MINUTES OF MEETING
CITY COUNCIL OF PEACHTREE CITY
March 18, 1993
7:00 PM

The Mayor and City Council of Peachtree City met in regular session on Thursday Night March 18, 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 L. 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 announced that anyone wishing to speak should go to the microphone provided and state his or her name and address for the record.

The Mayor expressed his appreciation to City employees and the Utility Companies for their assistance and service during the blizzard. Mayor Lenox stated that the Public Works Department had crews working around the clock to keep the roads clear as well as staff in the office to receive calls and that GA Power, Coweta/Fayette EMC and Peachstate Cable kept service provided to residents throughout the weekend.

Mayor Lenox announced that the Commission on Children and Youth, in conjunction with the Recreation Department, was sponsoring the 3rd Annual Battle of the Bands on Saturday March 27, 1993 from 5PM to 10:30 PM at the Frederick Brown Jr. Amphitheater and encouraged citizens to attend to support the youth of Peachtree City.

Mayor Lenox presented the award for "Employee of the Month" for the month of February to Peki Prince, Firefighter/Paramedic.

Mayor Lenox presented a plaque of appreciation to Bonnie Campbell, Commission on Children and Youth member, for her service to the commission.

Mayor Lenox presented plaques to Charles Sibley, Rick Phillips and Jeff Cagel of the Building Department for receiving Southern Building Code Certificates of Registration.

Department Reports

Mayor Lenox stated that Department Reports were available for review at City Hall.

Minutes

McMenamin made a motion that the minutes of the March 4, 1993 meeting be approved as presented. Price seconded the motion. Motion carried unanimously.

New Agenda Items

3-93-8 Public Hearing - Variance, 5 Perthshire Drive

Mayor Lenox read the rules for a public hearing and stated that copies of the procedures were available for the benefit of the public. Mayor Lenox stated that the first public hearing would be to consider a twenty-one foot variance request by Mr. Vernon Darley for his property at 5 Perthshire Drive. Mayor Lenox stated that each side would have ten minutes to present Council with the facts and after that time the public hearing would be closed and Council would debate the issue according to Roberts Rules of Order. Mayor Lenox asked to hear first from the applicant.

Mr. Vernon Darley came forward and stated that when he had applied for a building permit to construct a storage building on his property he found out that his home encroached into the front setback by twenty-one feet. The home is located at the corner of Perthshire and Argyll Drive making it a "double frontage lot". The variance requested was on the Argyll Drive area of the property. Mr. Darley stated that he was not the original owner of the home and requested that Council grant the twenty-one foot variance to the front setback of his property. Mayor Lenox asked if there was anyone else that wished to speak in favor of the variance and Mr. Jim Williams, Director of Developmental Services, came forward and stated that Mr. Darley's home had been in compliance with code when it was constructed but that a change in zoning had affected the setbacks. Mr. Williams stated that the home had been in violation since 1977 when the zoning was changed without adversely affecting the neighborhood and stated that Staff recommended Council approve the request for a variance. Mayor Lenox asked to hear from anyone opposing the variance and hearing none closed the public hearing and called for Council debate. McMenamin stated that the violation had occurred through no fault of the owner and made a motion to approve the variance as requested. Price seconded the motion. Motion carried unanimously.

3-93-9 Public Hearing - Variance, 102 Huddleston Drive (Knowles)

Mayor Lenox stated that the request for a variance for the Knowles property at 102 Huddleston Drive would be conducted as a public hearing. Mayor Lenox called the public hearing to order allowing each side ten minutes for their presentation and asked to hear first from the applicant.

Mrs. Lene Robertson, representing Mrs. Knowles, came forward and stated that Mrs. Knowles property had been "grandfathered" as residential property when the area was rezoned to General

Commercial. Mrs. Robertson stated that Mrs. Knowles was unable to continue living in the home and had not been successful in selling her property for residential use. Mrs. Robertson stated that Mrs. Knowles wished to be allowed to market the property as General Commercial and several variances were required for the land and the building. Mrs. Robertson stated the property had been offered to business owners on both sides of Mrs. Knowles property and that neither were willing to pay fair market value for the property. Mrs. Robertson stated that properties next to Mrs. Knowles were on the same size lot and Mrs. Knowles felt granting the variances would not be detrimental to other property owners and asked that Council give equal consideration to her request that had been given to other businesses in the area. Mayor Lenox asked to hear from anyone else wishing to speak in favor of the variance and hearing none asked if there was anyone present who wished to speak in opposition to the variance.

Mr. Jim Williams, Director of Developmental Services, came forward and stated that he wished to speak both for and against the variance. Williams explained that the Knowles property had been "grandfathered" when the zoning in the area was changed and that the property could continue to be used as a residential home without any required changes but that to be used as commercial several variances would be needed. Williams stated that the owner desired to cease the property's residential use and convert the property to commercial use and that the owner had attempted to sell the property to adjacent owners, but had been unable to reach an amicable agreement.

Williams went on to say that the property for commercial use was deficient in the following areas: Minimum required zoning lot size; minimum required lot width; minimum required building setback; minimum required parking setback; minimum lot size in accordance with the Land Development Ordinance; and minimum lot size in accordance with the Utilities Ordinance. Williams stated that Staff recommended that the owner be granted relief from the requirements that apply only to the land but that the owner not be granted variances for the building and parking setbacks. Williams went on to say that to grant the variances for the building and parking would permanently establish the property as a grossly substandard business site. Williams stated that if a new building was to be constructed on the property for a business, the building and the property would be more in line with the standards of Peachtree City.

Mayor Lenox asked if there was anyone else wishing to speak in opposition to the variances and Mr. John Feenaghty came forward and stated that he owned the building next to the Knowles property and was strongly opposed to the variances. After further discussion Mayor Lenox called the public hearing closed and called for Council debate.

Price stated that when zoning changed and properties were grandfathered, if improvement is introduced that can improve the area, support needed to be given. Price went on to say that she could support the variance for the size and width of the land but not for the existing building. Brooks asked Mr. Williams if he was suggesting that the variances be denied on the basis of the appearance of the building. Williams stated the appearance was not the issue, but where the building sat on the property, that it was too close to the road to comply with zoning requirements. Williams stated that if Huddleston Road should ever be widened the building would be even closer to the road. McMenamin concurred with Price and made a motion to approve the variances requested concerning the land and deny the variances requested concerning the building and the parking. Price seconded the motion. Lenox stated that when zoning changed on Huddleston there were many businesses that were grandfathered and anytime a parcel was changed it needed to be brought into compliance with other areas of Peachtree City. Brooks stated that the zoning on Huddleston had made the land more valuable overall. Motion carried unanimously.

3-93-10 Public Hearing - Master Recreation Plan

Mayor Lenox asked Jim Williams, Director of Developmental Services to present the Executive Summary of the Master Recreation Plan suggested for Peachtree City. Williams stated that five projects headed the list which was based on the Recreation Survey which was conducted last year. Williams went on to say that the top three were those projects that had been least served by the City in the past. The major items Williams gave were as follows:

Basketball Field House
Heated Outdoor Pool
Tennis Center
Sports Field Complex
Senior Citizen Center

Williams stated that the Senior Citizen Center was the most successful leisure program activity in the City. Williams discussed 26 projects in the proposed Recreation Plan that would be implemented over the next five years and beyond. A list of the items are attached to the minutes. Williams stated he hoped that the City could work with the County on the possibility of an indoor pool constructed to serve all of Fayette County. Williams gave highlights of the first five projects the City hoped to implement.

Basketball Fieldhouse - Kedron Village Park Williams stated that Staff felt the fieldhouse would be ideally located in the Kedron Village Park and would be accessible by the path system. Williams went on to say that there would be 2 full size courts with the capability to expand to 6 courts, locker rooms and activity rooms. Williams stated that he felt it would meet the long term needs of the City. The cost of the project would be $1,375,000.

Kedron Outdoor Heated Pool Williams stated that Kedron was chosen because when completed it would be the most populous village in Peachtree City. Williams reported that the pool would be heated so that it could be usable seven months of the year and would be designed so that in the future it could be covered if needed. Williams stated that the pool would share the locker room and other facilities with the fieldhouse located adjacent to one another. The cost of the project would be $430,000.

Planterra Tennis Center Williams stated that the first phase of the tennis center would consist of ten to twelve lighted courts and a modular office/pro shop facility which would give Peachtree City an opportunity to host 1-2 Olympic teams in 1996. Williams stated that the completed center would hold 31 courts, be publicly owned and operated and would need to generate income through programs to gain revenue for expansion. The cost of the project would be $340,000.

Sports Field Complex Williams reported that the complex would have 4 lighted baseball fields and 4 lighted soccer fields. Williams stated that with the complex it was hoped that the ballfields now located in the villages could be moved to the complex, leaving the village recreation areas for other recreation needs. Williams stated that the complex would contain restrooms, concessions, loud speakers and lights and be located close to Meade Field off Highway 74 south. Williams reported that the fields would eventually be connected to the path system. The cost of the project would be $810,000.

Senior Citizen Center Williams stated that the Senior Citizen Center or Gathering Place would have 5500 square feet of space with meeting rooms, dining lounge, social areas, craft areas, a kitchen an support facilities. Williams stated that the facility would be located at the McIntosh Cultural Arts Center and could share parking with the amphitheater. Williams explained that the facility could be expanded in size in the future. The cost of the project would be $340,000.

Williams stated that the entire cost of the facilities would total $3.3 million dollars and that City Manager Jim Basinger had been working on funding for the projects.

Ms. Karen Davis, Commission on Children and Youth Chairman, asked Mr. Williams if there would be a possibility of locating a teen center close to the outdoor pool and basketball fieldhouse and Williams stated that could be looked at. Mr. Charlie Hyde, 301 Ridgefield Drive, came forward and applauded the proposed Senior Citizen Center stating that there were many seniors in the City who used and very much enjoyed the Gathering Place. A Braelinn Village resident came forward and asked if the City was planning on phasing out the Braelinn baseball fields and asked about the possibility of a pool in the area. Williams stated that it was hoped to eventually move most fields to the sports complex and that a plan for a pool in Braelinn was on the schedule for 1998. Brooks stated that the City hoped that the new facilities would enable us to move most organized sports out of the neighborhood villages so that they could be used for lighter recreation as originally intended.

Brooks stated that areas where there were now ball fields could be used for tot lots which residents had been opposing in the neighborhoods. McMenamin stated that she appreciated the comments from the residents.

City Manager Jim Basinger stated that staff had been looking into funding for the needed facilities which totaled $3 million dollars and that a bond issue funded over a thirty year period with monies from the Public Improvement Program Fund could enable the City to have recreation needs met. Basinger explained that the Planterra Tennis Center would not be included in the bond issue, as the initial phase of the tennis center would be funded by the developer. Basinger stated that as the City did not have all the funds in cash on hand the monies would need to be borrowed. Basinger stated that Staff had been looking into interest rates and received rates as of January 1, 1993 from 5.4 percent to 6.3 percent. Basinger stated that the rates had been reconfirmed in the past week. Basinger went on to say that Staff felt that the City could afford an annual payment of $200,000 to $250,000. Basinger discussed repayment and explained that the City had already budgeted funds in the Public Improvement Program for implementation of the Master Recreation Plan. Basinger explained that other revenues for repayment would come from Development Impact Fees and stated that Council had approved Development Impact Fees for new residents in 1992 which were $1040 per new home with $540 per dwelling to be used for recreation facilities. Basinger outlined the proposed payment schedule on a thirty year bond referendum with $200,000 to $250,000 being paid back annually. Basinger stated that action from Council was required to start the bond issue process and that it was staffs recommendation that Council approve the Master Recreation Plan and authorize a bond referendum to be held June 15, 1993.

McMenamin asked Basinger to address the issue of funds for maintenance and upkeep of the facilities. Basinger stated that the funds needed for upkeep would be as follows:

Basketball Fieldhouse	$58,456
Outdoor Heated Pool	$71,489
Sports Complex	$53,430
Senior Citizen Center	$42,382

Basinger stated that there would be a 13% increase in the Recreation budget and a 2% increase in the overall City Operating Budget. Basinger went on to say that there would be a $147,000 impact on the budget and that user fees generated from the pool would be $20,000 leaving a $127,000 amount to be funded from the operating budget. Basinger stated that the City would have sufficient funds budgeted for operating expenses.

Karen Davis asked if there would need to be an increase in the budget and Mayor Lenox explained that $250,000 a year was already budgeted for recreation needs, that by borrowing the $3 million dollars, the City would be able to construct the facilities now with the money to be paid back yearly with the budgeted funds.

Brooks stated that Council had been conservative and did not feel it fair to charge someone that had lived in Peachtree City for years for new growth to the area. Brooks stated that by using Impact Fees the population moving into Peachtree City would bear the cost of growth which in two years would grow by 10%. Brooks stated that the facilities in Peachtree City are either inadequate or full and cited the Cobb County baseball program as an example, and urged the citizens in attendance to tell other residents that there would be no increase in taxes with a bond issue.

Mr. Buddy Roberts, resident, asked if there was an alternate plan should the bond issue fail. Brooks stated that recreation facilities would be built as funds were available. McMenamin stated the need for help from the media and called upon them to help Council educate the citizens about the referendum. McMenamin made a motion to approve the Master Recreation Plan. Bradford seconded the motion. Motion carried unanimously. Bradford made a motion to seek a bond referendum on June 15, 1993 and authorized staff to send out proposals for bond counsel and financial management firms to assist with the referendum. McMenamin seconded the motion. Motion carried unanimously.

3-93-10 <u>Criteria for Banners on Highway 54 Pedestrian Bridge</u>

Mayor Lenox stated that in the last few months there had been numerous requests for banners on the pedestrian bridge and that Council felt that due to so many requests the question of allowing banners on the bridge should be addressed. Lenox stated that he was inclined to discourage allowing banners on the bridge but that if it was decided to continue to allow banners, staff had prepared a list of criteria required for Council to consider. Price stated that she felt that standards needed to be used if banners were allowed. Mcmenamin stated that she felt with the standards suggested by staff there would be undue costs to organizations wishing to use the bridge for advertising and that she was in support of stopping the use of banners on the bridge. Brooks stated that in the past it was rare to receive a request to use the pedestrian bridge but that it had become a constant in the past few months and that he would support eliminating the use of banners on the bridge. McMenamin made a motion to eliminate the use of banners on the Pedestrian Bridge on Highway 54. Price seconded the motion. Brooks asked that the motion be amended to allow the McIntosh Pilot Club, who were already on the agenda requesting a banner. Lenox made a motion to amend the motion to eliminate the use of banners effective immediately with the exception of the Pilot Club. McMenamin seconded the amended motion. Motion carried unanimously.

3-93-11 Request for Banner on Pedestrian Bridge - Pilot Club

Ms. Trish Nowaki, Pilot Club, came forward and asked that Council allow the Club to place a banner on the pedestrian bridge for three weekends prior to the Pilot Club Golf Cart Rally to be held on May 15, 1993. Brooks made a motion to allow the banner from May 8 - May 15. Basinger asked that the motion be amended to require the City to install the banner due to liability. Brooks amended his motion as requested. McMenamin seconded the amended motion. Motion carried unanimously.

3-93-12 Paving of Brown Road by Developer

Mr. Jim Williams, Director of Developmental Services, stated that Smokerise Plantation had been developed with 100 lots with Smokerise Estates being developed adjacent to Smokerise Plantation. Williams stated that the Planning Commission has now required that there must be another exit out of the Smokerise Estates before more lots can be developed. Williams stated that Mr. Bill Gibson was willing to improve Brown Road to City standards from the City limits to the Smokerise Subdivisions. Williams stated that Gibson had gotten a commitment from the County to pave Brown Road from Highway 54 to the City limits and that Mr. Gibson would pave the road from the City limits to Phase II of Smokerise Estates. Williams stated that Mr. Gibson has requested that impact fees from his lots in Smokerise Estates be credited to him to be used for this improvement. Williams stated that staff felt Mr. Gibsons proposal was a good plan at no cost to the City. Mr. Williams stated that when Mr. Gibson developed Phase III of Smokerise Estates he would be asked to pave the road to that point, which would be adjacent to property owned by The Equitable. Williams went on to say the staff believes that Mr. Gibson should be required to survey all of Brown Road and that construction traffic from Smokerise Estates should enter off Highway 54 to take some impact off Peachtree Parkway. Williams stated that staff recommended approving the allocation of impact fees for improvement of Brown Road with the conditions as stated.

Price asked Williams if Mr. Gibson had agreed to the conditions and asked if the County had committed to a date for paving from Highway 54 to the City limits. Williams stated that the County had not given a firm date for completion of the road. Mr. Gibson stated that he did not have an objection to any of the conditions, that the engineering survey had already been done. Mr. Gibson stated that if only $43 of his impact fees per lot were to go towards improving Brown Road as was the case now, it would take years to complete therefore he was requesting that all his impact fees go toward completion of Brown Road. Mr. Gibson stated that by completing Brown Road it would save four miles and provide needed access for emergency vehicles as well as convenience to the residents.

Mr. Frank Fessenden, Sumner Road, came forward and asked Council to consider the condition of Brown Road when making a decision. Mr.

Greg West, President of Smokerise Plantation Homeowners Association, came forward and stated that the residents of Smokerise Plantation would welcome another exit and asked that Council put in a limitation that large heavy trucks be prohibited from entering off of Peachtree Parkway. Mr. West stated that the entrance into Smokerise Plantation had sustained damage from heavy trucks and felt that with another entrance available it should be used. Mr. West felt that monuments should be put up off the entrance on Brown Road to distinguish between Smokerise Plantation and Smokerise Estates. Mr. Gibson stated that there were still many lots to be developed in Smokerise Plantation and that Peachtree Parkway should be able to be accessed if trucks were coming from Tyrone and Newnan. Mayor Lenox stated that while construction was going on in the area there would be unwanted traffic for all the neighborhoods. Mr. West stated that Smokerise Plantation would require that construction trucks for their subdivision also access Brown Road. Brooks stated that Smokerise has many lots to still be developed and that give and take in all areas would be required until all the lots were built. Price stated that an extension of Brown Road would be welcomed and that Council should support improvements to the Road. Price made a motion to approve allowing impact fees for Phase II of Smokerise Estates be used to pave Brown Road to City standards following all stipulations put forth by Mr. Williams. McMenamin seconded the motion. Motion carried unanimously.

3-93-14 <u>Ordinance - Septic Tank Permits</u>

City Manager Jim Basinger stated that Council had an ordinance before them giving authority to the Fayette County Health Department to regulate and administer septic tank permits in the City and that staff recommended that Council approve the ordinance giving the County that authority. McMenamin made a motion to approve the ordinance as presented. Bradford seconded the motion. Motion carried unanimously.

3-93-15 <u>Consider Bids for Blue Smoke Tennis Court</u>

City Manager Jim Basinger stated that staff had solicited bids from six tennis court contractors to construct a tennis court at the new Blue Smoke Trail and Parkgate Lane. Basinger reported that three firms had responded with bids as follows:

Court South, Inc. Jonesboro, Georgia		
A.	Base Bid	$27,900.00
B.	Alternate	1,100.00
	Total	**$29,000.00**
Crawford Construction Co., Inc. Mableton, Georgia		
A.	Base Bid	$29,293.00
B.	Alternate	1,086.00
	Total	**$30,379.00**

Atlanta Recreational Contractors Inc.
Roswell, Georgia

A.	Base Bid	$32,988.00
B.	Alternate	1,500.00
	Total	**$34,488.00**

Basinger explained that the alternate bid was for a 1 5/8" outside diameter mid-rail to provide additional structural support for the tennis court fencing. Basinger stated that there were sufficient funds available in the 1993 Public Improvement Program and that staff recommended the bid be awarded to Court South, Inc. for the amount bid of $29,000.00 including the alternate amount of $1,100.00. McMenamin made a motion that the bid for construction of the Blue Smoke Tennis Court be awarded to Court South, Inc. Brooks seconded the motion. Motion carried unanimously.

3-93-16 <u>Consider Bids for Wynnmeade Basketball Courts</u>

City Manager Basinger stated that the City had solicited bids from six tennis court contractors to construct a basketball court at the new Wynnmeade Park site located at the intersection of North Meade Drive and Beaver Dam Road. Basinger reported that three firms responded to the bid as follows:

Atlanta Recreational Contractors, Inc. Roswell, Georgia	$ 8,788.00
Crawford Construction Co., Inc. Mableton, Georgia	$ 8,921.00
Court South, Inc. Jonesboro, Georgia	$10,720.00

Basinger stated that there were sufficient funds available in the 1993 Public Improvement Program and that staff recommended that the bid be awarded to Atlanta Recreational Contractors, Inc. for the amount bid of $8,788.00. McMenamin made a motion that the bid for construction of the Wynnmeade Basketball Court be awarded to Atlanta Recreational Contractors, Inc. for the amount bid of $8,788.00. Price seconded the motion. Bradford stated that he owned property in the area and would abstain from voting. Motion carried unanimously with Bradford abstaining.

3-93-17 <u>Consider Bids for Cast house Roof and Repair</u>

City Manager Basinger stated that the City had solicited bids for repairs to the Amphitheater Cast House and that two firms had responded as follows:

Brooks Brothers	$5,560
Dan's Construction and Repair	$6,668

Basinger stated that the repairs would include the replacement of the existing roof, new aluminum gutters, porch overhang repair and the installation of an exterior steel door and that there were sufficient funds in the 1993 Public Improvement Program. Staff recommended that the bid be awarded to Brooks Brothers for the amount bid of $5,560. Brooks made a motion to award the bid to Brooks Brothers for the amount bid of $5,560. Price 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. Brooks seconded the motion. Motion carried unanimously.

Executive Session

There was no action taken in executive session and McMenamin made a motion that the meeting be adjourned at 10:15 PM. Bradford seconded the motion. Motion carried unanimously.

Angie Stevens

Angie Stevens, Asst. City Clerk

Robert L. Lenox

Mayor

Attest: