

City Council of Peachtree City
Minutes of Meeting
January 21, 1999
7:00 p.m.

The City Council of Peachtree City met in a regular session, Thursday, January 21, 1999, 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, Bob Brooks and Jim Pace.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Mayor Lenox recognized the Employee of the Month, Peki Prince. He also presented a 15-Year Service Pin to Gary North. Tom Carty, the City Building Official, presented the following awards of recognition: Builder of the Year - Richard Simms Homes; Superintendent of the Year - Allen York of Group VI; and Best Commercial Site - Jesco, Inc. for the Gardner Denver Machinery Facility. A special certificate of recognition was also presented to Group VI for the architecture and site planning at the Siemens Electromechanical Components Facility.

SPECIAL ANNOUNCEMENT CONCERNING "THE MEWS"

Mayor Lenox made an announcement concerning the rezoning request of a 53-acre tract at Walt Banks and Highway 54, which was denied at the January 7th, meeting. The proposal, which was denied concerned a commercial development which would have been called "The Mews". The public hearing held on January 7th, ended at 10:45 p.m. and, under a Peachtree City ordinance which precluded Council from voting on any agenda item after 11:00 p.m., Lenox felt there was no opportunity for Council to meaningfully discuss the issue or assess the pros and cons of the proposed rezoning.

However, Lenox felt that Council and interested members of the public had already spent considerable time reviewing the relevant factors prior to the meeting on January 7, and he felt there had been a thorough and dispassionate review of the facts. He said that even after the public hearing three additional meetings were held with residents of the adjacent neighborhood. The adjacent residents and several members of Council, discussed six significant criteria and measured the development as proposed against possible alternative developments. The criteria were: Neighborhood Buffering, Traffic Consequences, Land Use Plan Considerations, Financial Impact, Job Creation / Labor Availability, and Peachtree City's Uniqueness. Lenox explained the findings relative to each of the considerations:

Buffering - It was felt that the immediate neighborhood would be better buffered, relative to sight and noise, by the Mews project as opposed to the much less intense retail/commercial and office development permitted by the current zoning on the Lassiter tract. The considered opinion of the neighbors, however, was that they would prefer development of the Lassiter tract under the existing zoning and would prefer residential development on the Heard tract, even if it was more dense than R-43 because of the overall impact on their quality of life. Additionally, it was felt by all that development under the existing zoning would best preserve the Highway 54 street scape and "rural entry feel" to Peachtree City.

Traffic Consequences - The Mews could only be regarded as a development of high traffic impact with a regional customer base and draw. Development under the existing zoning would create a lower impact retail center with local customers and an office complex drawing employees from the City and its immediate environs. After considerable research, Lenox estimated that it would create only 30 to

40% of the traffic which the Mews would generate. He also felt that road improvements to Walt Banks and its intersections with Peachtree Parkway and Highway 54 could be planned and made in a timely manner to not only prevent degradation of their performance but perhaps actually improve it based on the existing zoning. The Mews, however, would beyond question degrade Highway 54 as a transportation corridor, would degrade the Parkway and Highway 54 intersections, and would most likely put an intolerable burden on Peachtree Parkway itself.

Land Use Plan Considerations - The Peachtree City Land Use Plan always contemplated residential zoning for the area. Lenox said the history of the Lassiter tract and its current zoning was well known. He felt that approval of The Mews would put intense pressure on the undeveloped land on Highway 54 between The Mews and the eastern limits of Peachtree City for commercial zoning. Additionally, County land on Highway 54 east of Peachtree City would also be placed at risk. Lenox felt that Council intended to resist to the limits of its ability any commercial rezoning on Highway 54, either inside or outside of the City. At the same time, he also felt Council recognized the nature of the area and would consider higher residential densities than R-43 for the land area inside the City, particularly if the relevant land owners act as a cohesive group and present an integrated overall plan.

Financial Impacts - Total governmental income from The Mews would be approximately as follows:

PPT - Land/Buildings	\$ 550,000
PPT - Inventory	200,000
LOST - 1%	<u>1,000,000</u>
TOTAL Annual Income	\$1,750,000

Alternative development of the Lassiter tract under the existing zoning and the Heard tract as more dense residential was projected as follows:

PPT - Land / Buildings	\$325,00
PPT - Inventory	50,000
LOST - 1%	<u>100,000</u>
TOTAL Annual Income	\$475,000

Lenox said the tax revenue generation was clearly in favor of building The Mews by approximately \$1,250,000 per year. He said it would certainly lighten the tax load on City and County citizens; however, he did not try to assess the increase in costs of services or the long term City road improvements that would be necessary due to the magnitude of The Mews, nor did he attempt to assign a negative value to increased traffic problems and delays.

Job Creation / Labor Availability - Lenox said they considered that The Mews would create a large number of jobs, mostly low-end and low paying, but convenient and accessible to the residents, both full-time and part-time. Conversely, they also considered the low unemployment levels in Fayette County and the difficulty other retail and service establishments have had in finding adequate help. On balance, they could foresee a serious shortage of local labor availability and considerable difficulty for both The Mews and the existing retail community in finding sufficient numbers of employees.

Peachtree City's Uniqueness - Lenox said Peachtree City marched to a different set of collective values than most places. Citizens seem to want to truly be a "City," but at the same time they don't want the congestion, density and life style that most associate with the word "city." Citizens support the industrial park because it is carefully separated from most of their daily lives. They welcome the tax base, the local jobs, and the industries' contributions in many varied ways - but mostly it is "out of sight" and "out of mind." Citizens welcome neighborhood shopping centers and the convenient access to the necessities of life. The majority, however, do not wish to become a regional shopping mecca. They distinctly prefer local shopping opportunities to be geared to local market and local needs. He felt when citizens sought more, we were willing to go to it - but they did not want to contend with it day in and day out, even though they recognize that there may be financial penalties associated with that attitude.

In speaking for the Council, Lenox felt it was their overall opinion that the vote taken at the January 7th meeting was the correct decision. He commended Mr. Callaway for the excellence of his design, his presentation and for his confidence in Peachtree City. He said no decision of that magnitude could leave everyone happy, but citizens elect Council to make decisions and to reflect, insofar as they are able, the collective values and desires of all citizens of Peachtree City. He said Council had concluded that those values and desires, now and in the future, would be best served by the decision of January 7th as rendered, declining the rezoning.

MINUTES

Fritz made a motion to approve the minutes of January 7, 1999 as presented. McMenamin seconded the motion. Motion carried unanimously.

OLD AGENDA ITEMS

01-99-06 Consider Alcohol License Change - Mexico City Gourmet

Mayor Lenox said The Mexico City Gourmet, located at 100 Peachtree Parkway North, had submitted an application to amend their license to sell alcohol. The proposed licensee and license representative, Mr. Rodriques and Mr. Marin, were present to answer questions of the Council. McMenamin made a motion to appoint Mr. Francisco Rodriques as the new licensee and Mr. Martin Marin as the license representative. Pace seconded the motion. Motion carried unanimously.

01-99-10 Consider Amendment to Heavy Truck Ordinance

Jim Basinger, City Manager explained that the Police Department was recommending several additions to the ordinance that prohibits heavy trucks over 12,000 pounds from traversing certain streets in the city. He said residents of Smokerise had safety concerns because trucks were using one of their subdivision streets as a shortcut because it was located between Peachtree Parkway and State Route 54. He said the second area was the new section of South Peachtree Parkway between Robinson Road and Redwine Road. Heavy trucks were using the route primarily as a shortcut to get to the Crosstown Shopping area.

McMenamin made a motion to adopt the ordinance as recommended. Fritz seconded the motion. Motion carried unanimously.

NEW AGENDA ITEMS

01-99-11 Consider Contract - Natural Gas

Jim Basinger explained that as a result of the deregulation of the natural gas industry, staff began efforts to obtain a natural gas agreement from one of the 19 providers to obtain a favorable rate for the City's residents. He said other government entities in Fayette County asked to be included in the process and, therefore, the FUTURE Purchasing Committee sent out a Request for Proposals to each of the 19 companies.

Following extensive evaluation of the proposals, it was concluded that Peachtree Natural Gas was offering the best natural gas prices for the residents. Two options were provided to residents by Peachtree Natural Gas: one at a fixed rate and one at a variable rate. The fixed rate was 37.5 cents per therm for one year, and the variable rate was 10 percent off the Interstate Pipeline Charge for as long as a resident was a customer of Peachtree Natural Gas.

Peachtree Natural Gas also offered the most favorable rates for fixed and variable options for city facilities' natural gas use. The fixed rate was 27 cents per therm for one year, or 26 cents per therm for 3 months with the option to lock in to market pricing thereafter. The variable rate for the city was based on the New York Mercantile Exchange price per therm plus 9 cents per therm.

Basinger said in order to take advantage of the rates, Council had to enter into an agreement with Peachtree Natural Gas to endorse the company as a "Preferred Provider" in Peachtree City. He said Fayetteville had already taken advantage of the negotiated rate with Peachtree Natural Gas, and he assumed the other entities would do likewise.

Basinger said a key decision for the citizens would be whether to go with a fixed rate or a variable rate, but staff had no recommendation on this issue. He said staff should leave that issue up to each resident to make that decision. A variable rate could benefit the customer if there was a mild winter, but could be more costly in unusually cold months when the demand for gas would be high. Staff also encouraged citizens to make their own comparisons before making a final selection on a gas provider.

Basinger said the January 15, edition of the Atlanta Journal Constitution published a list of rate charges by a number of the gas providers, and the Peachtree Natural Gas rates compared favorably even without the Peachtree City resident discount. He said there were several other factors that influenced the staff's recommendation in addition to the rates offered by Peachtree Natural. First, Peachtree Natural Gas had teamed with a local business, Coweta-Fayette EMC, to provide customer service and billing services. Second, they had one of the longest records of operation of any of the providers other than Atlanta Gas Light. (Peachtree Natural Gas began serving industrial gas users in 1990.)

Pace made a motion to authorize staff to sign an agreement with Peachtree Natural Gas as the preferred provider to provide gas services here in Peachtree City. Lenox seconded the motion. Motion carried unanimously.

01-99-12 Public Hearing - Comprehensive Solid Waste Management Plan (Council to Consider Resolution on Same)

Lenox read the rules for conducting a public hearing. Troy Besseche, City Engineer, addressed Council and explained the history, background and purpose of the Solid Waste Management Plan. He said that as a result of the GA Solid Waste Management Act of 1990, the City Council adopted a Solid Waste Management Plan in 1993. An update of the plan was required to be submitted every five years.

Recently "Keep Fayette Beautiful" prompted discussion to address solid waste management on a county-wide level and progress began last summer toward pursuing a comprehensive Solid Waste Management Plan for the entire County. Besseche said it would be in keeping with the spirit of House Bill 489 in its effort for a consolidation of services. Besseche stressed that, in no way, should the plan be construed as an effort to usurp authority from municipalities.

Besseche said that as a result of the existing city plan, a new recycling center was proposed to be constructed to replace the site at Rockaway Road. Also, the Solid Waste Advisory Group was formed and an ordinance was enacted to require local waste haulers to provide recycling services.

He explained that the proposed plan was primarily a compilation of individual plans of each of the municipalities with the overlapping content removed. The Peachtree City specific elements of the plan included: comparison of collection rates and services, waste reduction programs, land limitation discussion, and implementation strategy.

Besseche said an \$80,000 grant had been awarded for the construction of a new recycling center which would divert waste from the landfill and help achieve the state mandated 25% reduction and "Keep Fayette Beautiful" would coordinate the administration and operation of the new center. He also said the new plan would consider a volume based rate structure as a part of an ordinance amendment.

Hearing no one to speak in favor or against the plan, Lenox called the hearing to a close and opened the floor for Council debate.

Fritz said that the plan also addressed waste water treatment plant sludge, but, it did not address septic sewer sludge. She said there were many septic systems in Peachtree City and that the only place to dispose of the sludge was in Fayetteville. She understood that soon, Fayetteville would no longer be able to offer that opportunity. She felt it was an important issue that needed to be addressed.

McMenamin made a motion to adopt the resolution and authorize the transmittal of the Solid Waste Management Plan to the Atlanta Regional Commission and to the Department of Community Affairs for review, comment, and recommendations. Pace seconded the motion. Motion carried

unanimously.

Council instructed staff to determine the feasibility of a franchise agreement for residential solid waste disposal service and to include provisions for record keeping so that the 25 % reduction can be determined.

01-99-13 Public Hearing - Consider Variance - 342 Summer Place, Lot 74, Foreston Place

Lenox read the rules for conducting a public hearing. He asked first to hear from the applicants, Mr. and Mrs. MacGinnis. Mr. MacGinnis explained that they purchased their home a year and a half ago at 342 Summer Place. Soon after they realized their home is too small to meet their needs and since they were satisfied with their neighbors and the neighborhood, they decided to remodel rather than move. He explained that a corner of their proposed room addition would encroach into the rear setback a distance of 7.7 feet, and that a corner of the proposed deck would also encroach into the setback. He said that their property was bounded on the west and north sides by a city-owned greenbelt.

David Rast, City Planner, said staff recommended that the proposed variance be approved as requested, but should be subject to the following conditions: neither encroachment would exceed 7.7 feet or 63 square feet in area; and the deck encroachment will be limited only to use as an exterior deck and shall not be covered or enclosed at a later date. Hearing no one else speak in favor of the variance, Lenox asked to hear from those opposing the variance. Hearing no opposition, Lenox called the hearing to a close and opened the floor for Council debate.

Brooks made a motion to approve the variance with the conditions recommended by staff. Pace seconded the motion. Motion carried unanimously.

01-99-14 Ordinance Change to Meeting Adjournment Time Requirement

Lenox explained that at the January 7 City Council meeting, Council had little time to discuss The Mews rezoning request due a city ordinance that required the meeting to end at 11:00 p.m. An ordinance amendment was proposed to read as follows:

“No agenda item of an open meeting other than one under consideration will be discussed after 11:00 p.m. Public input during a public hearing will not be permitted after 10:30 p.m.”

Lenox said he believed the change will allow Council to continue to debate an issue after 11:00 p.m., if necessary, and would preclude Council from feeling rushed to render a decision.

McMenamin suggested the ordinance needed more flexibility. Brooks felt Council should be able to amend the ordinance as needed. Pace was concerned about what had happened at the last meeting and proposed the ordinance be deleted and that Council set some kind of policy or guide for operating the

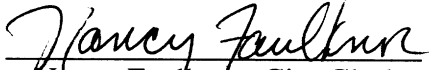
meeting. The City Attorney said he would discuss the ordinance with staff.

Brooks made a motion to table the issue until the next meeting. Fritz seconded the motion. Motion carried unanimously.

COUNCIL/STAFF TOPICS

Fritz suggested that Council and possibly the Planning Commission members take a tour of the City to prepare for discussion of the upcoming Housing Ordinance. Brooks suggested that staff organize the tour so that Council could see representation of the issues. Lenox and McMenamin felt that Council could take a group tour or individual tours.

There were no Council/Staff Topics to discuss. Lenox made a motion to adjourn the meeting. Brooks seconded the meeting. Meeting adjourned at 8:40 p.m.


Nancy Faulkner, City Clerk

Attest: 
Mayor