

City Council of Peachtree City
Minutes of Meeting
March 19, 1998
7:00 p.m.

The City Council of Peachtree City met in a regular session Thursday, March 19, 1998, at 7:00 p.m. in the City Hall Council Chambers.

Mayor Lenox led those attending in the pledge of allegiance. Other council members present were: Carol Fritz, Annie McMenamin, Robert Brooks, and Jim Pace.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Mayor Lenox announced the City Council Retreat to be held April 3 & 4 at the Wyndham Peachtree Conference Center.

Mayor Lenox presented the Employee of the Month award to Linda Gravley.

APPROVAL OF MINUTES

McMenamin made a motion to approve the minutes of March 5, 1998 as presented. Pace seconded the motion. Motion carried unanimously.

Mayor Lenox announced he would be out of town and would not be able to attend the April 16 City Council meeting at which a proposed smoking ordinance was to be presented to Council for consideration. He asked Council if anyone had an objection to rescheduling the hearing until May 7. No one objected and the hearing was rescheduled.

OLD AGENDA ITEMS

02-98-9 CONSIDER REQUEST TO TELEVISION COUNCIL MEETINGS

Jim Basinger, City Manager, explained that at Council's request, a survey asking for resident input regarding televising City Council meetings was included in the March issue of UPDATE Peachtree City. The UPDATE was delivered to local residences on March 3 and 4, and 208 responses had been returned to City Hall; a 2.1% response rate. He said the results were as follows:

1. *Do you feel that televised City Council meetings, at a cost of \$1,000 per meeting, is a service that the City of Peachtree City should provide for its residents?*

YES	44	21%
NO	264	79%

2. *Would you watch televised City Council meetings?*

YES	65	31%
NO	139	67%

Brooks said it was apparent that most of the people who took the time to answer the survey were opposed to the issue and made a motion that Council not authorize the televising of Council meetings. Fritz seconded the motion. Pace said that perhaps the City could televise special events such as the Fourth of July celebration or the annual budget hearings. Lenox called for a vote on the motion. Motion carried unanimously.

NEW AGENDA ITEMS

03-98-05 Consider Alcoholic Beverage License - Kmart

Mayor Lenox explained that Kmart had submitted an application for a license to sell beer and wine. The manager of the store, Mr. Charles Baker had applied to be the license representative and Mr. John Ronan, an officer of the corporation and resident of Michigan had applied to be the licensee. Lenox explained that Mr. Ronan's criminal history background had not been received from Michigan. McMenamain asked Mr. Baker if he would contact the police department to ensure proper training was provided for his employees. He said he would.

McMenamin made a motion to approve the alcohol license contingent upon receiving favorable background information on Mr. Ronan and to appoint Mr. John Ronan as the licensee and Mr. Charles Baker as the license representative. Pace seconded the motion. Motion carried unanimously.

03-98-06 Consider Alcoholic Beverage License - Agnes and Muriel's

Mayor Lenox explained that a new restaurant, Agnes and Muriel's, had submitted an application for a license to sell beer and wine. The restaurant would be located at 217 Commerce Drive, formerly Famous Steaks and Seafood. The owner and manager of the store, Mr. Glenn E. Powell, had applied to be appointed as the licensee and the license representative.

Pace made a motion to approve the alcohol license and appoint Mr. Glenn Powell as the licensee and license representative. Brooks seconded the motion. Motion carried unanimously.

03-98-07 Consider Grant - GEFA - Recycling and Waste Reduction

Cam McNair, City Engineer, said he was the Solid Waste Program Manager for the City as well as a member of "Keep Fayette Beautiful." He explained that in January of 1997, Peachtree City and Fayette County applied for a multi-jurisdictional grant in accordance with Georgia's Environmental Facility Authority's (GEFA) program and instructions and requested \$250,000 to be used for construction of a new Recycling and Composting Center to serve Peachtree City and western Fayette County. The objective was to replace, improve and enlarge the facility which was being operated on Rockaway Road. He said after the grant was initially rejected by GEFA, the application was renewed in July of 1997 and finally approved in the amount of \$80,000.

McNair explained the overall status of the Solid Waste Management Program. He felt this grant would be an opportunity to initiate discussions with Fayette County to initiate consolidating solid waste plans and services within the County.

Caroline Price represented the organization, "Keep Fayette Beautiful", and said they would like to be an active partner in planning the project. She said they had many contacts and resources which would be helpful in planning the project.

McNair explained the grant did not require matching funds and was essentially "free" money to be used as he explained. He said, if for some reason the City did not follow through with the project, the money would need to be returned. He said it was possible to combine the grant money with other resources from other agencies including the private sector.

Brooks made a motion authorize the Mayor to sign the grant contract. Pace seconded the motion. Motion carried unanimously.

03-98-08 Consider DOT Contract - Kelly Drive Turn Lanes & Traffic Signal

Basinger reminded Council that due to significant safety concerns, the GA Department of Transportation (DOT) had recently approved signalization of the Kelly Drive/Highway 74 intersection to include turn lanes in all four directions. He said staff was somewhat surprised that DOT honored staff's request to participate in funding part of the project. DOT provided a contract for Council's approval advising they would provide funding in the amount of \$59,146.25

Basinger said staff estimated the total cost of the lanes and signalization to be approximately \$250,000 and recommended Council approve the DOT contract for \$59,146.25 and to also

approve transferring \$200,000 from the Council Contingency Fund to compete the funding of the project.

McMenamin made a motion to approve the DOT's contract and funding of \$59,146.25 and to transfer \$200,000 from the Council Contingency Fund for the remaining cost of the project. Pace seconded the motion. Motion carried unanimously.

03-98-09 CONSIDER LAND DEVELOPMENT ORDINANCE CHANGES - SECTION 1004.2 (KKK) & 1004.7 (D)

Basinger explained the ordinance amendments proposed that night were housekeeping items in an attempt to be consistent in the City's Code of Ordinances.

He said in the definition of "state waters" in the Land Development Ordinance, wetlands were referred to as "delineated wetlands", and elsewhere in the Land Development Ordinance there was a definition for the term "wetlands" that did not include the word "delineated."

McMenamin made a motion to make the two definitions consistent by removing the word "delineated" that appears between the words "wells" and "wetlands" in the definition of state waters in Section 201, paragraph (kkk), and in Section 1004.2, paragraph (30). Brooks seconded the motion. Motion carried unanimously.

Basinger explained Section 1004.7 (d) of the Land Development Ordinance conflicted with the statutory authority of the City court with respect to the penalties it could levy. He said staff recommended changing the section to be consistent and to comply with the statutory authority. McMenamin made a motion to change section 1004.7 of the Land Development Ordinance as recommended by staff. Fritz seconded the motion. Motion carried unanimously.

03-98-10 Public Hearing - Consider Tower Ordinance

Lenox read the rules for conducting a public hearing and set a time limit of fifteen minutes for each side of the issue to be heard. Lenox asked to first hear from the applicant and those in favor of the ordinance.

Jim Williams, Director of Developmental Services, said the proposed Telecommunication Towers and Antennas Ordinance was approved by the Planning Commission at its meeting on February 23, 1998. He said prior to its approval, the Commission held two public hearings on the matter and conducted

several other workshop meetings for the benefit of the general public as well as interested representatives of the businesses in the telecommunications industry.

Williams explained the purpose of the ordinance was to establish minimum guidelines for the siting of telecommunication towers and antennas, to advocate the joint use of new and existing tower sites, and to help provide telecommunication services to the community effectively and efficiently. He said the guidelines in the ordinance were designed to configure towers and antennas in a way that, while conforming to the mandates of Federal law, it would minimize the potential adverse impact they may have on nearby properties by locating them in non-residential areas and to discourage their proliferation throughout the City.

He said the ordinance would not apply to any tower or antenna that is owned and operated by a federally licensed amateur radio or citizen band radio operator, or any antenna that is used exclusively for receive-only purposes, such as TV antenna.

He said pre-existing towers and antennas would not be required to meet the requirements of the Ordinance, except for FAA, FCC and local building codes and regulations. He also said there was a provision in the ordinance that required all towers, including existing towers, to register with the City on an annual basis to ensure no tower was abandoned.

Williams said all applications for the installation of towers and antennas must be prepared, reviewed, approved, and implemented in accordance with the City's established Site Plan Review Process. He said all work on the tower must be done by a professional in the appropriate field.

Williams said no new tower would be permitted unless the applicant could prove to the satisfaction of the City that no existing tower, structure, nor any towers in the approval process could accommodate the applicant's proposed antenna.

Williams said towers and antennas would not be allowed to exceed 350 feet in height and may be located only within the following zoning districts without a special variance: AR Agricultural Reserve, OS Open Space, LI Limited Industrial, and GI General Industrial. He said tower facilities would also be prohibited in the following areas: within 200 feet of a residential property line, or a distance equal to the height of the tower and its antennas; within 200 feet of a public street right-of-way line; or within 50 feet of a non-residential property line.

Williams said the tower facilities would be required to secure an appropriate fence or wall and that all tower facilities would be appropriately landscaped in accordance with the City's Landscaping Ordinance. He also said the towers and antennas would not be lighted in any way except as may be required by the FAA, the Airport Authority, or the City for purposes of public safety, nor would any tower or antenna contain any signage.

Williams said the Chairman of the Planning Commission could not attend the meeting, but asked him to speak to Council about the possibility of licensing towers and requiring a fee of some kind. He said his rationale was based on the fact that the tower generated revenue just like any other business which was required to pay an occupational tax.

Jim Savage, Airport Manager, spoke in favor of the ordinance. He said the ordinance would also prohibit towers from interfering with the air space of Falcon Field. He said the Airport Authority would purchase computer software that could be used to ensure that proposed towers would not interfere with their air space.

Paul Roseman, a representative from the company, Great Towers, also spoke in favor of the ordinance and felt it was fair in that it addressed the needs of the community as well as the tower companies.

Hearing no one else to speak in favor of the ordinance, Lenox asked to hear from anyone who was opposed to the ordinance. Someone from the audience asked if the ordinance included any provision to prohibit interference with people's television and radio receptions. Williams said the ordinance did include such a provision. Hearing no opposition, Lenox called the hearing to a close and allowed Council to debate the issue.

McMenamin asked Mr. Roseman if towers were required to have any type of license from the State. He said he believed each carrier was required to purchase a federal license through the FCC, which allowed them to operate in each state. Lenox asked staff to look into the issue further.

Brooks made a motion to adopt the ordinance as presented by staff. McMenamin seconded the motion. Brooks amended his motion to include lifting the tower moratorium. McMenamin seconded the amendment. Motion carried unanimously.

03-98-11 Consider Agreement - Fayette County - Consolidated Fleet Maintenance

Basinger reminded Council that the Future Committee had been working on reviewing a number of areas that the various entities could work together toward achieving more efficient and more cost effective delivery of services to our citizens. He said the first four areas to be reviewed were Fire, Fleet Maintenance, Purchasing, and Transportation. He reminded Council they had already approved an Intergovernmental Agreement on Purchasing and would be considering a Fleet Maintenance Agreement that night.

He explained that under the agreement, Peachtree City would perform maintenance and repair work on Tyrone's non-emergency motor vehicles at its Public Works Maintenance Shop. He said staff would invoice Tyrone for all of their direct costs of maintenance and repairs including parts, labor, and FICA payments. He said the City would be indemnified by Tyrone for this service.

Additionally, Basinger said, the Board of Education would fuel school buses at the City's Public Works fuel station, which would save the School Board significant dollars by not having the buses travel all the way to Fayetteville for refueling and then returning to Peachtree City. He said the City would also be indemnified by the School Board for the service.

Basinger said, in the agreement, Fayette County would be maintaining non-emergency vehicles for Fayetteville and Fayetteville would fuel its city vehicles at the School Board's fueling station. Finally, the School Board would fuel some buses at the County's fueling station on McDonough Road.

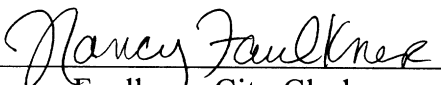
Basinger explained that while the initial term of the agreement was 120 days, if everything went well, it would automatically renew for a one-year term and then additional one-year terms on the anniversary of the original renewal date. He said while the agreement may not provide any direct benefit to Peachtree City, many other future agreements for cooperation and/or consolidation under House Bill 489 no doubt would. He said the City might be able to generate some additional revenue under this agreement by providing these services at no additional costs to the city. Basinger recommended Council's approval of this agreement.

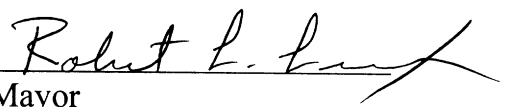
Brooks made a motion to approve and authorize the Mayor to sign the Intergovernmental Fleet Maintenance Agreement. McMenamin seconded the motion. Motion carried unanimously.

Lenox made a motion to adjourn the meeting to Executive Session to discuss a legal matter. McMenamin seconded the motion. Motion carried unanimously.

Executive Session

No action was taken in executive session. Pace made a motion to adjourn the meeting. Lenox seconded the motion. The meeting adjourned at 9:30 p.m.


Nancy Faulkner, City Clerk

Attest: 
Mayor