MINUTES OF MEETING
CITY COUNCIL OF PEACHTREE CITY
March 1, 1990

The City Council of Peachtree City met in regular session on Thursday Night, March 1 1990, at 7 PM in the Municipal Building meeting room.

Mayor Brown called the meeting to order and led those in attendance in the pledge of allegiance.

Members present were: Mayor Frederick Brown, Jr. and Council Members David Good, Sandi Bongiorno, Robert Brooks and Rich Parlontieri.

Annoucements, Awards, Special Recognitions

Mayor Brown announced that a public hearing would be held during the April 5th 1990 City Council meeting to consider the Five Year Public Improvement Plan and Capital Budget. He explained that the proposed plan would be published in the next Update Newsletter and urged the public to review the proposed projects for years 1991 through 1995.

Mayor Brown presented a ten year service pin to Marcy Curry, Recreation Director. He explained that Ms. Curry 's tenth year as a city employee was March 10th, however, she would not be available at the next meeting for the presentation, therefore,it was being presented early. The Mayor explained that Ms. Curry had been invited to spend three weeks in Japan as the guest of the Japanese Government. He explained that the invitation was issued to Ms. Curry by an organization having to do with training of executive personnel. He congratulated Ms. Curry on this honor and also on her anniversary of ten years with the City.

Mr. Harp and Mr. Ron Duffy, representing the United Way, presented to the City and to Jane Miller, Personnel Director and liason between the employees and the United Way organization, a plaque in recognition of the accomplishments of the city personnel in increasing their contribution to the United Way by 192%.

Minutes of Meeting

Motion was made by Brooks and seconded by Bongiorno that the minutes of the February 15, 1990 meeting be approved as published. Motion carried unanimously.

New Agenda Items

3-90-1 Public Hearing - Watershed/Soil Erosion Control Ordinance

Mayor Brown called to order the public hearing to consider adoption of a Watershed/Soil Erosion Control Ordinance. He explained that although this ordinance was not to be placed in the zoning ordinance, the City Attorney had advised that it should be treated the same as a zoning ordinance change because of the affect it could have on zoning and land use.

The Mayor stated that the proposed ordinance had been recommended for approval by the Peachtree City Planning Commission.

City Engineer, Barry Amos, addressed the council and public on the proposed ordinance. He explained that last year the State of Georgia Legislature amended the Erosion and Sedimentation Act of 1975 causing the City to amend it's ordinance accordingly. He pointed out that the major changes from the existing ordinance were as follows:

1. The number of definitions increased from 45 to 74 and included a definition for "undisturbed natural buffer".

2. Added 18 more standards to the erosion control section 1003. These included standard 20, which required a twenty-five (25) foot undisturbed buffer along all stream banks. Around water supply reservoirs or streams having a drainage basin in excess of one (1) square mile, a second twenty-five (25) foot buffer was required. This second buffer could be used for cart paths, utilities, or some normal residential uses (playground, swings, etc.) but in which no driveways, garages, or storage sheds could be placed.

   Standard No. 22 required enhanced septic tanks for any development within two hundred (200) feet of a water supply reservoir or streams having a drainage basin in excess of one (1) square mile.

3. Adds to Section 1001 the ability of the City to require a bond be posted for those applicants who violate the ordinance.

Amos commented that the Planning Commission had held a public hearing on the proposed ordinance and recommended approval. Also, a copy had been forwarded to the Peachtree City Water and Sewer Authority for their review. Amos stated that this proposed ordinance was not in conflict with a watershed protection ordinance being prepared by the Water and Sewer Authority.

Parlontieri questioned Amos about how this ordinance compared with that of Fayette County and Amos explained that the County ordinance had greater setback requirements. Parlontieri addressed development along Kedron and stated it was his understanding that under this ordinance the property would go to the water and there would be a fifty foot buffer that could be cleared of ground brush vegetation but in which no structure could be built. Amos agreed, stating that a permit could be obtained to perform certain clearing of the first 25 feet or to enhance it. Amos stated that there was much more freedom with what could be done with the second 25 feet such as building cart paths, placing public utilities and for other public uses.

Good questioned how situations existing in the City currently that are in conflict with this ordinance were addressed. Amos replied that the Ordinance would not be retroactive. City Attorney Powell explained that once a subdivision had been platted and filed the owner had the right to develop the property with ordinances in affect at the time the plat was recorded.

Good felt that this opinion should be so stated in the Ordinance and Amos agreed that this should be clear to those reading the city regulations but he felt the wording should be in the beginning of the land subdivision regulations as opposed to the ordinance under discussion. Good stated that he had no objection to placing the wording in a more appropriate location in the subdivision regulations but he did request that the verbage be added.

Motion was made by Parlontieri that the Watershed/Soil Erosion Control Ordinance be adopted as presented with the stipulation pointed out by Councilman Good. Motion was seconded by Good. Mayor Brown called for comments from the public.

John Setlock , resident, asked what the Fayette County setback from reservoirs was and Mayor Brown replied that it was 1000 feet. Setlock objected to the setbacks in the proposed ordinance stating that 50 feet was not enough to protect the water reservoirs. He felt the City should have the same regulations as the County.

After discussion the motion to approve the ordinance passed unanimously.

Mayor Brown closed the public hearing on the item.

3-90-2 <u>Public Hearing - Amendment to General Residential Zoning District</u>

Mayor Brown called the public hearing to order for the purpose of considering an amendment to the Zoning Ordinance regarding the General Residential Zoning District.

Mayor Brown explained that the City had initiated this amendment and called on City Planner, Jim Williams, to present the City's position.

Williams explained that over the past several years he had found the current ordinance to be a problem in planning multi family projects and recently a group of architects, engineers, landscape architects, planners, developers, builders, and others had met to gather input toward changes in the General Residential Zoning District section of the zoning ordinance.

Williams explained that the ordinance had been rewritten to reorganize it to make it more understandable and easier to use and to aid in creative design of projects . He stated that the first thing dealt with was net acres versus gross acres and that decision was to work with gross acreage. He felt this would result in a reduction in density of about 20% over net acreage because in net acreage the streets are not taken into consideration and in gross acreage they would be. Williams pointed out other changes in the ordinance and explained that the purpose of the changes were to provide more flexibility in designing developments and changes that would provide more usable space on the lots. Williams pointed out that the regulations would require at least two off street parking spaces and that one of those was required to be an enclosed garage.

Mayor Brown suggested that rather than require an enclosed garage the wording be changed to say "may" be an enclosed garage. He was afraid that in time the garage would be used for storage or something else leaving only one available parking space.

Jerry Peterson of PCDC endorsed the changes being proposed by City Planner Williams. He felt the existing ordinance had been confusing to work with and was open to interpretation in many instances. He explained that the Ordinance worked well with single family units but that when projects of cluster housing was tried it just didn't work. He explained that cluster housing was something in between single family and multi family and was something that was a good alternative to multi family projects. He stated that these could be projects of luxury type housing, middle range housing, or even affordable housing.

Mr. Richard Davis of an Atlanta land planning firm addressed Council and showed the Council and the public graphics depicting developments using the current ordinance and those using the proposed ordinance. He indicated that the amendments would allow a developer to provide a more pleasing development because of added flexibility in using the land.

A number of residents residing in the Pinegate Road area of the City were present to voice thier concern about the change in the ordinance because they felt it would reflect in a proposed development planned for Wisdom Road currently zoned GR 12 (12 units per acre). The Wisdom Road property adjoined Pinegate area property and they were afraid that cluster housing would result in lower cost housing which would lower their property value.

Mr. Bill Kempf resident of Walnut Grove in the Pinegate area spoke to these concerns and stated that their homes were of much greater value in terms of cost than those that were being proposed . He inquired about the buffer area required between the Pinegate property and the Wisdom Road property and Mayor Brown stated that zoning had required a 125 foot buffer between properties. Mayor Brown suggested that those concerned about the proposed development on Wisdom Road attend the Planning Commission meeting when the site plan appears on the agenda. He advised them to check the agenda posted at City Hall to find out when the item is placed on the agenda.

Another speaking in support of the ordinance was City Landscape Architect, Bill Lincicome, who endorsed the flexibility that would be provided by these changes. He realized the concerns about the type of development that would result from these amendments in dealing with cluster housing, however, he pointed out that the City had a very sophisticated planning process and he felt there was safety in that the Planning Commission was very involved in the process and any shoddy plan or design would be caught in their review.

Councilman Brooks provided the residents of Pinegate with a little history on the zoning of the Wisdom Road property when it was zoned General Residential. He explained that at the zoning hearing the 125 foot buffer was made a part of the zoning to protect the Pinegate Road property and that the developer had agreed at that time to re-record the plat to add the additional buffer area.

Jim Savage inquired about whether or not the lots could be sold fee simple and,if so,was there not inequities in the ordinance permitting one person to build on the lot line and the other be required to follow a setback.

Williams felt that this would be a multi-family zoning district and would be a bulk sale with one developer developing the lots and then selling them. Williams stated that the entire parcel would have to be site planned as one unit by one developer.

Parlontieri questioned Williams about Section 1004.4 (e) which provided a minimum lot width at the street of 15 feet. He felt this should be 18 feet.

After further comments from the public and other professional planners, both pro and con for the change in the ordinance, a motion was made by Parlontieri that the ordinance be approved to amend the GR Zoning District as recommended by the City Planner with the proviso that Section 1004.4(e) be amended to read 18 feet on both attached and detached units. Motion was seconded by Good with the understanding that the garage provision did not change. Mayor Brown again urged the change to ensure that two parking places were always available. Good asked if zoning required a garage would it be possible to change the garage into something else. City Attorney Powell replied that it probably could not be converted into a room but it could be used for storage or something else which would mean that it would not be used for parking. Good continued to argue that if the zoning required a garage it would have to remain a garage and Mayor Brown dropped his stand on the matter.

Good commented that he wanted to make the point that this change is better than what is in affect now. He felt this was an improvement and was something that everyone should be supportive of. He pointed to the fact that four distinqished career professional planners spoke to Council giving their wholehearted support to the change. At least three of those were long term planners for Peachtree City and the City was what it was because of their wisdom. He felt this should be acknowledged, and if in their professional opinion this is a better way of doing things he felt it was. Good again stressed that the Planning Commission, in conjuction with the City Planner, had taken the initiative in putting together this ordinance and he felt they had every intention of making it work in keeping with the City plans.

Motion was approved unanimously.

3-90-3 <u>Amendment to Street Specifications</u>

City Manager Basinger presented an ordinance recommending amendments to the residential street specifications Section 201 and Section 803 . City Engineer Amos explained that these recommended changes will provide better regulations for the GR zoning district and explained the proposed changes. Amos stated that the Ordinance would provide a 100 foot tighter radius but with a two foot wider street with vertical curb and gutter.

Motion was made by Mayor Brown that the ordinance amending the street specifications be approved as presented. Motion seconded by Brooks. Motion carried unanimously.

3-90-4 <u>Police Department Personnel Adjustments</u>

City Manager Basinger reported that the Police Chief had presented his Master Plan to the Council during the Retreat and several personnel items required City Council approval.

The first request was to add an additional dispatch position to the Communications Center at a salary of $13,811. This would ensure two dispatchers on duty 24 hours a day. No additional funds were required.

The second request was to reclassify one dispatch position to that of Senior Dispatcher at a annual salary of $15,995. The reclassification would not add a person but would adjust a salary by an additional $800 per year. Sufficient funds were available in the budget to make this adjustment.

The next request was that five patrol positions within the department be reclassified as Corporal. These positions would pay 5% more than the starting salary of a police officer or approximately $800. per year per position. There were sufficient funds in the budget to cover these adjustments.

The last request was to delete the title of Communications Lieutenant and replace it with Communications Manager. There was no salary adjustment required for this adjustment.

City Manager Basinger reported that the total cost was $18,611 but due to vacancies in the police department there were adequate funds to make these adjustments without additional funds and staff recommended the requests be approved.

Motion was made by Good that the recommendations be approved. Motion was seconded by Bongiorno. John Setlock inquired what the salary for a Corporal would be and Police Chief Murray stated that it would depend on who made Corporal and where they were salary wise . He felt the salary would be mostly in the range of $18,000 - $18,500. Motion carried unanimously.

3-90-5 Ordinance Limiting Truck Traffic on Peachtree Parkway /McIntosh Trail

City Manager Basinger presented an Ordinance to prohibit through vehicles weighing in excess of 6000 pounds from using Peachtree Parkway from Highway 74 to Robinson Road and also McIntosh Trail. He explained that there was already an ordinance prohibiting these vehicles on Peachtree Parkway South as well as McIntosh Trail and that staff felt the prohibition should be extended to Peachtree Parkway North as well.

Motion was made by Parlontieri that the Ordinance be approved. Motion seconded by Bongiorno. Motion carried unanimously.

3-90-6 Amendment to 1990 Public Improvement Program

City Manager Basinger stated that Council discussed several changes to the 1990 Public Improvement Program at the Retreat and changes requiring Council action were:

800 MHZ Communications System

Additional Funding to avoid borrowing funds $125,000

Highway 74/Crosstown Intersection Signalization $111,500

Basinger explained that the state had approved the signalization at the intersection and the estimated total cost was $305,000. He explained that additional funding would be provided in the 1991 PIP.

Refurbish Glenloch Recreation Center Building $ 15,000

Basinger reported that the project would include interior painting, replacement of front door, floor covering, repair of gutters and possibly other repairs based on bids and available funds.

Total funds necessary for the changes $251,500

Basinger recommended the additional funds be provided as follows:

General Fund Transfer (Salaries)	$ 15,000
Reserve Fund	$236,500

Parlontieri requested that the items be taken as separate actions.

Mr. John Setlock questioned the $305,000 mentioned as required for the signalization of the Highway 74/Crosstown intersection. He felt the State would assist in this project, however, City Manager Basinger explained that the State didn't feel that the intersection truly justified a signal but permitted it with the provision that the City bear all expense. He stated that the City would be requesting State assistance but did not want to wait for state funds to get started.

Motion was made by Good that the $125,000 funding be approved for the 800 MHZ Communication System as recommended. Motion seconded by Brooks. Motion carried unanimously.

Motion was made by Mayor Brown that $111,500 be funded toward the signalization of Highway 74/Crosstown Road. Motion was seconded by Good. Parlontieri stated that he would not vote for the motion although he felt the light was needed. He felt he could not consider spending $305,000 for the intersection . Motion carried with Parlontieri voting nay.

Motion was made by Bongiorno that $15,000 be appropriated for the refurbishing of the Glenloch Recreation Center as recommended. Motion seconded by Brooks. Motion carried unanimously.

3-90-7 Transfer of funds for payment of RDC Dues

City Manager Basinger stated that dues to the McIntosh Regional Development Center had not been paid because the City had hoped to be reassigned to the Atlanta RDC . That is not going to happen this year and the dues need to be paid. He explained that the dues were increased after the budget was prepared and the budget has $3834 toward the $6090 dues. Basinger rcommended that $2000 be transferred from the City Hall budget to the Planning Budget toward payment of these dues. He explained that the $2000 was for the GMA Spring Meeting to be held in Peachtree City which is now being held in Rome, Georgia. He felt the Planner could find the additional $256 in his budget.

Good questioned whether or not the City had to pay the dues and Mayor Brown stated that it was now mandated by the State that the City be a member of an RDC and he felt dues were mandated also. Good did not feel the City had received much in the past for the funds paid to the McIntosh APDC , now the RDC. Mayor Brown felt more benefits would be realized now.

Motion was made by Mayor Brown that the recommendation be approved and the $2000 be transferred. Motion seconded by Parlontieri. Motion carried with Good voting nay.

3-90-8 <u>Ordinance Regulating Change in Council Meeting Dates</u>

Mayor Brown explained that by Ordinance the Council meetings are scheduled for the first and third Thursday Nights with the provision that the Mayor can change meeting dates for the convenience of the public and council members. He recommended adoption of the proposed Ordinance deleting the words "and council members" which then provided that meetings could be changed for the convenience of the public.

Motion was made by Bongiorno and seconded by Brooks that the Ordinance be adopted. Motion carried unanimously.

3-90-9 <u>Meade Field Lighting Bids</u>

City Manager Basinger reported that bids were solicited for lighting of the two new softball fields at Jim Meade Field and only two bids were received. They were:

Chandler Electric Company Auburn, Georgia (Musco Lighting)	$50,739
Hunter Knepshield Louisville, Kentucky (Qualite Sports Lighting)	$51,988

Basinger reported that there were irregularities in the bids and the staff was not recommending the low bid. He called on the City Engineer, Barry Amos, to address the subject.

Amos reported that a list of items was to be submitted with the bids and any items not submitted could disqualify that particular bidder. He noted that Hunter Knepshield came the closest to complying with the regulations and the only item they did not provide was the type and class of pole that they would be using. Since the bid opening they had submitted that.

He explained that Chandler Electric did not submit a lighting plan as required or the specifications for the type and class of pole they would be using. Since the bid both companies were notified they had omissions in their bid and Chandler Electric had submitted the type and class of pole but had not submitted the lighting plan.

Amos stated that staff recommended Hunter Knepshield be awarded the bid inasmuch as they were the most compliant with the specifications and have now corrected their deficiency where Chandler Electric Company had not.

Parlontieri asked if the City had used this firm before and Amos stated that they had not been used before but they had excellent references. In answer to question from Parlontieri regarding the installation of the lights, Amos felt they could go up within 30-60 days. It would depend on delivery of the poles.

Motion was made by Parlontieri that the recommendation of staff be approved for the Meade Field lights. Motion seconded by Brooks. Motion carried unanimously.

3-90-10 Girls Softball Representatives

Mr. Robert Bertlesbeck, representing the Girls Softball Association Board of Directors, addressed Council and stated that Russ Jordan and John Clayton were also present representing the Board.

Mr. Bertlesbeck stated their objective dealt with softball facilities. He stated that last year they received from the City what they thought was a commitment that the new fields at the Jim Meade Recreation Complex would be ready for play this spring. He explained that in January of 1990 the Association was offered the opportunity of hosting a national softball tournament for the first week-end in June. They accepted the tournament based on what they understood regarding the fields. He stated that he felt the existing fields would be ready and was asking for a commitment that the two new fields would be ready by that week-end. He also requested support from the City so that the tournament could be successful.

Mr. Bertlesbeck stated that he met with Mayor Brown last week and,although he supported the tournament, the Mayor informed him that the two new fields would not be ready for play this spring. Bertlesbeck admitted that they took risks in accepting this tournament and apologized for not coordinating better with the city staff before making this commitment. He stated that if they could not have the two fields completed and the three old fields ready and support from the city staff, they needed to know soon so that they could back out of their plans to host the tournament.

Mr. Bertlesbeck felt it would be a mistake to drop out of the tournament because it would probably be an annual affair once the City accepted it. He reported that they felt the tournament could raise at least $125,000 in receipts for local merchants and $4000 in profits for the YAA Softball program.

Mr. Russ Jordan, Girls Softball Coach, addressed Council regarding the safety of Meade Field. He requested that four foot high fencing be provided around the field for the protection of , not only the players, but the children that accompany the spectators. He also felt that fencing would provide security and would provide the means for charging admissions to the fields to offset expenses. Jordan explained that if the tournament was held it was their plan to repay the city for the fencing from gate receipts. He urged the fencing be provided regardless of whether or not the tournament was held.

Bertlesbeck urged that Council give them an answer either now or at an early date regarding the fields and the city's support so that they could make a decision regarding the tournament.

Parlontieri asked if they were committing to repay the city for fencing regardless of when it was installed. Bertlesbeck stated that what they were saying was that there was enough money to be made from tournaments, possibly two a year, to make the softball program self-sustaining with funds left over. He stated that he could not commit that one tournament would provide enough to pay for the fencing.

Discussion followed the presentation during which question was asked by Brooks about seating for the estimated 1000 people that would be attending the tournament. Bertlesbeck did not think bleachers would be necessary and explained that the tournaments he had attended did not have them and that people brought their own lawn chairs.

Mayor Brown reported that he met with Mr. Bertlesbeck last week on this subject and explained to him that it had been his understanding all along that the two new fields would not be ready for play this year. He agreed the construction would be completed but the grass would be planted in May of 1990 and it needed at least a year to grow after sprigging. That would leave three fields available for play this spring. The Mayor stated that he also told Mr. Bertlesbeck that the City would do everything in it's power to work with him and the Girls Softball Association toward the tournament. The Mayor stated that he did not commit to fencing because he did not know the cost at that time.

Mayor Brown stated that he had obtained pricing for safety fencing, four foot high for 1000 feet. The prices were $1465. for vinyl fencing and plastic safety fencing would be $1501. The Mayor explained tht this was temporary fencing. He stated that Harp Fencing had given a price installed of $3000. The Mayor stated that permanent fencing had not been discussed and Mr. Jordan urged that permanent fencing be installed for safety.

The Mayor explained that he told Mr. Bertlesbeck at that meeting that he would like for someone to be assigned from their organization to work with the City Recreation Department and asked if they had assigned someone. Mr. Bertlesbeck did not have a name at this time.

Parlontieri felt that it would be nice to host the tournament but he didn't see how the two new fields could possibly be ready by that date. He also felt that fencing for safety was needed.

Recreation Director , Marcy Curry, suggested looking to Riley Field as an alternate field and this was discussed but no decision made.

Mayor Brown stated that the City was willing to work with the Association in any way posssible and City Manager Basinger suggested that possibly the two new fields could be planted with fescue for the tournament and then sprigged later.

City Manager Basinger indicated that he felt funding was going to be needed in several areas and suggested the Girls Softball Association Representative get together with the Recreation Department to determine what can be done toward hosting the tournament and what funding will be needed and report back to Council. Council agreed with this suggestion and Mayor Brown asked that pricing be obtained for four foot, vinyl coated, permanent chainlink fencing. City Planner Williams was asked to inform the Recreation Department regarding city regulations toward fencing in that area.

3-90-11 Census Banner on Pedestrian Bridge

City Manager Basinger reported that a request had been submitted by the Fayette County Complete Count Committee that they be permitted to place a banner on the Pedestrian Bridge one week prior to the 1990 Census which would be from March 23rd through April 1st. He stated that staff recommended the request be approved because of the importance of the census. Motion was made by Bongiorno that the banner be approved. Motion was seconded by Brooks. Motion carried unaimously.

There being no further business motion was made by Mayor Brown that the meeting be recessed to be reconvened in executive session to discuss pending lawsuits of Black, Samples, Justice, Simon and Kelly. Motion was seconded by Bongiorno. Motion carried unanimously.

Executive Session

There was no action taken in executive session and the meeting was adjourned at 11 PM.

Frances Meaders
Frances Meaders, City Clerk

Mayor Attest