City Council of Peachtree City
Meeting Minutes
March 6, 2014
7:00 p.m.

The Mayor and Council of Peachtree City met on Thursday, March 6, 2014, at City Hall. Mayor Vanessa Fleisch called the meeting to order at 7:00 p.m. Other Council Members attending: Terry Ernst, Eric Imker, Mike King, and Kim Learnard.

Announcements, Awards, Special Recognition

Mayor Fleisch recognized the 100th anniversary of the Metro Atlanta Chapter of the Red Cross and proclaimed March as "Red Cross Month" in the City. American Red Cross volunteer Devona Keniye accepted the proclamation. Fleisch presented United Radio employees Timothy Pierce and Adryan Hall with Citizen Achievement Awards for performing lifesaving cardiopulmonary resuscitation on co-worker Pete Wells when he went into cardiac arrest at work.

10-minute Talk

Will Garner, Midwest Food Bank

Will Garner, executive director of the Georgia division of the Midwest Food Bank, gave an overview of his faith-based organization's operations. The food bank began in 2003 on the Kieser Farm in McLean County, Illinois, and now had five warehouses – three in Illinois, one in Indiana, and one in Peachtree City. Midwest Food Bank was recently named the highest rated food bank in the United States by Charity Navigator. The Peachtree City facility on Parkade Court had 34,000 square feet of warehouse and office space and served three states, 25 counties within a 200-mile radius, 75 agencies serving over 54,000 people, and distributed over 12,000 cases of food products each month. No money was charged for the products distributed to the supported agencies. Volunteers helped with the food distribution, and over 300 people contributed over 5,000 hours in 2013.

Minutes

February 20, 2014, Regular Meeting Minutes

Imker moved to approve the February 20, 2014, regular meeting minutes as written. King seconded. Motion carried unanimously.

Consent Agenda

1. **Consider Name Change of Baseball Soccer Complex (BSC) to Peachtree City Athletic Complex (PAC)**
2. **Consider Elimination/Replacement of Positions in the Police Department**
3. **Consider FY 2014 Budget Adjustments**

Learnard moved to approve Consent Agenda items 1, 2, and 3. Ernst seconded. Motion carried unanimously.

Old Agenda Items

There were no Old Agenda Items.

New Agenda Items

03-14-01 Public Hearing – Consider Variance Request to Rear Building Setback, Mikulcik Residence (116 Monterey DR)

Planning & Zoning Administrator David Rast addressed Council, saying there were two parts to the variance. The first was to permit the construction of a roof over the existing deck that encroached into the rear setback, and the second part was to permit the new construction of stairs to the ground below that would encroach into a stream buffer beside the home. The home was on a 0.15-acre corner lot in the Cypress Pointe subdivision, and it backed up to Braelinn Golf Course and City-owned greenbelt.

Because it was a corner lot, there were two rear setbacks that were applicable. It was considered a flag lot (a land parcel having the configuration of an extended flag and pole) connected to the street by a narrow strip. The certificate of occupancy was issued on March 21, 1995, and the existing deck encroached into the rear building setback at that time. Due to the amount of building in the mid-1990s, Rast said the Building Department had not checked deck locations carefully. There had been several similar variances because of that situation. The situation had been corrected in the permitting process.

Rast continued that the deck was 12-feet wide, and six feet of the deck were currently covered by the roof. The applicant wanted to extend the roof over the entire deck and enclose the deck with a screen porch. There were no plans to extend the size of the deck, just to extend the roof to cover the entire deck and enclose it with a screen. The stairs would come down the side of the home. There was a creek in the greenbelt, and an undisturbed buffer associated with the creek, a portion of which was located on the applicant's property.

Rast said the application met all the criteria required by the ordinance. Staff recommended approval for the extension of the roof over the deck. Staff had proposed a condition to move the stairs to the opposite side of the deck, so there would not be another encroachment into a setback that currently did not have an encroachment. Staff recommended moving the stairs to the other side of the deck, building the stairs in the portion of the setback that did have an encroachment.

Ed Mikulcik, the applicant, asked Council to consider the variance request, told Council they had purchased the home in March 2013. They had not known there was a creek next to the house that was full of mosquitoes. He wanted to extend the roof and screen-in the deck so his family could enjoy the outside.

Fleisch opened the public hearing. No one spoke for or against the variance request. The public hearing closed.

Learnard asked Mikulcik if there would be any problem moving the stairs as recommended. Mikulcik said the plans originally had the stairs on that side. There were two windows in that area, and the stairs would cover half of the windows, and he did not know if that was feasible.

Rast said he had spoken further with City Engineer Dave Borkowski prior to the meeting about the stairs and the potential for the stairs to be in the setback for the creek. He had learned the stairs did not encroach into the undisturbed buffer.

Mikulcik said his concern with moving the stairs to the side of the deck with the windows was the stairs could cause a problem getting out of the house if there was a fire.

Ernst clarified that the steps could go on either side of the deck. Rast confirmed that and said staff was comfortable withdrawing that condition.

King said moving the stairs would not only block the windows but would also create other problems.

Ernst moved to approve Agenda Item 03-14-01 with conditions one and three. King seconded. Motion carried unanimously.

03-14-02 Consider Revisions to The Fred Rental Agreement

Amphitheater Director Nancy Price told Council The Fred currently rented the facility to schools, non-profit, and for-profit groups. Staff would like to change the policy to accept rentals from only non-profit and school groups to help control and maintain the professionalism and integrity of The Fred and its

programming. She continued that other venues had similar policies, and they did not allow outside promoters to produce shows. With the change in place, there would be no conflicts with the amphitheater's programming or with staff's efforts to bring in additional revenue for the City.

Fleisch noted someone had asked to speak. Chris Verdon, producer of the Tribute series of concerts for the last four years at The Fred, addressed council. His business was for profit, and it would be hurt by the change. He said it would hurt residents since there would be less affordable entertainment. The current rental agreement said the City had final say on the programming, which should protect the amphitheater if they did not like the entertainment.

Imker said he did not see how the change in policy would hurt Verdon's business. Verdon said he promoted shows outside The Fred's regular line-up. If only non-profits could sponsor programs, he would not be able to produce any shows.

Price said The Fred was now in a cash positive position, and they were able to produce spotlight shows and offer different genres of music, which brought money back to the City. The City only received a small percentage of money from outside promoters. King asked how much the City made last year. Price said the amphitheater made approximately $8,000 for the last concert Verdon had. She wrote a check to Verdon for $28,000.

Learnard moved to approve the changes to the rental structure for The Fred. Imker seconded. Motion carried unanimously.

Council/Staff Topics

City Manager Jim Pennington noted a copy of the proposed budget schedule was on the dais, saying he and Financial Services Director Paul Salvatore were available to answer any questions.

Pennington said City Hall had been a test site for the new building and grounds team. They were doing a good job at City Hall, after which they would move to other facilities.

Fleisch commended the Public Works crews on the work being done inside at City Hall.

King moved to convene in executive session to discuss the sale or purchase of real estate and pending or threatened litigation at 7:37 p.m. Learnard seconded. Motion carried unanimously.

Learnard moved to reconvene in regular session at 8:01 p.m. King seconded. Motion carried unanimously.

There being no further business, Learnard moved to adjourn the meeting. Imker seconded. Motion carried unanimously. The meeting adjourned at 8:02 p.m.

Pamela Dufresne, Deputy City Clerk

Vanessa Fleisch, Mayor