City Council of Peachtree City
Minutes of Meeting
February 5, 1998
7:00 p.m.

The City Council of Peachtree City met in a regular session Thursday, February 5, 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 presented a 15-year service pin to Harvey Stokes.

Mayor Lenox assisted Dick Pearson of the United Way in presenting Pacesetter Awards to various companies.

APPROVAL OF MINUTES

McMenamin made a motion to approve the minutes of January 22, 1998 as presented. Pace seconded the motion. Motion carried unanimously.

NEW AGENDA ITEMS

02-98-01 Consider Funding Request - Fayette County Council on Battered Women

City Manager, Jim Basinger, explained that City Council had provided funding for the Fayette County Council on Battered Women each year since 1994 and that they were requesting a continuation of that funding. Linda Wells, Executive Director for the Council on Battered Women, requested $6,000 which was the same amount Council provided last year for the annual rental of their office space.

McMenamin made a motion that $6,000 be taken from the Council Contingency Fund and given to the Fayette County Council on Battered Women. Brooks seconded the motion. Motion carried unanimously.

02-98-2 Consider Resolution - Business Retention and Expansion Process

Basinger said the Fayette County Development Authority, the Chamber of Commerce, and the Department of Community Affairs adopted a resolution of support for the Business Retention and Expansion Survey. He explained that the survey would provide local government leaders and economic development organizations with data on the wants and needs of business and industry located in Fayette County. He said the information would be used to establish programs to improve the operating and business environments for local businesses and firms.

McMenamin made a motion to adopt the resolution in support of the Business Retention and Expansion Process. Pace seconded the motion. Motion carried unanimously.

02-98-3 Consider Alcohol Beverage License Representative Change Oil South, Inc., d/b/a Village Store #13

Mayor Lenox said Ms. Lark Patrick asked to be appointed as the License Representative for Oil South, Inc. d.b.a. Village Store #13 and that the previous License Representative was no longer employed with the store.

McMenamin voiced her concerns that there was a 96.6% increase in the number of underage alcohol consumption arrests in Peachtree City last year and asked Police Chief Murray if he would explain the problems the City was having with young people and how important it was for places such as the Village Store to participate in the training and education of their employees.

Murray said the Police Department conducts thorough background investigations for all alcohol licenses and that Ms. Patrick met all of the criteria needed for him to recommend her to be appointed as a License Representative. He expressed general concerns about the Village Store because the Police Department had a considerable amount of problems at that store and another store owned by the same company that did not sell alcohol. Murray said he felt council needed to know that the Police Department apprehended one of their employees in a sting operation selling alcohol to a minor and that during another incident they also arrested a night manager in the store smoking marijuana behind the counter. Murray felt there was not a real commitment from management in resolving problems of gasoline thefts and he was hoping to get a commitment from the management to pay attention to what was going on at their store. He said both of the Village Stores were a major problem for police department and emphasized that the store being considered for a change in alcohol license was the closest store to the high school selling alcohol.

McMenamin asked the owner of the store, Robert Sadler, what his process was for hiring his employees. Mr. Sadler responded that his district manager was responsible for hiring employees through a professional human resources company in Hurst, Texas and that they conducted background investigations on all their employees. He assured McMenamin that no one under 21 years of age was allowed to work alone in a store that sold alcohol.

McMenamin asked if Ms. Patrick would be the manager of the store. Sadler explained that Ms. Patrick would be the supervisor over both of his stores and that the district manager was in both stores on a daily basis. He said he put all of his employees through alcohol training and had been very active in his home state of Alabama in passing laws mandating the training of employees who sold alcohol.

McMenamin asked that Mr. Sadler get in touch with the Police Department and have them provide some type of training for the employees or at lease consult with them because under age drinking had been a very serious problem in Peachtree City.

McMenamin made a motion to appoint Ms. Lark Patrick as the License Representative for the Village Store with the understanding that she would be in touch with the Peachtree City Police Department to work closing with them in the training of their employees. Pace seconded the motion. Motion carried unanimously.

02-98-4 Consider Alcohol License Change - Wyndham Peachtree Conference Center

Lenox explained that the Peachtree Executive Conference Center was purchased by a corporation in Texas, PWMB, and had changed the name of Peachtree Executive Conference Center to Wyndham Peachtree Conference Center. Lenox said Ms. Beverly Houston, an officer of the corporation had applied to be the new licensee but that the City was still waiting on her background investigation from Texas. He said she was the licensee for several other alcohol licenses for her corporation. Staff recommended Council approve the license name change contingent upon receiving a favorable background investigation from Texas. He said Tom Shaver would continue to be the local License Representative for the company.

McMenamin said she was familiar with how Mr. Shaver operated his hotel and made motion that Ms. Houston be appointed as licensee for Wyndham Peachtree Conference Center contingent upon receiving a favorable background investigation from Texas. Pace seconded the motion. Motion carried unanimously.

02-98-5 VFW Armed Forces Monument

Basinger said staff had been working with Mr. Duane M. Hennen, Quartermaster of the Peachtree City VFW Post, and Mr. Frank Hyde to construct an armed forces monument to be located in the center of the plaza flag pole area. He said the quoted price of the monument from Georgia Marble was $8,706.60 but with installation costs and the purchase of several marble benches, the total estimated cost would be in the range of $12,000 - $14,000. He said the VFW Post raised over $4,000 toward the cost of the monument and did not know exactly how much additional funds could be raised. He explained that a purchase order was needed to allow time for construction and installation prior to the July 4th dedication of the monument. Basinger recommended that Council approve funding any costs over $4,000 for the project with the condition that the VFW continue their fund raising efforts and apply any additional donations to the cost of the project. Basinger also recommended that staff be responsible for requisitioning and installing the monument.

Pace made a motion to fund any cost over $4,000 for the VFW monument to be located at the City Hall plaza, with funds to come from the Council Contingency Fund, that the City staff be responsible for installing the monument and that they should make every effort to install the monument before the Fourth of July celebration. Brooks seconded the motion. Motion carried unanimously.

02-98-6 Consider Request for Driveway Cut on Peachtree Parkway North

Jim Williams, Director of Developmental Services, addressed Council and explained that Mr. and Mrs. Patrylo purchased a lot in Heathergate subdivision and that the lot did not have direct access onto Peachtree Parkway. He explained that instead, it was platted with an access easement from Interlochen Drive between Lots 68 and 69 in the Interlochen Subdivision. He explained that a policy was in effect when the lot was platted that no more driveways should be opened onto Peachtree Parkway for individual building lots.

Williams said Mr. Patrylo knew about the driveway easement when he bought the property but that both neighbors adjoining the easement were very much in opposition to driveway access. Patrylo requested that he be granted access directly to Peachtree Parkway through an existing City-owned greenbelt. Williams said staff did not have an objection to Mr. Patrylo's request and the Planning Commission unanimously recommended that City Council approve the driveway cut as proposed, provided it was limited to no more than 12 feet in width through the greenbelt area.

Pace made a motion to grant approval for a driveway cut of no more than 12 feet in width through the City's greenbelt on to Peachtree Parkway with the condition that Mr. Patrylo legally remove the easement from lots 68 and 69. Brooks seconded the motion. Mr. Patrylo agreed to legally abandon the easement. Motion carried unanimously.

02-98-7 Public Hearing - Rezoning Request - Amli Apartment site

Lenox read the rules for conduting a public hearing and asked to hear first from those in favor of the proposed rezoning. Jim Williams, Director of Developmental Services, addressed Council and explained that the applicant, AMLI Apartments, did not have a representative at the Council meeting because they did not consider the proposed rezoning their request. Williams explained that AMLI apartments, originally known as Kedron Apartments, was built on land partially zoned GC General Commercial and partially zoned GR-14 General Residential. He said after the Zoning Ordinance was changed to exclude apartments from commercial areas, the project was given a "grandfather" status by Council with the condition the property be rezoned to reflect the actual density of the project.

Williams said the project was approved for a total of 312 units which was a density of almost 13 units per acre. He said the Planning Commission recommended Council approve the proposed rezoning at its January 12 meeting.

Lenox asked to hear from anyone else who wished to speak in favor of the rezoning. Hearing none, he asked to hear from anyone who wished to speak in opposition to the rezoning. Hearing no one to speak in opposition to the rezoning, Lenox called the hearing to a close.

McMenamin and Pace both said they had received calls from citizens concerning the appearance of the property from Peachtree Parkway and North Cove. Williams said he met with the developer and received a commitment they would prepare a plan within the next 60 days to make substantial improvements to the appearance of their property. Pace asked Williams to urge the developer to abide by their commitment.

Pace made a motion to rezone the 25.365 acres from GC General Commercial and GR-14 General Residential to GR-13 General Residential. McMenamin seconded the motion. Motion carried unanimously.

02-98-8 Public Hearing - Variance Request - Georgian Park Condominiums

Mr. Jimmy Halligan addressed Council and apologized for being in the situation to ask for a variance. He explained that during a framing inspection at one of the buildings in the Georgian Park Condominium complex, it was determined that several decks encroached into the 20 foot setback. He explained that the main buildings did not encroach into the setbacks and he attempted to resolve the problem by purchasing property to bring the encroachments into compliance. He said he was able to purchase property for 18 of the violations but that the remaining 6 violations were adjacent to buffers along Highway 74 and Georgian Park. He said did not intentionally violate the setback ordinance and that he bought the project from someone else after the plans had been approved. He also added that the project was zoned for 77 units and only 52 units were developed.

Hearing no one else to speak in favor of the variance, Lenox asked to hear from anyone opposing the variance. Jim Williams addressed Council and said that staff's original position was to deny the variance but that because Mr. Halligan had made a good faith effort by purchasing as much property as possible to bring most of the violations into compliance he felt that Council may want to approve the variance.

Hearing no one else to speak in opposition to the variance, Lenox called the hearing to a close.

Brooks said he felt the remaining violations were adjacent to buffers and would not impact anyone. He also felt it would not be aesthetically appealing to bring the violations into compliance by cutting off part of the decks.

Brooks made a motion to approve the variance for the remaining 6 violations with the condition that the other violations were brought into compliance through the purchase of additional property. Pace seconded the motion. Motion carried unanimously.

02-98-9 Consider Request to Televise Council Meetings

Lenox explained that this item would be conducted as a public forum and asked that anyone with comments on the issue address Council at the podium. Vivian Conduff addressed Council and requested they consider televising council meetings. She felt that many citizens were not well informed because only 20% voted in the recent election. She said many citizens she asked said they would watch the meetings if they were on television and that it was not a new concept because many cities did televise their meetings. She said she investigated the cost involved said the cost would depend on how elaborate the system was.

Dan Lech from Danovision, a company that televises meetings, spoke in favor of the idea. He explained in great detail the technical aspects of televising meetings and the possible costs involved. He quoted a price of $1,000 per meeting for his company to record the meetings.

Bill Wheeloch addressed Council and opposed the idea. He did not feel it would accomplish the objective of informing the citizens and he did not want the Council to spend money on the project. He felt the presence of a television camera would make actors out of people at the meetings and would cause the objective of the meetings to be lost.

Mildred Harris spoke in favor of televising meetings.

McMenamin felt Peachtree City was a small community and felt Council encouraged people to attend meetings. She felt if they had a choice of watching City meetings or prime time shows, they would not watch the city meetings. She could not justify spending money on televising meetings but would support the high school if they would like to tape meetings. She also believed that televising meetings might inhibit people from speaking their minds.

Lenox said it would not cost the City anything to "air" meetings on the City's information channel but he did not want the meetings televised unless it was done on a professional level. He said based on the information given to them by Mr. Lech, they could televise 24 meetings for about $24,000 a year. He did not know if citizens would be interested enough in watching the meetings to warrant spending $24,000.

Pace felt it was important to better inform citizens and suggested the City conduct a survey on the issue. He also felt they could televise meetings on a trial basis.

Brooks felt it was important to increase citizen awareness and felt that televising meetings would bring more recognition to employees and other people receiving awards. He agreed with Pace and felt it was important to conduct a survey on the issue before making a decision.

Brooks made a motion to table the issue and to put a survey in the next edition of the "UPDATE" and ask if citizens wanted to spend the money to televise meetings and if they would watch it. Pace seconded the motion. Motion carried unanimously. McMenamin requested that the original survey be sent to City Hall and that no copies be accepted.

02-98-10 Consider DOT ROW Agreement - Willow Road Storm Drain

Basinger explained the right-of-way agreement to be considered related to the signalization of the intersection of Highway 74 and Paschall Road. He said the project was going to result in the need for some work and improvements to the downstream drainage basins located above and below Willow Road. He said while the City earmarked local funds for the drainage work, DOT had agreed to assist in providing some funding through a DOT/City contract. He explained the contract was the first step in obtaining the DOT funds and would commit the City to provide and maintain the right-of-way to ensure all utilities are relocated, remove any obstructions and indemnify the DOT.

Brooks made a motion to approve the agreement. Pace seconded the motion. Motion carried unanimously.

Lenox made a motion to adjourn the meeting to Executive Session to discuss a legal matter. Brooks seconded the motion.

Executive Session

No action was taken in executive session and the meeting adjourned at 9:00 p.m.

Nancy Faulkner
Nancy Faulkner, City Clerk

Attest: Robert L. Lunsford
Mayor