved as submitted by staff and recommended by the Planning Commission. Motion seconded by Mayor Brown. Motion carried with Parlontieri voting nay.

4-91-5 Alcoholic Beverage License Application - Shanghai Restaurant

City Manager Basinger reported that Mr. David Hii had applied for an alcoholic beverage license for the Shanghai Chinese Restaurant on Highway 74. Mr. Hii had applied as licensee and license representative as 100% owner of the business. Mr. Hii was reported to be a resident of Peachtree City living at the Gables Courts Apartments. Mr. Hii was present to answer any questions of the City Council.

After questioning Mr. Hii regarding the city ordinances council became concerned that he was not familiar with the city regulations and did not seem to understand what was expected of him as the licensee.

Motion was made by Brooks that the application be tabled to the next meeting to allow Mr. Hii sufficient time to familiarize himself with the Peachtree City ordinance. Motion was seconded by Parlontieri. Motion carried unanimously.

4-91-6 Bids for Fencing at Meade Field

City Manager Basinger reported that five bids were received for the installation of fencing and a backstop for the new 250 foot softball field at Meade Recreation Complex. Those bids were:

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|------------------------|------------|
| 1. Harp Fence Company | \$6,515.00 |
| 2. Danny White Fence | 7,092.34 |
| 3. B & D Fence | 7,098.00 |
| 4. A-Allstate Fence | 7,358.50 |
| 5. C & C Fence Company | 7,479.70 |

Basinger stated that staff recommended the contract be awarded to Harp Fence Company of Fayetteville and reported that there were sufficient funds in the budget for this project.

Motion was made by Parlontieri that staff's recommendation be approved and the bid be awarded to Harp Fence Company. Motion was seconded by McMenamin. Motion carried unanimously.

Announcement by Attorney

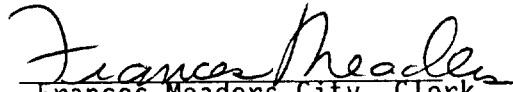
City Attorney, Mitch Powell, announced that the City had received a written order in the lawsuit of Justice/Simon against the City and the Police Department and certain officers. The case was heard in the U.S. District Court and the Court ruled in favor of all defendants.

Mayor Brown stated that he sat in on the proceedings and complimented the City Attorney on his handling of the case.

There being no further business a motion was made by Mayor Brown that the meeting be recessed to be reconvened in executive session to discuss the Black and Kelly lawsuits. Motion was seconded by McMenamin. Motion carried unanimously.

Executive Session

No action was taken in executive session and motion was made by Mayor Brown that the meeting be adjourned. Motion was seconded by McMenamin. Motion carried unanimously. Meeting was adjourned at 7:40 P.M.


Frances Meaders, City Clerk

 Attest
Mayor