

City Council of Peachtree City
Meeting Minutes
Thursday, January 6, 2022
6:30 p.m.

The Mayor and Council of Peachtree City met in regular session on Thursday, January 6, 2022. Councilman Mike King called the meeting to order at 6:30 p.m. Others attending: Kim Learnard, Gretchen Caola, Frank Destadio, and Phil Prebor.

Oath of Office Mayor and Council

Georgia Supreme Court Justice Carla McMillian administered the oath of office to new Mayor Learnard and Council members Caola and Destadio.

Election and Oath of Office of Mayor Pro-Tem

Prebor nominated King to serve as Mayor Pro-Tem. Destadio seconded. Motion carried unanimously. Terry Ernst, the former Mayor Pro-Tem Ernst, administered the oath of office.

Learnard said she wanted to acknowledge the service and accomplishments of former Council members Ernst and Kevin Madden, along with former Mayor Vanessa Fleisch. Madden served on Council for four years, she noted, with deep heart and love for the community. Ernst served for eight years and was also retired from the military and the Peachtree City Police Department. She stated that he never separated his beliefs regarding what do and who you are and brought deep personal commitments to what he did. Fleisch was Mayor for eight years after serving four years as a member of Council. Learnard pointed out that they could see the results of Fleisch's work every time they looked at Drake Field or noted a rise in their property values. Learnard asked the audience to thank them all for a job very well done.

Learnard also stated that municipal elections were non-partisan in Georgia, and that she was not endorsed by any political party. Her election, she said, showed that the views of most Peachtree City residents were not far right or far left, but in the middle. She requested that they work past the divisiveness of the campaign and move toward responsible, forward-thinking governance. They all wanted a safe and prosperous community with a culture of trust and respect where they looked after one another.

The Mayor went on to say she looked forward to working with this knowledgeable Council, noting that Caola brought useful skills and that Destadio served many years on the Planning Commission. She stated she had worked with King and Prebor when she was on the Council and respected both as community leaders and as friends. The new Mayor said this was a highly qualified group with integrity, and she foresaw that they could overcome divides and nurture a community where their children and grandchildren would want to live.

Announcements, Awards, Special Recognition

None

Public Comment

Suzanne Brown called for Council to open their meetings with a one-minute prayer, stating that if it was suitable for the U.S. House and Senate, it should be the practice in Peachtree City.

Agenda Changes

None

Minutes

King moved to approve the December 16, 2021, regular meeting and executive session minutes. Prebor seconded. City Attorney Ted Meeker noted that, even though the Mayor and two Council members were not in office for that meeting, they could vote if they had reviewed the minutes. Motion carried unanimously.

Consent Agenda

- 1. Resolution #01062022-CA1 Indemnification of Public Officials**
- 2. Legal Organ – Fayette County News**
- 3. Renewal of Insurance Brokerage Services**
- 4. Appointment of Public Facilities Authority Board Members**
- 5. FY2022 Budget Amendment- 3 Additional Public Service Employees**

Prebor moved to approve Consent Agenda items 1-5. Destadio seconded. Motion carried unanimously.

Old Agenda items

12-21-05 Compensation/Classification/Benefits Study Evaluation and Analysis

King moved to table this until the January 20, 2022, meeting. Prebor seconded. Learnard said they needed additional time to review this information. Motion carried unanimously.

New Agenda items

01-22-01 Appointment of Fayette County Board of Health Member- Julie Grebeck

Learnard said Grebeck had agreed to serve a six-year term on the board. She was a long-time Peachtree City resident and Director of Care Management at Piedmont Fayette Hospital.

King moved to approve New Agenda item 01-22-01, Appointment of Fayette County Board of Health Member- Julie Grebeck. Caola seconded. Motion carried unanimously.

01-22-02 Award Bid for the Purchase of Police Vehicle Accessories

Police Chief Janet Moon said they submitted bid packages to after-market installers for some new vehicles and received two bids, from 144th Marketing and West Chatham Warning Devices. She recommended Council award the contract to West Chatham for the low bid of \$146,628.30. This was budgeted in Capital Equipment Lease Fund 337 and included in the Fiscal Year 2022 Intent to Finance Resolution.

Destadio moved to approve New Agenda item 01-22-02, Award Bid for the Purchase of Police Vehicle Accessories. Caola seconded.

Prebor asked if this was about the price they expected? and Moon said it was, pointing out that West Chatham's bid was about \$40,000 less than the other bidders. She added that they had done business with West Chatham before and were pleased. Destadio said that answered his question.

Motion carried unanimously.

Public Hearings

01-22-04 Public Hearing – Variance Request – Watershed Buffer – 169 Interlochen Drive

Planning and Development Director Robin Cailloux said she had teamed up with City Engineer Dave Borkowski in case they had any technical questions. The property was in the northern part of the city, bordering the southern end of Lake Kedron. The variance request was made to allow the owners to construct a pool within the 100-foot buffer around the lake. The conceptual site plan showed that the house was constructed nearly up to the buffer, which Cailloux had marked in red. The plan also showed the pool with a 16-foot encroachment, totaling about 279 square feet, along with a rain garden. The applicant had provided a letter of support from the adjacent neighbor.

Because these buffers were within Fayette County's Reservoir Management's Plan protected lands, it was sent to them for review. The County requested the proposal not be approved.

The Land Development Ordinance required variances to meet six review criteria, and Cailloux said staff could not find reasons why this request met any of the requirements. There were no special conditions applicable to this property that did not also apply to nearby properties, which all sloped down towards the lake. There were no practical difficulties or unnecessary hardships associated with the proposal. No exceptional circumstances were identified for the intended development. Staff stated that a variance could be considered a special privilege granted to the lot; they were not aware of any lot with this 100-foot buffer that had been granted a variance, at least in the 18 years Borkowski had been with the City.

She went on to say staff believed there could be a detrimental effect if the variance was granted. The buffer was required by the State and Metro Atlanta to prevent incremental deterioration of water quality, and Lake Kedron was a drinking reservoir. The variance would also conflict with one of the goals of the Comprehensive Plan, which was to protect environmentally sensitive lands and water quality.

The applicant, Chris Charton, said he and his wife, Jill, purchased the property 10 years ago. The plat they received at that time showed a 50-foot buffer, so they thought pool plans were possible. However, when they began plans for a pool, they found out about the 100-foot buffer. He stated that they had no intention of moving soon and asked Council for consideration.

The Mayor opened the public hearing. Eric Brooks of Innovative Pool and Spa said there was no room in the Charton's back yard for any kind of water entertainment. After talking with the City, they moved the pool to the side and as close to the street as possible. There was about a 25- or 30-foot drop from the street to the proposed pool area. They would have to build retaining walls, which would actually improve drainage. Currently, he continued, the dirt was eroding into the lake. The rain garden they were proposing would reduce this by collecting the water and slowly releasing it into the lake. Brooks pointed out that they had moved the pool as far from the buffer as they could.

Learnard asked if anyone wanted to speak in opposition? Suzanne Brown said this was a beautiful home, and she understood the desire for a pool, but the watershed buffer was established for a reason. A variance request such as this caused staff to spend many hours examining the details. She wondered what would happen if every waterfront home made such a request? This new Council had a chance to send a message that they would not approve variances that infringed on the watershed buffer zone. Approving it would set a precedent. The homeowner could probably build a smaller pool that would fit within the buffer.

No one else wished to speak, and Learnard closed the public hearing.

Learnard said she would like a motion before discussion. Destadio moved they deny the request. Caola seconded.

Prebor noted that the rain garden was being presented as a solution to the runoff problems. Was that correct? He asked Council why they would not be in favor of something that was beneficial to the watershed? Prebor also wanted to know more about the setbacks.

Borkowski said if this was approved, they would require a design for the rain garden to be submitted with the building permit. It would be designed by an engineer, and Staff would have to approve it. The Watershed Protection Ordinance called for two buffers. There was the 100-foot undisturbed buffer and an additional 50-foot no impervious setback. The undisturbed buffer acted as a filter for stormwater runoff. The 50-foot no impervious setback meant that driveways and so on could not be built all the way up to the buffer; it gave the stormwater a chance to fan out and disperse so it could be treated by the buffer. Those precautions might not work 100% in the real world, he stated, and that was why the buffers were so wide around reservoirs.

A rain garden was a mitigation measure that allowed stormwater from the improved area to go into it and be filtered and dispersed through percolation into the ground. How effective were they? Prebor wondered, and Borkowski said they were used all the time on big developments, and they worked well. On individual homes, it depended on how well they were maintained. The City maintained the ones in the large residential developments and had maintenance agreements in commercial areas. But at a private home, it would depend on the homeowner.

This rain garden was very small, Destadio pointed out, but Prebor noted that a design would have to be approved. That was true, Destadio continued, but it was coming off one downspout and looked like a small impact on the water.

Beyond the rainwater, Caola asked, what about backwash of the pool? That took place at least every week from April through October when there was a lot of rain, or you were getting rid of the algae. Where would it go?

Brooks replied that everything was engineered so it would flow from the pool area to the water garden. Most pools were not backwashed now; they used cartridge filters. There were automatic overflows in the sides of the pool. It would all be piped into the water garden and percolate into the ground. They had done this before, and it had worked very well. He told Caola it was all gravity fed. Right now, he stated, the whole right side of the driveway was eroding. A water garden, with or without a pool, would help the entire property, Brooks stated, because it was very steep, about a 50-foot drop from the street to the water.

Destadio said he lived on Interlochen and was familiar with the property. He noted that the applicant removed a lot of bushes and other plantings from the front and side of the property, but that was the owner's prerogative. He said that Cailloux used the Comprehensive Plan to evaluate every variance request that came before them. That Plan was made for a reason. They were now being asked to put together a committee to revise it, he noted. Not a single criterion that Cailloux reviewed complied with the Comprehensive Plan. A lot of people in this area had erosion problems, and they could be solved without putting in a pool.

Destadio also stated that he had a problem with the applicant seeming to say that they did not care about the Comprehensive Plan--they wanted to put in a pool. Where would it stop? Other neighbors might ask the same thing. It didn't even have to be on Lake Kedron. It could be across town on Lake McIntosh. Destadio said he was a stickler for compliance and believed it was their duty to the citizens

of Peachtree City to comply with the Comprehensive Plan. He had just selected two people to serve on the Comprehensive Plan committee. How could he look them in the face and tell them that they would work for two months to revise the Plan, but if Council wanted to approve something, they would just override it?

He went on to state that he had a problem with the rain garden. He understood that all the runoff might filter through it, but he wanted to see drawings, not promises. Half the items on the plan said "if required," Destadio pointed out, and that meant if they did not really, really need it, they would not put it in. He wanted to see all the facts, and he did not in regards to the rain garden. He did not have a reason to go against the Comprehensive Plan just because some very nice people wanted a swimming pool. People all around them, not just on Lake Kedron, might want to do the same thing.

The Comprehensive Plan did not say they did not want pools on Interlochen, Prebor remarked. It said they did not want them to be in the watershed buffer, and the proposal would improve the watershed buffer.

Destadio responded that this request met none of the variance criteria, such as special circumstances. Prebor said the watershed buffer was his biggest concern, but Destadio countered that there were other points in the Ordinance to be considered. If it was engineered so that the watershed buffer was improved, Prebor commented, they should approve it in order to improve the watershed buffer. He said he agreed with Destadio that the "if needed, if needed" on the plans was concerning, but if it was engineered, and the City had to approve the engineered drawing, that would be different. Why would they say "no" to improving the water going into the lake?

Destadio said if he saw something other than the sketch that was presented, maybe of an enlarged rain garden that could deal with more water, he might consider it. Still, that did not assuage his concerns about the rest of the plan.

Prebor asked what else did not fit with the Plan? The six variance criteria were from the Ordinance, Cailloux corrected.

King said his problem was the slope. He agreed with Prebor that if they could stop erosion, it would be great. But he looked at maps of the area, and this would be the first pool, at least on the lake side. Whatever they did would not stop the erosion of that slope. Sooner or later, King continued, whether the County agreed or not, they would have to do something about the bank along the reservoir. He could not see granting a variance for a pool.

There had been a motion to deny and a second. The motion carried 4-1, with Prebor casting the dissenting vote.

Council/Staff Topics

Learnard said she wanted to continue to have workshops on the first Tuesday of each month at 6:30 p.m. The next would be February 1. The Comprehensive Plan update would be the topic for the first hour, and the 2022 Special Purpose Local Option Sales Tax (SPLOST) would be discussed from 7:30 to 8:30 p.m. The County had indicated there might be a SPLOST on the November ballot, so they needed to explore potential projects.

The Mayor said she intended to begin holding Saturday town hall meetings. On the campaign trail, many citizens told her they did not know what was going on in Peachtree City. She wanted the meetings to be a forum for positive listening and constructive discussion. The first, dealing with City

communications, would be January 22 from 9-11 a.m. in Council Chambers. Another, on Recreation, was set for February 5 at the Kedron Fieldhouse at the same time, 9-11 a.m.

She said it would be customary for Council members to attend in a listening capacity only, but the City Attorney said they could participate if there was a notice that there might be a quorum present.

King moved to adjourn to executive session at 7:26 p.m. to discuss personnel and pending or threatened litigation. Prebor seconded. Motion carried unanimously.

King moved to reconvene in regular session at 8:22 p.m. Prebor seconded. Motion carried unanimously.

There being no further business, Prebor moved to adjourn the meeting. King seconded. Motion carried unanimously.

The meeting adjourned at 8:24 p.m.



Martha Barksdale, Recording Secretary



Kim Leonard, Mayor