MINUTES OF MEETING
CITY OF PEACHTREE CITY
February 6, 1992

The City Council of Peachtree City met in regular session on Thursday February 6, 1992 at 7:00 PM in the City Hall Council Chambers.

The meeting was called to order by Mayor Robert L. Lenox, who led those in attendance in the pledge of allegiance. Those present were Mayor Robert L. Lenox, and Councilmen Edward Bradford, Annie McMenamin, Robert Brooks and Rich. Parlontieri.

There were no items added to the agenda.

Announcements, Awards and Special Recognitions

Gerald Matthews from Waste Management was at the meeting to present the Mayor with a check to the City for $851.48 for voluntary curbside recycling for the last quarter. To date there are 573 customers using this service. 44,640 lbs of newsprint and 49,780 lbs of glass, aluminum and plastic have been recycled.

Mayor Lenox asked citizens wishing to speak to the issues to go to one of the two microphones and state his name to be heard.

Mayor Lenox announced a special called Council meeting on Thursday February 13, 1992 for all elected officials in the County for the purpose of approving the Fayette County Master Water and Sewer Plan. The meeting will be held at Stonewall Village in Fayetteville at 6:30 PM.

Department Reports

Mayor Lenox announced that department reports would be available at the next meeting and urged the public to review them from time to time.

Minutes

Motion was made by McMenamin that the minutes of the January 16, 1992 Council meeting be approved as presented. Bradford seconded. Motion carried unanimously.

Old Agenda Items

12-91-5 Highway 54 West Corridor Plan

Jim Williams, Director of Developmental Services, presented the staff's position regarding the Highway 54 West Corridor Plan and provided a site plan depicting the proposed median cuts and proposed service roads. He explained that staff had studied the area and wanted to provide the State DOT guidance on how this area could best serve Peachtree City. Williams stated that staff felt there should be median cuts at Wynnmeade Parkway to service the existing development; another at the proposed McIntosh Collector intersection to serve the residential area that will develop around Lake McIntosh; one at the Line Creek Collector intersection and one at Huddleston Drive where it intersects Highway 54. He stated that staff would like to see that intersection signalized and rebuilt to service that portion of the industrial park. The plan would include a service road across the south area of the corridor and also a service road along the north portion. The concept could be done with state money and with the help of the developers and would not require local funds. Williams reported that the Planning Commission has recommended approval of this concept. Parlontieri moved that Council approve the concept for submittal to DOT. Brooks seconded. Motion carried unanimously.

1-92-13 Role of the Atlanta Regional Commission

Mayor Lenox stated that questions asked at the last meeting by a resident about the role of the Atlanta Regional Commission have been answered to the satisfaction of the resident. Copies of the reply were available on the table for those who were interested in reading the responses.

New Agenda Items

McMenamin moved that agenda item 2-92-2, Airport Authority Support, be placed just ahead of item 2-92-10 , Joint Development Authority, so that the Economic Development items could be discussed together. Bradford seconded. Motion carried unanimously.

2-92-1 1991 Audit

Mayor Lenox called for comments or questions regarding the 1991 audit. Hearing none he called for action and motion was made by McMenamin that the audit be accepted as submitted. Bradford seconded. Motion carried unanimously.

2-92-3 Change in License Representative for Wings and Things

City Manager Jim Basinger read the request for the change in license representative to Mary Jo Gilmore who is now part owner and manager of the Wings and Things Restaurant. Mr. John Schaf, the other owner, and Ms. Gilmore were both present to answer questions from Council. McMenamin asked Ms. Gilmore if she would be present at the restaurant on a full time basis. Ms. Gilmore said she would be there six days a week and has been there since January 22, 1992. Mayor Lenox asked if she had read and understood the alcoholic beverage ordinance . Ms. Gilmore answered in the affirmative. Parlontieri asked if they had a clear understanding about the six months probation the restaurant was under at this time and what that means. They both acknowledged the probation and explained steps they had taken to avoid a reoccurence of the problem. Parlontieri moved to approve the application as submitted. McMenamin seconded. Motion carried unanimously.

2-92-4 Relocation of Alcoholic Beverage License - Corelli's

City Manager Jim Basinger read the request for relocation of the Alcoholic Beverage License from Huddleston Road to Braelinn Center. Mr. Bob Grove, Licensee for Corelli's was present to answer questions from Council. McMenamin moved to approve the request for relocation of the license. Brooks seconded. Motion carried unanimously.

2-92-5 Amendment to Sign Ordinance regarding Wall Signs

City Manager Basinger presented a recommendation from staff to amend Section 5-125(d) of the sign ordinance which would close a loophole in the sign ordinance allowing a business to have a wall sign for each tenant and also a wall sign identifying the building itself. Blockbuster Video was used as example where they used the name on its tenant sign and also used it to name Blockbuster Video as a building identification sign. McMenamin asked if this would grandfather Blockbuster Video in and Basinger acknowledged that it would. There were several other signs of this type that would also be grandfathered in. Brooks stated that he was not happy with the proposed amendment and he felt perhaps the City was being too restrictive on the businesses. Brooks stated he would not support this change and would like to review a number of items regarding signage in the City. McMenamin agreed with Brooks. Mayor Lenox suggested sending this back to staff for further review. McMenamin made a motion to deny request and send it back to staff for further review. Brooks seconded. Motion carried unanimously.

2-96-6 PacTel Agreement

City Manager Basinger presented a contract for a non-exclusive lease agreement between the City and PacTel Cellular, Inc. of Georgia for PacTel to lease space on the City communications tower for an antenna. The contract was for three five year periods to be renewed every five years with an increase of 25% in fees each renewable period. The first year revenue would be $10,800 at $900 per month. Total revenue projected was $205, 875. The lease also called for PacTel to install a six foot high wood fence around the tower. Basinger said that legal aspects had been worked out between the attorneys for PacTel and the City and the attorneys were present to answer any questions. Basinger reported that staff felt this was a good agreement for the City and recommended approval of the agreement.

Parlontieri asked if there was a limit on use of the tower to make a profit. Chief Murray stated he did not know of any legal issue and there are many cities that do lease space on their towers to private enterprise as long as it is non exclusive. He stated there is additional space on the tower for other companies that would want to negotiate a lease. Parlontieri questioned the lease rates and whether or not they were competitive with other areas. Murray stated that this rate would be on the higher side in comparison with most space leased on towers. Parlontieri felt the lease was too low as PacTel is not having to construct the tower. Basinger assured Parlontieri that they had compared going rates and felt the City was getting a good deal. Mayor Lenox asked what the full cost of the tower would be when raised to its full height. Basinger stated the City has $20,000 budgeted to raise it another 100 feet, and that the cost of the existing tower was about $90,000. Mayor Lenox stated that the lease was not exclusive and additional revenue could be gained by other companies wanting space. Basinger stated that there is room for additional antennas and when the tower is raised to 300 feet there would be room for an additional fifteen to twenty antennas. Chuck Palmer , representing PacTel, came forward to answer any questions. He stated this is a high lease rate since PacTel is only getting a small portion of space on the tower.

Brooks made a motion to approve the agreement between the City and PacTel. McMenamin seconded. Motion carried unanimously.

2-92-7 Peachtree Elementary School Soccer Fields

City Manager Basinger presented the request from the Youth Soccer Association to construct a full size soccer field at Peachtree City Elementary School. The soccer association will supply the funds for installing the irrigation system and sprigging the fields and Fayette County is being asked for assistance to do the necessary grading for the field. The Board of Education would provide the site and one electrical hookup and the City will be responsible for maintaining the fields. The Agreement would permit the City to use the soccer field during non school hours. Staff recommended approval of this agreement. Bradford said he would encourage the City to find more of these sites to utilize the land at its maximum and he fully supported this. McMenamin moved to approve the agreement. Brooks seconded. Motion carried unanimously.

2-92-8 Contract with Fayette County Public Works-Dividend Drive

City Manager Basinger stated the City Staff is serving as general contractor on the reconstruction of Dividend Drive. Staff has worked with Fayette County Public Works Department who are agreeable to providing the labor, spreading and preparation of the base, and the paving of the road. Staff recommended approval of the contract with Fayette County and expects it to save the City approximately $39,000. Parlontieri moved to accept this recommendation as presented. Bradford seconded. Motion carried unanimously.

2-92-9 Highway 74 Cartpath Bridge Design Bids.

City Manager Basinger presented the proposals received from six firms for the design of the Highway 74 Cartpath Bridge. The bids were as follows:

B & E Jackson & Associates Atlanta, Georgia	$29,175.00
W. D. Hudson Alpharetta, Georgia	20,800.00
Manavi Consulting Engineers Atlanta, Georiga	45,520.20
L Z R Engineering, Inc. Stone Mountain, Georgia	21,125.30
Moreland, Altobelli Associates Atlanta, Georgia	31,892.00
Guillebeau, Britt, Haines and Associates Decatur, Georgia	20,500.00

Staff recommended the bid be awarded to the firm of Guillebeau, Britt, Haines and Associates as the low bidder for $20,500. McMenamin was willing to support staffs recommendation. Brooks made a motion to accept the bid for the accepted price. McMenamin seconded. Mr. Ken Crowder, representative for the Wynnmeade Homeowners Association, asked if there were any time parameters to complete the work. City Engineer Barry Amos stated it was a 10-12 week process, and would not anticipate any delay. Motion carried unanimously.

2-92-2 Airport Authority Support

Mr. David Good , Chairman of the Airport Authority, addressed Council on behalf of the Airport Authority, and requested a Resolution from Council that the hotel/motel tax would continue to be dedicated to the Development Authority. Mr. Good explained that the Airport Authority is seeking funding from Peachtree National Bank for approximatley $625,000 and that because their funding has been from State and Federal Grants, they do no have collateral for the loan. The Development Authority has indicated a willingness to commit a portion of their hotel/motel tax to assist the Airport Authority should they have a problem in meeting their committment on the loan. Mr. Good explained that the loan would be used as follows:

1. $100,000 will be used for working capital shortfalls over the next 18-24 months.

2. The remainder of the funds will be used for capital assets such as refinancing current debt, code improvements at the airport, new navigational equipment costing $300,000, of which 25% requires local funding.

Mr. Good called attention to a Resolution he had provided Council just prior to the meeting which was a change to one submitted to them earlier. A copy of the Resolution is attached to the minutes. Parlontieri stated that there had been a significant change in the resolutions presented to Council from the one presented earlier and he had several concerns about the current resolution. Parlontieri pointed out that this Council could not bind future councils to a committment regarding the hotel/motel tax. Mayor Lenox asked City Attorney Jim Webb to clarify the language in the resolution concerning pledging of revenue. Webb stated that he had not had an opportunity to examine the resolution. He thought the previous City Attorney had rendered an opinion that using the hotel/motel tax for economic development was appropriate but he would like to examine the document himself. Brooks asked City Clerk, Frances Meaders, to read the changes between the two Resolutions for the benefit of the public.

Mr. Good stated that either resolution would be satisfactory to the Airport Authority and the difference is a result of the attorneys rewriting it to make the agreement something they could be comfortable with. He said they were trying to satisfy the Airport Authority , Development Authority, the City and Peachtree National Bank. Mr. Good said they are not looking for a guarantee, just a reaffirmation that funds that are currently coming to the Development Authority will continue.

McMenamin stated that she had a problem with the original resolution. She asked that the paragraph below be deleted entirely.

Be it further resolved, that the Mayor and City

> Council supports the Development Authority's agreement to use these funds to guarantee loans made to the Airport Authority in the event of default.

McMenamin also asked that the last paragraph which read:

> Be it further resolved, that the Mayor and City Council strongly recommends that future Councils continue to allocate these funds to the Development Authority for the above stated uses.

Be changed to:

> Be it further resolved, that the Mayor and City Council strongly recommends that future Councils continue to allocate these funds to the Development Authority for the continued economic development of Peachtree City.

McMenamin stated she would have no problem with it worded this way. Mr. Good stated that he had no problem with this wording. Parlontieri questioned the definition of economic development and asked if debt falls under that category. Mr. Webb refered back to the previous City Attorney's opinion that the activities of the authorities and the use of these funds when servicing a debt would constitute a use that is consistent with the Hotel/Motel tax intent. Mr. Good addressed the issue by stating that the debt is buying improvement to the airport that will attract quality businesses to the City. He reported that two of the primary users of the airport are the Peachtree Executive Conference Center and Aberdeen Woods, which are two of the major entities receiving the benefit from the collected tax.

Parlontieri suggested that " during fiscal year 1992 " be added at the end of the first resolution. It would then read:

> Be it resolved, that the Mayor and City Council agree to continue allocating the funds collected from the Hotel/Motel tax to the Development Authority during fiscal year 1992.

Parlontieri would also like the words " strongly recommends" be deleted from the third paragraph.

Brooks made a motion to approve the initial resolution as amended by McMenamin and Parlontieri. Parlontieri seconded. Motion carried unanimously.

2-92-10 <u>Formation of a Joint Development Authority</u>

Mr. John Boothby, Executive Director of the Fayette County Economic Development Organization came forward to present a proposal to create a new countywide Economic Development Authority. He felt it was essential for growth management that all development authorities work together for the good of all. He explained that the proposed authority would fold the four existing authorities into one which would be a more efficient way of conducting business. He stated that clients were interested in making contact with one entity that could provide information to them on what would be available for them should they desire to locate their business in Fayette County. Mr. Boothby asked for Councils support in submitting legislation to the Georgia General Assembly for the creation of this authority.

Boothby explained that the budget for the new authority would provide the basics such as secretarial help, office equipment, marketing materials, etc. Boothby felt the budget could be met by no more than one-half mill in taxes which would be approximately $29.00 in additional taxes for the owner of a $150,000 house.

Boothby explained that the board is currently made up of the Chairpersons of the four development authorities, the Chairman of the Airport Authority, the President and the Executive Director of the Chamber of Commerce and one County Commissioner, Bill Bonner. The new board makeup would retain the four Development Authority Chairpersons, the Airport Authority Chairman, and three members assigned by the County Commissioners which didn't necessarily have to be seated commissioners. Additionally, a member would be selected from a slate of names submitted by the Chamber of Commerce making a total of nine board members.

Mr. Boothby asked for questions or comments from the Council and McMenamin asked about how prospects would be handled. Boothby explained that now each development authority talks to clients but with the Countywide Authority the information could be provided from one source although each Authority would have the opportunity of meeting the client. Parlontieri asked if PCDC and Equitable were supportive of this concept and Boothby stated that they had been cooperative. He stated that Tyrone and Fayettville development authorities had given their support . Mayor Lenox stated that up to this point we have had great success with the city authority.

Parlontieri questioned whether or not the County had passed legislation to prohibit elected officials from serving on authorities or commissions. County Commissioner Bill Bonner came forward to say there was no discussion on authorities, only appointed committees. Parlontieri was concerned that by placing three county commissioners on the board it would be difficult to prevent it from becoming political. Mr. Boothby stated that economic development when successful is not political.

Mr. Bob Truitt, Chairman of the Peachtree City Development Authority, came forward to address Mr. Parlontieri's concerns. He explained that the board was not entirely agreed upon and this makeup was the best compromise to ensure county support for the longevity and funding of this project. He could not assure Council that there would not be some political involvement in the process, but hoped there would be none or very little. He asked Council to trust that they had done their job in coming up with the board makeup and that they would do their best to ensure that it is not political. Parlontieri asked how much the board is asking for over the next five years for funding. Mr. Truitt stated they were looking at one quarter to one half mill tax. Brooks stated that once the funding was there the fact that there were commissioners on the board would not pose problems. Brooks made a motion to approve the Resolution supporting the

Countywide Development Authority as submitted. McMenamin seconded the motion.

Several residents came forward to voice their concerns about this issue. Mr. Ike Isaacson was concerned that he had not seen the Resolution, and stated that he did not have a good feel for it at this time. He did not think growth was necessary and should not be for the benefit of developers. He did not think growth should be accelerated and that it would not benefit those who live in Fayette County but work outside the County. He urged the Council to ask for a provision for them to have more authority in deciding on who sits on the board. Another concern of the public was the tax dollars to the citizens. Mrs. Phyllis Aguayo voiced her objection to the Council speculating for future growth with citizens money.

Bradford spoke of his support for the Authority. Mayor Lenox stated that he believed this would be an excellent investment for the community even though he is not happy with the makeup of the board. He didn't regard it as a tax but an investment. Motion carried unanimously.

There being no further business to come before Council, a motion was made by McMenamin that the meeting be recessed to be reconvened in executive session to discuss the pending lawsuits of Black and Justice. Bradford seconded. Motion carried unanimously.

Executive Session

There was no action taken in executive session and motion was made by Parlontieri that the meeting be adjourned. Motion was seconded by Brooks. Motion carried unanimously. The meeting was adjourned at 9:30 PM.

Angie Stevens

Angie Stevens, Assistant City Clerk

Robert L. Lenox Attest

Mayor

RESOLUTION CONCERNING ALLOCATION OF HOTEL/MOTEL TAX TO DEVELOPMENT AUTHORITY OF PEACHTREE CITY

Whereas, the Peachtree City Airport Authority has been engaged in major renovation of Peachtree City-Falcon Field Airport, spending over $8 million dollars in federal, state and local funds to improve airport operations; and

Whereas, these renovations include the construction of a new runway, a parallel taxiway, new ramp areas, relocated hangars and the installation of aircraft instrument approach equipment; and

Whereas, these improvements will greatly enhance the safety of operations at the airport and will eliminate low flight over the city during inclement weather, which in turn will allow the City to raise the emergency services communications tower to its full height to better serve the citizens of the City; and

Whereas, these improvements will make the airport more desirable to corporate and business operators as well as the general aviation enthusiast; and

Whereas, the Mayor and City Council of Peachtree City applauds and supports the efforts of the Peachtree City Airport Authority and the Development Authority of Peachtree City in their joint efforts to attract industry, trade and business to our community; and,

Whereas, strong economic development in a controlled manner is both beneficial and necessary for the continued growth and prosperity of our City; and,

Whereas, the Mayor and City Council has for some years allocated the revenues collected from the hotel/motel tax to the Development Authority for its use in these efforts; and,

Whereas, the Development Authority has shared these funds with the Airport Authority for their joint efforts in economic development; and

Whereas, the continued use of these funds by the Authorities will serve to benefit the community and the businesses that collect these taxes; therefore,

Be it resolved, that the Mayor and City Council agree to continue allocating the funds collected from the hotel/motel tax to the Development Authority during Fiscal Year 1992; and,

Be it further resolved, that the Mayor and City Council recommend that future councils continue to allocate these funds to the Development Authority for the continued economic development of Peachtree City.

Passed this 6th day of February, 1992.

Attest Frances Meaders
City Clerk

Robert L. Lenox
Robert L. Lenox, Mayor

RESOLUTION

WHEREAS: There is a specific need of a directed effort to attract new business and industry as well as to expand existing business and industry in order to help balance the tax digest in Fayette County and,

WHEREAS: A single umbrella development authority representing all of Fayette County and municipalities is more efficient and cost effective and,

WHEREAS: A single contact for statewide developers and industrial prospects is greatly preferred by these individuals and results in increased contact by them and,

WHEREAS: A new development authority can only be created by the Georgia legislature through legislation introduced by our elected representatives and,

WHEREAS: The legislature is only in session for a brief time each year and,

WHEREAS: Failure to create the new development authority during the current 1992 session will result in our inability to do so for another calendar year and,

WHEREAS: There will be no gain to the community nor our economic development efforts if we fail to introduce enacting legislation this session and,

WHEREAS: The creation of the new development authority does not financially, or otherwise, obligate any government or any other group until such time as agreement is reached.

BE IT THEREFORE RESOLVED: That the City Council of the City of Peachtree City hereby supports the introduction and passage of legislation creating the Economic Development Authority of Fayette County during the current legislative session.

Duly approved and adopted this 6th day of February in the year of our Lord, Nineteen Hundred Ninety Two.

Robert L. Lenz
Signature

Frances Meadows
Notary Public