

CITY COUNCIL OF PEACHTREE CITY

Minutes of Meeting

April 4, 1996

7:00 p. m.

The Mayor and City Council of Peachtree City met in regular session on Thursday, April 4, 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 Annie McMenamin, Robert Brooks, and Jim Pace. Caroline Price was absent.

Additional Agenda Items

Lenox said Mr. Wheelock had been placed on the agenda to address Council concerning Inspections/Code Enforcement. He said Mr. Wheelock had since requested to be removed from the agenda and Council had received another request from the Fayette County Development Authority to consider an Indemnification Agreement for Cooper Lighting. Lenox moved to remove Mr. Wheelock from the agenda and add the indemnification agreement for Cooper Lighting. McMenamin seconded the motion. Motion carried unanimously.

Mr. Bill King, Football and Track Coach for McIntosh High School, addressed Council and asked that they consider funding improvements for McIntosh High School. He said there is a great need for various sports facilities and funding. Lenox asked that Mr. King allow staff to investigate and determine priorities and cost of improvements. Brooks said the City should meet with the school board and the principal to discuss the matter.

Announcements, Awards, Special Recognition

Mayor Lenox announced that the Library Open House would be on April 14 from 2:00 - 4:00 p. m.

Mayor Lenox read a proclamation to prevent child abuse.

Minutes

There were no minutes to be approved.

Old Agenda Items

None.

NEW AGENDA ITEMS

**04-96-1 Public Hearing - Variance Request
Mike Rossetti, 205 Muirfield Way**

Lenox read the rules for conducting a public hearing and set a time limit of thirty (30) minutes for those who wished to speak in favor of or in opposition of the rezoning request. Lenox asked first to hear from the applicant.

Mr. Rossetti addressed Council and requested a variance of 1. 7 feet to the front set back of a home located at 205 Muirfield Way. Rossetti explained that a small section of a bay window encroached slightly into the front setback due to a mistake made by the survey engineers or the foundation sub-contractor. He explained that it was a difficult shaped lot to work with and it would be an undue hardship to try to correct the problem.

Jim Williams, Director of Developmental Services, said he recommended approval of the variance. He said Rossetti has built many homes in Peachtree City and had never had to request a variance. Williams said he felt the builder took proper precautions by hiring a registered surveyor to stake out the house.

Mr. Wheelock asked if the City had inspected the footings before the foundation was poured. Williams said they had inspected the footings and did not notice the 1. 7 foot encroachment.

Hearing no one else speak in favor of the variance, Lenox asked to hear from anyone opposed to the variance. Hearing none, Lenox called the hearing to a close and called for Council debate.

Brooks said the lot had an unusual shape and moved to approve the variance. McMenamin seconded the motion. Motion carried unanimously.

**04-96-2 Public Hearing -
5-Year Public Improvement Program**

Mr. Steve Rapson, Director of Financial Services, reviewed the 1997 Five Year Public Improvement Program for the benefit of Council and the public. Rapson went over the major items that would impact each year's Public Improvement Program through the

year 2001. Rapson stated that Council had reviewed the proposed Five Year Public Improvement Program at Retreat.

Rapson stated that in 1997, the major projects would be street and cart path resurfacing and the Highway 54 Cart path Bridge Replacement.

In 1998 the major projects would be street and cart path resurfacing and a combined recycling center and fire training tower.

In 1999 the major projects would be street and cart path resurfacing, Highway 54 West underpass and utilities relocation, and the Braelinn Village Pool.

In 2000 major projects would include street and cart path resurfacing, recreation land and the Braelinn Village Recreation Activity Center.

In 2001 major projects would include street and cart path resurfacing, library expansion, Kedron Recreational Facility, and sports fields.

Rapson stated that it was staff's recommendation that Council approve the Five Year Public Improvement Program as presented.

There was extensive public comment about the need for various recreation amenities and sports fields. Lenox asked that the Recreation Commission be directed to prepare a report identifying specific needs for sports fields and facilities.

Richard Thompson, Chairman for the Commission on Children and Youth, asked that Council consider rescheduling the Braelinn Village Recreation Center. He said that many of the youth that had been involved in planning this project would be not be able to utilize the facility in four years because they will be college age students at that time.

Brooks explained that the Five Year Public Improvement Plan was a planning and working document. He explained that each year's budget is approved separately in September of each year and that projects could be added or rescheduled as needed.

McMenamin questioned the need for microfilming and stated that she felt the process was outdated. Rapson said he had been directed to look into other options for record and file storage. McMenamin asked Rapson to keep her updated on the progress of the study.

Brooks made a motion to accept the 1997 Public Improvement Plan as presented. McMenammin seconded the motion. Motion passed unanimously.

04-96-3 Declare Surplus Items

City Manager Jim Basinger explained that Council had a list of surplus items in front of them that staff would like to offer at a public sale.

Basinger said a date had not been set for the public auction, but that it would be some time in May.

McMenamin made a motion that the items listed be declared surplus. Brooks seconded the motion. Motion carried unanimously.

**04-96-4 Consider Ordinance Amendment
Parking Citations**

Basinger said staff recommended two amendments to the Code of Ordinances, Sections 19-13 and 19-16. He said Section 19-13 added a phrase that defines a fire lane as described in the National Fire Prevention Code 3-5. He said Section 19-16 would permit officers to leave a parking violation on the windshield instead of in person to the driver.

McMenamin made a motion to adopt the ordinances as presented. Pace seconded the motion. Motion carried unanimously.

**04-96-5 Consider Ordinance Amendment
Concerning Burning**

Basinger said the GA Department of Natural Resources, Environmental Protection Division, had issued a ban on most types of outdoor burning from May 1 through September 30, 1996. The ban covered thirteen counties and included Fayette County. Basinger said the City Attorney recommended that the City adopt Section 11-28 of the Code of Ordinances to indicate compliance with State Code and to enable the City to enforce the ban.

McMenamin made a motion to adopt the ordinance as presented. Pace seconded the motion. Motion carried unanimously.

**04-96-6 Consider Ordinance Amendment
Concerning Rabies Control**

Basinger said The Fayette County Board of Commissioners voted to abolish the county license system for dogs and cats at the request of local veterinarians and many citizens. The previous license system required citizens to have their animals vaccinated at local veterinarians once a year and then make a separate trip to the animal shelter to purchase a vaccination/license tag. He said state law mandates vaccination of all dogs and cats to control rabies and residents will continue to get there animals vaccinated. He said the only change would be that the residents would obtain their tags from the veterinarian instead of the Animal Shelter.

He said the City Attorney recommend that the City delete sections 4-20 and 4-21 of the City Ordinance and replace them with a new section 4-20 to allow the Animal Shelter to enforce rabies vaccinations on dogs and cats in Peachtree City.

McMenamin made a motion to adopt the ordinance as presented. Pace seconded the motion. Motion passed unanimously.

**04-96-7 Consider New Ordinance
Library Commission**

Basinger said at Retreat the City Council discussed creating a Library Commission to provide recommendations on the operation and services provided by our Library. He recommended Council adopt sections 2-160 through 2-166 to establish the Commission.

Linda Vaughn addressed Council and thanked them for all of their support for the Library.

Brooks made a motion to adopt the ordinances to adopt the Library Commission with one change. He asked that the last five words of section 2-162 be deleted. McMenamin seconded the motion. Motion carried unanimously.

**04-96-8 Consider Bids
Wynnmede Cart Path Connection**

Basinger said bids were solicited from local contractors for the construction of the cart path connection to the Highway 74 Bicycle Bridge. The work would include clearing, disposal of clearing debris by mulching, installation of culverts, grading, preparation of

the sub-grade, grassing and erosion control. He said the Public Works Department would install the base and paving for the project.

Basinger said the following four bids were received:

Newnan Paving Company	\$25,000
Johnny Bearden Landscape Company	\$39,859
Brandenburg Construction Company	\$42,352
Brent Scarborough & Company	\$88,881

Basinger recommended the contract be awarded to Newnan Paving Company for \$25,000 and said there were sufficient funds in the project's budget to cover the cost of the contract.

Pace made a motion to award the bid to Newnan Paving Company in the amount of \$25,000. Lenox seconded the motion. Motion carried unanimously.

04-96-9 Cooper Lighting - Indemnification Agreement

Lenox said when the City originally entered into negotiations with Cooper Lighting, one of their requirements to determine where they would locate, would be for the Development Authority to construct and lease a building to them. He said the Fayette County Development Authority had made plans to do so. He said normally when such buildings are constructed by public entities, the company would not be required to pay ad valorem taxes because the building is owned by the public. He said the City indicated to Cooper that one of the things that was extremely important to Fayette County was they would be required to pay school taxes. They finally agreed to lease the building from the Fayette County Development Authority and the Authority agreed to float a bond issue to build the building. Cooper Lighting would make payments to pay for the bond and incurring costs and would also make payments to the Authority equivalent to the school taxes on their building and equipment. As part of their lease agreement, the Authority indemnified Cooper from paying any other taxes that may be levied on the building over the next ten years by agreeing to pay any such taxes themselves. Lenox said that the Authority does not have any funds to pay the taxes and requested the County and City agree to provide the funding to pay the tax if they needed to honor their indemnity.

Lenox said one of the benefits of having Cooper Lighting locate to Peachtree City was that the State of Georgia had agreed to reschedule the \$19 million dollar widening project for Highway 74 from beyond the year 2002 to the summer of 1996.

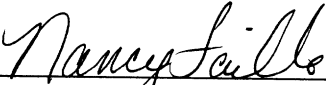
Brooks made a motion to approve the indemnification agreement. Pace seconded the motion. Motion carried unanimously.

Lenox made a motion to adjourn the meeting for a brief recess to reconvene in Executive Session to discuss a legal matter. Pace seconded the motion. Motion carried unanimously.

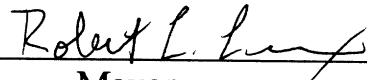
EXECUTIVE SESSION

Brooks made a motion to approve the Kilpatrick & Cody contract with A. G. Edwards & Sons, Hartman & Associates, and Deloach Engineering Consultants and to approve the intergovernmental contract between the City of Peachtree City and the Peachtree City Water and Sewerage Authority. McMenamain seconded the motion. Motion carried unanimously.

McMenamin made a motion to adjourn. Brooks seconded the motion. Motion carried unanimously.



Nancy Faino, Deputy City Clerk

Attest: 

Mayor