

City Council of Peachtree City
Minutes of Meeting
January 4, 2001
7:00 p.m.

The City Council of Peachtree City met in a regular session, Thursday, January 4, 2001, at 7:00 p.m. in the City Hall Council Chambers. Mayor Robert L. Lenox led those attending in the pledge of allegiance. Other Council members present were: Annie McMenamin, Carol Fritz, Bob Brooks, and Dan Tennant.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Mayor Lenox recognized the following:

- ◆ Supervisor of the Year – Scott Hicks
- ◆ John Williams for service on the Water and Sewerage Authority

Mayor Lenox read a Proclamation for Kiwanis Week.

Mayor Lenox read a Proclamation for Martin Luther King, Jr. Day.

Mayor Lenox read a Proclamation for Arbor Day.

City Manager Jim Basinger announced that Acting Fire Chief Stony Lohr had been promoted to Fire Chief.

MONTHLY REPORTS

Lenox announced that the monthly reports for November were available for review.

MINUTES

Brooks made a motion to approve the December 7, 2000, minutes as written. Tennant seconded the motion. Motion carried 4-0 (McMenamin abstaining).

OATHS OF OFFICE AND ELECTION OF MAYOR PROTEM

Brooks made a motion to appoint Annie McMenamin as Mayor Protem for the year 2001. Fritz seconded the motion. Motion carried unanimously. Mayor Lenox administered the Oath of Office to Annie McMenamin.

CONSENT AGENDA:

- a) **Annual Indemnification Resolution**
- b) **Consider Ordinance – Disorderly Persons**
- c) **Appointment of City Clerk – Nancy Faulkner, and Legal Organ – *Today in Peachtree City***

Lenox made a motion to remove the Appointment of City Clerk from the consent agenda for

separate consideration. Tennant seconded the motion. Motion carried unanimously.

Tennant requested that the phrase "... other than by invitation of the owner ..." in the Ordinance on Disorderly Persons be changed to "... other than with the consent of the owner ..." The City Attorney felt the change clarified the Ordinance.

Tennant made a motion to approve the Consent Agenda with the noted change in the Disorderly Persons Ordinance. Brooks seconded the motion. Motion carried unanimously.

d) Appointment of City Clerk

Lenox said the City Clerk appointment was part of a larger issue, noting that the City was reviewing the charter at the request of Councilmember Fritz. Among the issues to be considered would be the type of structure (strong or weak Mayor), restrictions affecting appointed advisory officials, and the clarification of the city's management structure to ensure continued levels of service. Lenox said that, as the management functioned now, the City Manager was appointed to manage all city business, hiring and managing all employees in accordance with the will of Council – with the exception of the City Clerk, who was directly appointed by Council. This left Council responsible for hiring, managing and evaluating the City Clerk, a task for which they were ill equipped and a relatively impossible situation for both the City Clerk and the City Manager.

Lenox felt the situation should be remedied as part of the charter review, which should be completed in the near future. Lenox added that he was reluctant to take any action that evening that might not match up with the charter revisions. However, under the charter, the city was required to have a City Clerk, so Lenox recommended appointing the City Manager as the City Clerk until the charter review was completed and implemented and that, at that time, any changes appropriate under the revised charter could be implemented as part of the adoption of the charter. The action would assist in clarifying the current management structure and would charge the City Manager with ensuring the job functions of the clerk position were carried out in a timely and effective manner, as he does with all other positions in the city. Lenox said the action should not detrimentally affect any employees' duties or compensation, but felt this would clear up a serious structural problem in the management of the city.

Lenox made a motion to appoint the City Manager as City Clerk until the changes in the charter were finalized. Tennant seconded the motion.

Brooks said the Mayor's points had been important, but that he was concerned about the position and asked if the matter could be discussed further. Brooks said there should be some parameters and protections for Ms. Faulkner, and he also wanted to see more explanation of her duties, and more information on the time constraints for the charter decisions, which must come under the Georgia Legislature, and what would be the time parameters for finalizing any changes.

Brooks was concerned Ms. Faulkner would be caught up in the situation in a negative light when that was not the intent.

McMenamin said she would prefer to table the matter for two weeks to get a clearer picture of what the city was trying to accomplish and have input from the City Attorney on some of the

unanswered questions. She thought the charter issue was the big picture, and she did not feel taking one person out of that picture was appropriate, and was concerned about the ramifications of having a certified City Clerk and appointing someone else as the City Clerk.

Fritz said she would also be willing to table the issue, noting the number of issues involved. She also mentioned a third form of government that could be considered in the Charter, that of Council/Manager. Fritz said that when she looked at all the possible structures, all types had a City Clerk appointed by the City Council, separate, as were the positions of City Attorney and City Auditor. Fritz said she did not see the advantage to not approving Ms. Faulkner, saying that if they wanted to restructure later, changes could be made at that time.

Lenox said he did not have a problem with tabling the issue, noting that his intent was from a proper management structure. Lenox felt it was not possible to have one person operating outside the management structure and not reporting to the City Manager without the position becoming politicized. He said that the charter review process should address the matter and that Council did not appoint any other positions, including the Directors and Chiefs, only the City Clerk. His goal was to have a clear reporting channel and a clear path of responsibility.

McMenamin said that depended on what Council decided was their ultimate goal in reviewing the charter. Brooks said his understanding was that the Mayor's proposal did not change anyone's employment or job, and he interpreted the Mayor's intent as wanting to wait until any charter changes were in place. Fritz said that, if the Council did not know what changes were going to be made, what was the point in making a change now when things had functioned dysfunctionally for this long. Lenox noted that the appointment was generally made on an annual basis and he did not want to do that when changes could be made in sixty days and the city would be locked into a reality that was at odds with the charter and the wishes of Council. He felt his recommendation was a non-threatening way for everyone to fulfill the requirement to have a City Clerk without changing anyone's jobs. Lenox said that, if it were not for the State's requirement for every city to have a City Clerk, most would not in this day and age as cities now function. Lenox acknowledged that the matter was open to debate, but he said government had changed dramatically over the years.

Brooks said he had been prepared to discuss the issue tonight, but now felt tabling the issue might make more sense, allowing a series of meetings to work through all the issues involved in the charter review, beginning at the next meeting. That would allow them to develop a plan of action.

Fritz suggested holding a workshop on only this issue to avoid distraction from the discussion. Lenox said that the City Attorney was supposed to be prepared to present information to initiate the charter review at the next meeting. Lenox suggested tabling the issue until the next meeting. He felt the issue was a structure issue that needed to be addressed for the long-term, to be functional for the city regardless of who was on Council or staff. McMenamin noted that the charter had to be read very carefully because it appeared to contradict itself in some places.

McMenamin made a motion to table the issue until the January 18 meeting.

Tennant asked for clarification as to the advantage of making the temporary appointment, noting Fritz's question about functioning dysfunctionally for this long. Tennant said that didn't make much sense to him when they had an opportunity to clear up a management logistical problem at this time, at least on a temporary basis. Fritz said it was up to interpretation on whether a

management problem even existed, saying that her intention when she suggested the charter review was not to remove the City Clerk. She felt there was a philosophical difference among Councilmembers.

Lenox said his only intent was to make Mr. Basinger the City Clerk, making him the only person appointed by Council and reporting to five bosses. That would only make him responsible for the City Clerk duties in the same manner he was responsible for the duties of the Fire Chief, the Police Chief and anyone else in the city, by assigning the duties as he saw fit. Lenox said this would remove a reporting and management problem and make the City Clerk position roughly analogous to every other position in the city. Fritz said Council appointed the City Attorney, who reported to them, and she did not recall him ever coming up for any type of evaluation or management. Lenox said the City Attorney was an independent appointed professional who was not an employee of the city. Lenox felt that that situation would be intolerable from a management perspective if the same applied to a day-to-day employee. Fritz asked how all the other thousands of cities function in the same manner. McMenamin said she had recently attended a City Clerk meeting in Atlanta to find out the various responsibilities, and the clerks were very independent, reporting only to Council, and were there to protect the integrity of the Council and the city. McMenamin said these were questions that needed to be discussed with the City Attorney. Tennant reiterated that he was still unclear about what the disadvantage would be to appointing the City Manager as City Clerk so long as it was clear that Council wanted Ms. Faulkner's long-term well-being taken care of. McMenamin said that, to her, appointing Basinger would indicate that Council was dissatisfied with Ms. Faulkner's performance, when the goal was to talk about the City Clerk position. She said they were getting ready to replace a certified City Clerk with an uncertified City Clerk and she would like some clarification on the importance with that.

Brooks seconded the motion to table. Motion carried unanimously.

Marty Jones, acting on behalf of City Attorney Rick Lindsey, spoke up and said the charter required the appointment of the City Clerk that evening. He felt the Council should consider appointing an Acting Clerk. Mayor Lenox said their decision in effect meant they had no City Clerk. McMenamin asked if there was any legal problem with appointing Ms. Faulkner as City Clerk that night and removing her in two weeks. Jones said that once the appointment was made, she could only be removed for cause, and suggested appointing an acting clerk.

Faulkner addressed Council, saying the charter required appointing a clerk, but did not preclude reviewing the charter and making changes to the organizational structure if they follow the process of public hearings and advertising. She did not think there would be a problem with Council reviewing the charter, making changes, and then appointing whom they wished to serve as clerk later in the year. However, a clerk appointment needed to be made at this meeting. She said she personally hoped they would appoint her because, otherwise, there appeared to be some problem with her job performance. She said she would not hold the city responsible if they wanted to change the charter or management structure at some later time after going through the proper procedures.

Lenox said they made an annual appointment to City Clerk, and by tabling, they had not appointed a City Clerk. He said they were going to attempt to appoint someone for a short-term basis until all the issues were resolved, he would still recommend appointing Mr. Basinger

— because he felt sure if Council wanted him to resign as City Clerk in two weeks, he would. Lenox felt the appointment created no problems and no ongoing expectations and sullied no one's reputation. Fritz said she would feel more comfortable with that suggestion if she knew what Lenox's ultimate intent was, and she thought that was to permanently make the City Manager the City Clerk. Lenox said his intent was to make the City Clerk report through the normal management structure as Mr. Basinger saw fit, and that, although Council might statutorily be required to appoint the clerk on an annual basis, Council could delegate that responsibility to Mr. Basinger, although statutorily he didn't think that was possible. McMenamin said she certainly wouldn't agree with it. Lenox noted that Council did the same thing for every other employee of the city, and said he couldn't run his company if someone appointed an employee and told him the employee would work there every day and be paid by him, but he had no authority over that employee. Fritz said the city was not a private company, but Lenox said the management structure was analogous. McMenamin said there must be a reason why the State said there is to be a clerk appointed by Council under this structure. Lenox said that was what they needed to find out from the City Attorney. McMenamin agreed.

Lenox said the structure went back to a time when the average town had 200 people and in many towns the City Clerk still functioned as the chief administrative official. Fritz said that was somewhat normal in small towns because they couldn't afford and didn't need additional people.

— Tennant said he would like to go back to the point that, if they appointed Ms. Faulkner that night, she could only be removed with cause. Lenox said that was what the charter said. McMenamin said the charter could be changed, but she wanted an opportunity to look at it, and she ultimately didn't have a problem with Ms. Faulkner as City Clerk. She did not feel justified in singling out Ms. Faulkner for no apparent reason.

Lenox said, for example, there were many counties that no longer had a sheriff, but had a county police department with the chief hired by the County manager and operating within the structure of the county. Lenox said that was how things were done these days, and that was what he was striving for in Peachtree City. McMenamin said when Billy Beckett was County Administrator he was also the County Clerk, and asked who took that duty when he left. The general consensus was that Acting County Administrator Chris Cofty had assumed that title as well. Tennant said probably the last thing Jim Basinger wanted was to be City Clerk, and Lenox added that structure, however, made the most sense from a modern management standpoint. Tennant gave the example that the President was the commander in chief of the military, but he hired people with the experience to make the decisions.

Fritz agreed but said she would like Council to have the discussions about the charter. She asked if Ms. Faulkner could be appointed, then if the charter was changed, change the appointment at that time. Jones said with Ms. Faulkner's agreement, it might be possible, but if the appointment were made this evening, there could be a vested interest for a one-year appointment. That was why he had suggested an acting City Clerk. He felt Ms. Faulkner and Mr. Basinger had both acknowledged their willingness to serve in that capacity.

— Tennant said that his understanding was that, if Basinger were appointed, Ms. Faulkner's duties would not change. Fritz said that, by doing so, it would give the appearance that Ms. Faulkner was being singled out for some reason. Fritz did not see the problem if Ms. Faulkner would agree

to the appointment with the understanding that the charter might change, and agree to those changes.

Brooks said his major interest was protecting Ms. Faulkner if there were a transition. He suggested appointing Basinger as acting City Clerk, but only for a very specific amount of time until the end of the legislative session. At that time, if there were no changes, the position would revert back to Ms. Faulkner so that there would be no appearance of poor job performance. McMenamin said that would still send a message, and if there were no problems with Ms. Faulkner, she should be appointed.

McMenamin made a motion to appoint Faulkner as Acting City Clerk during the charter review. Fritz seconded the motion.

Lenox was not sure if that would be feasible. Jones said that, with Ms. Faulkner's acknowledgement and agreement, she would be bound by the changes. He added that a prospective agreement to agree might not be enforceable, but he thought it might be an acceptable alternative for Council.

McMenamin said the intent was to review the charter, and any changes to the City Clerk appointment process were only part of the changes to the charter. Brooks said he had a problem with leaving the situation that, if Ms. Faulkner changed her mind, they could only remove her by firing her for cause. Fritz said then they would fire her for cause.

Motion failed 2-3, with Brooks, Tennant and Lenox opposing.

Brooks made a motion to appoint Basinger as acting City Clerk for three months to allow time to resolve the issue. Tennant seconded.

McMenamin said she would like to add some qualifications regarding Ms. Faulkner's job duties and protection for her, saying she would like to see the City Manager unable to fire her without the direction of Council and that she would continue to do the duties of the City Clerk, reporting to Jim Basinger. Lenox said that, from his discussions with Mr. Basinger on the last issue only, that was his intention regarding duties and compensation. McMenamin said she also wanted it understood that, if there were some negligence of duties on the part of Ms. Faulkner during that time, that the City Manager would have to come to City Council before removing her or issuing reprimands. Lenox asked why Council would want to politicize the job. McMenamin said that they didn't want that, but they had talked about protecting Ms. Faulkner, and she just wanted to be sure that Council was not losing all control over the City Clerk if she was doing her job. Brooks asked Basinger, as a matter of public record, if any personnel problems arose regarding the City Clerk he would bring them immediately before Council. Basinger said there would be no personnel problems and agreed to that request.

Motion carried 4-1, with Fritz opposing.

OLD AGENDA ITEMS

12-00-02 Consider Alcohol License – Baci Italian Cuisine, 282 N. Highway 74

Ms. Patrice Azzrito, who had requested to be appointed as the Licensee and License Representative, was present to answer questions, and indicated the restaurant would hopefully open the second week of February. McMenamin noted that the paperwork appeared to be in order and made a motion to approve the application. Brooks seconded the motion. Motion carried unanimously.

11-00-06 Consider Recommendation for new City Flag

Leisure Services Director Randy Gaddo said that the Council had tasked staff and the Recreation Commission with investigating options for a new City Flag on November 16. The Recreation Commission had discussed the matter, and felt that using a professional design firm would be the best alternative. The Recreation Commission also discussed the possibility of taking this opportunity to look at a new logo for the City, to be incorporated into the flag design. Gaddo said that the feeling among staff was that a more contemporary logo might be more appropriate. The recommendation was to obtain the services of a professional design firm, through the Request for Proposal (RFP) process and financed through the Council Contingency Fund, to develop a logo and flag design, then obtain public input through the Recreation Commission, with final approval coming back to Council. The estimated costs were approximately \$5,000 for the design work, and approximately \$250 for each indoor flag and approximately \$60 for each outdoor flag.

Lenox said he liked the idea of incorporating the logo into the project, and Tennant also felt that made sense. Lenox said a unified image made a real difference, noting a visit to Richardson, Texas, where they use the logo on all street signs and facility signs. Tennant asked when the current logo had been created, and McMenamin said some time in the 1970s because it represented the seven villages that were then envisioned. Tennant made a motion to contract with a professional design firm, through the RFP process, to design a new city logo and flag, with final approval coming back to the City Council, to be financed through the Council Contingency Fund. Brooks seconded the motion. Motion carried unanimously.

Brooks suggested putting information in the UPDATE on the proposed design, and Gaddo noted that a good time to do so would be prior to the public input at the Recreation Commission meeting.

11-00-07 Consider Televising City Council Meetings

Basinger said the City Technology Committee had done extensive research, which had come up with five alternatives for providing this service. These were:

Option A:	One-Camera Setup (In-House)	
	One-Time Cost (Equipment)	\$3,471.17
	Annual Cost (Staffing & Tapes)	\$3,276.00
Option B:	Two-Camera Setup (In-House)	
	One-Time Cost (Equipment)	\$8,959.16
	Annual Cost (Staffing & Tapes)	\$3,084.00

Option C:	Three-Camera Setup (In-House)	
	One-Time Cost (Equipment)	\$10,924.15
	Annual Cost (Staffing & Tapes)	\$3,084.00
Option D:	One-Camera Setup (Outsourcing)	
	Approximate Annual Cost	\$16,800.00
Option E:	Two-Camera Setup (Outsourcing)	
	Approximate Annual Cost	\$60,000.00

Basinger said that, if Council elected to televise meetings, staff recommended Option D, using a professional company, and broadcasting the meetings at a later time to save an additional \$11,000 that seven-second-delay technology would cost.

Brooks asked if any public input had been sought. Basinger said that it had not to-date, but if Council wanted to move forward, that was certainly possible. Brooks said determining the costs was the logical first step, so people could make an informed decision.

McMenamin said she was simply not in favor of televising the meetings, and that Council's intent was to bring people to the meetings. She noted the tendency for people to come for the single agenda item that affects them and then leave, even for budget discussions. She said that she didn't mind spending money to benefit and inform the public, noting the other vehicles the City had for such information, such as the UPDATE Newsletter.

Tennant said he had done some informal surveying from a cross section of the public and said that, although they may have been telling him what he wanted to hear, he had received a lot of positive support for the idea. He said that there were interested parties who were unable to attend meetings, particularly parents with young children. He felt strongly that option D, which cost less than \$17,000 per year, particularly with AT&T Broadband's willingness to provide the wiring at no expense to the city, would greatly surpass any negatives that might be associated with televising the meetings. Tennant also said he was not terribly interested in governing by polls and that it didn't really matter what percent of the citizens watched, but that Council had a responsibility to get the information to the public on the public's terms rather than on Council's terms, and the cost was minimal to do so.

McMenamin said her main concern was that, if they were trying to keep the public informed, this method was after the fact. She said that, when Council considered this issue a couple of years prior, she had spoken with a large number of senior citizens who said they wouldn't watch. Tennant said he had spoken with more young families that were interested but logistically couldn't attend the meetings. He noted that, with the recent Presidential election problems, the public was more interested in government, and the city should seize the moment in offering this service.

McMenamin asked what the staff requirements would be, and Basinger said if the service were contracted out under option D, there would be no staff requirements.

Lenox said he was on the fence on the issue, but tended to agree with McMenamin that people would not watch the broadcasts. He noted that cable was not a universal medium and did not reach all citizens. He also noted the resources the city had put into the other information resources, including the newsletter and the web site. He felt there were a lot of avenues in place to get the information out.

Tennant said it broke down to \$700 per meeting, which was a minimal cost per citizen. Fritz said that the public reaction to the idea was not that favorable. She felt that families, worrying about dinner and homework, would not watch. Tennant said they had no option now, and that he would like to make the option available. He reported that he had talked to several communities of similar size in other states that were doing this, and the broadcasts were well watched. He reiterated that the percent of residents who watched was not as important as bringing the government to the community, and felt Peachtree City would be missing an enormous opportunity if the project were turned down.

McMenamin made a motion not to televise Council meetings. Fritz seconded the motion. Motion passed 4-1 with Tennant opposing.

12-00-09 Consider Sumner Road Design Options

City Engineer Troy Besseche noted that Council had asked for additional information on the proposed design options at the December 7 meeting. As a recap, Besseche said staff had come up with the best plan to meet the requirements of the Georgia Department of Transportation (DOT) while saving trees and protecting the aesthetics of the road. He noted that several of the larger trees would be lost, but the design did allow several other large trees to be saved.

Lenox asked if incorporating the portion of the current road that currently existed in Unincorporated County into Peachtree City would help in addressing some of the alignment problems. Besseche said that, with some of the other design challenges and grading complications, he did not think annexing would help.

Besseche then showed plans for the eventual alignment of the proposed Northeast Collector, which would connect to the Bradshaw Property and ultimately align with Sims Road and Dogwood Trail in Tyrone. When that road was completed, it would make the most logical through street in the area, reducing the traffic on Sumner Road.

Fritz asked if the undeveloped Bradshaw property between Smokerise Point and Highway 54 had any other access than Sumner Road. Besseche said he did not think so, but believed the median cut on Highway 54 was there to ultimately accommodate the property.

Brooks said he felt the collector offered some long-term protection from traffic for Sumner Road and the residents of Smokerise. Tennant asked what the projected time frame was for the collector, and Brooks said it wouldn't happen until the property was developed. Lenox said that he felt the small piece near Highway 54, which would start the bypass of Sumner Road, should be fairly short term.

Lenox said he would like to see staff look at the buffering after the project was completed, noting that three or four homes might need some additional landscaping, berming or fencing to minimize the impact of the road. Besseche indicated that the project did include a landscaping budget.

Brooks said several individuals had expressed their desire to preserve the "lane" quality of Sumner Road. He felt the Northeast Collector would help to protect the road. He also said that, with regard to environmental concerns, the road had a tendency to wash into the stream after a heavy rain, requiring replacement with new gravel. He also noted that there were several areas with drainage problems along the road, and asked if there was anything that could be done to correct that. Besseche said that the city had committed during the right-of-way acquisition process to help with the drainage

problems.

Tennant made a motion to endorse staff's recommendation for the design standards of Sumner Road. Lenox seconded the motion.

Cele Eifert of Hidden Springs Lane said that she had asked at the previous meeting why it was even necessary to pave the road. The Northeast Collector would provide safe access to Highway 54. If the road remained unpaved, the trees would not have to come down.

Brooks said that he realized her question had never been answered. He explained that the issue was not a rubber stamp, and that the city had been dealing with it for a long time. The matter just happened to come back to Council due to some minor changes, but the impact fees and funding had been approved a year ago. Brooks said, in answer to her questions, that dirt roads were difficult and expensive to maintain, and that was one of the major reasons they were trying to eliminate them. He noted the last time it was renovated, a rainstorm came two or three days later, washing all the new topping off and causing numerous potholes. He also noted how bad this was for the environment, with the large problem of siltation.

Brooks said the approach staff was trying to take was to achieve the best goals for all the taxpayers in the city. Eifert said she still didn't understand why curbing and gutter was needed, which would take out more trees. It would cause more pollution and more noise pollution, and she felt those elements should be dropped even if DOT participation was lost. Lenox said that if the city did not curb and gutter the road, they would lose more trees. Eifert suggested just paving over the existing roadbed, and Lenox said that was not possible. Besseche addressed the issue, saying that if curb and gutter was not used, a ditch section would be necessary for drainage, and that would encroach further into the trees.

Robert Brown of Planterra Ridge asked why the road couldn't go around the tree as was done on Braelinn Road, and why the road couldn't maintain its current location under some agreement with the County.

Resident Jim Leue commented that he had been driving on Sumner Road for many years because it provided the only safe access to Highway 54 with a light. He said paving the road would benefit more people than the few who wanted to keep it unpaved.

Resident Art Nonni of Hidden Springs Lane said he had sent an email to Council that day, which Council said they had received, regarding the Department of Natural Resources' Best Management Practices for paving. He said rain on a paved surface washed off a lot of chemicals, reducing water quality. He asked Council to read and consider the document, noting that a dirt road allowed the impurities to percolate before reaching the water source. Brooks said it was really a trade off with the problems caused by siltation.

Nonni said he was surprised at Council's lack of knowledge on the timing for the Northeast Collector, which would eliminate the need for this project. Lenox said the city was not the determining factor in that road, which would be built by the landowner. Lenox said the city could speculate that it would be next year or in the next five years, but that they just didn't know. In the mean time, there was an access and safety problem that had to be dealt with.

Nonni asked if the project would require a storm water permit and if there had been the mandatory 30-day time for review of it. Besseche said those permits had a five-acre minimum, and the project did not fall under those requirements.

Bonnie Hahn, a resident of Smokerise Estates, said she was concerned about getting onto Highway 54 safely, noting that during rush hour if she had to get to the hospital, she could not get out. She said she would like a paved way to exist at a traffic signal, either at Coweta-Fayette EMC or at Sumner. She said the city didn't know when Bradshaw would pave his road. She also asked about emergency vehicles getting into Smokerise. Fire Chief Lohr said that, if emergency personnel were coming into Smokerise, they were also concerned about safe and quick access. They chose between the unpaved access at Sumner, which was the shortest route to that end, or access from the Parkway.

McMenamin said safety was always a major concern when Council was looking at these projects. Brooks said that one goal of not paving was to hold down the amount of traffic, but that put the city in the awkward position of not maintaining a road properly to reduce traffic, and that could not be justified in this situation.

A resident of Sumner Road commented that Sumner Road didn't really exist until the City put the right-of-way together, and that right-of-way was donated by several families. He said that public hearings had been held four to five years before, LARP funding had been approved, and impact fees had been charged that would have to be refunded if the road wasn't paved. He said that this was not a recent decision, but there would be financial implications to the city changing its mind at this point.

John James of Sumner Road said it was fine with him if the road was not paved, but he accepted the paving, noting that speed controls were the key to preventing speeding. He asked that, if the road was paved, the speeds be held down. He asked about what traffic calming devices might be used to achieve this. Lenox said speed humps were not part of the original design but could be considered if there was a problem. Besseche noted some implications of DOT involvement.

Brooks said that, as part of the project sheet, staff should follow up with the residents three months after completion to see if there are traffic problems and address them.

Tennant said there was no question that this was a sensitive issue, noting that Council had heard pros and cons to both options. He added that it was fine to look after one's self interest, but that Council had to look at the greatest good and that safety was an overriding factor.

Ron Cisco of Hidden Springs Lane agreed with Tennant, but said he was concerned about his own property. He said that no one had knocked on his door to show him what was planned. He said he might not object if he knew. He also noted a 4.5 foot drop from his yard that would have to be factored into the construction, and he felt they couldn't match this grade without coming onto his property and killing all his trees. He also noted that putting curb and gutter two feet from trees would kill those trees. He said the engineers should come out and look at this again. He acknowledged that safety had to be the number one concern, but asked that preserving the community should come a close second.

Lynn Nonni of Hidden Springs Lane said that the unpaved road would encourage safer driving than a paved road that would encourage speeding. She also asked if paving the road would violate any city ordinances regarding setbacks and buffers.

Fritz wanted to clarify that the reason the city couldn't work with the county to maintain the existing route was due to the existing development. Lenox added that the construction would not infringe on anyone's property, and Besseche confirmed this.

Motion to pave the road according to the recommended design standards carried unanimously.

Lenox made a motion to take a five-minute recess. Tennant seconded. Motion carried unanimously.

NEW AGENDA ITEMS

01-01-01 City Calendar

Basinger presented the scheduled meeting dates and a calendar of events for the year, saying that updates of the latter would be provided to Council with the monthly reports. Two items he felt Council might wish to consider were the cancellation of the July 5 meeting, due to the holiday, and extending the half day employee holiday on Christmas Eve, which fell on a Monday, to a full day holiday. Lenox said he was willing to wait until closer to July to consider canceling the meeting, but that the holiday extension was fine with him. Tennant made a motion that December 24 be a full day holiday. Fritz seconded the motion. Motion carried unanimously.

01-01-02 Public Hearing – Renewal of the Multi-Family Moratorium

01-01-03 Public Hearing - Consider Lifting the Multi-Family Moratorium for 110 Town Homes on the Wieland /Katz Property on MacDuff Parkway

Lenox read the rules for Public Hearings, which would be relevant to both agenda items. Lenox said that they could treat them as separate subjects but could hear comments on both in the same hearing. Brooks noted that the discussion of the Katz exemption was not to discuss the plans for the project, but only to discuss the exemption. Tennant asked if it wouldn't make more sense to make a separate motion to renew the moratorium and then consider exempting the Wieland/Katz property. Lenox said that format might negate the legal advertising because a new moratorium would be in place. Lenox called both public hearings to order jointly and established time limits of 20 minutes per side for comment.

Dan Fields of Wieland Homes asked that, if the moratorium were renewed, that the Wieland/Katz property be exempted to allow for the discussion of their proposed town homes. Lenox said that, if that property were exempt, it would go back to the Planning Commission to discuss the particulars of the plan. Brooks added that the zoning was in place and the total number of units was capped. McMenamin asked about the ownership requirements of the town homes discussed at the previous meeting, and if the owners could be bound long-term. Fields said it could be placed in the covenants that the units had to be a certain percentage owner-occupied, except in the case of hardship, and Wieland was willing to place that requirement.

Steve Brown of Planterra Ridge said he had comments that might or might not apply at this time, but that he had a suggestion. The piece of Wieland property in the Unincorporated County would probably be annexed at some time, and he wondered if it would be possible to go ahead and annex it, remove the elementary school site from the property, and provide additional units to Wieland to allow

him to purchase another school site elsewhere. One stipulation might be to reserve the majority of town homes for seniors. Brown felt this would help traffic, and that, from his discussions with Dan Fields and the School Board, all members seemed fairly positive about it.

Lenox said that before they could really discuss those specifics, the Moratorium would need to be lifted. Having no one else wishing to speak, Lenox called the public hearing to a close. Brooks made a motion to renew the moratorium for 2001, exempting the Wieland Katz property to allow some flexibility of design for the Planning Commission to discuss townhouses. Fritz seconded the motion. Motion carried unanimously.

Brooks then told Brown that the exemption would build in the flexibility to allow his suggestion to be discussed with the Planning Commission.

01-01-04 Public Hearing – Variance – 108 Pinecrest

Lenox said the public hearing would follow the same rules as used before, with 10 minutes allowed to each side for comment. Lenox said the variance request was for the Webster property at 108 Pinecrest Drive.

Mr. Brogdon, the builder for the resident, applied for the variance. They had constructed a garage to the rear of the property. Their original plan had been to build a 24-foot x 24-foot garage, but it would not fit, so the size was reduced. They thought they were in compliance, but the final survey shows a slight encroachment into a jog in the rear property line.

Jim Williams said that, frequently encroachments happen due to carelessness, noting that Mr. Brogdon had made every effort to comply but that, due to a minor error, a slight corner of the garage did encroach into the setback. He said it would be appropriate to grant a variance in this case.

Hearing no one else who wished to speak about the matter, Lenox called the public hearing to a close. Brooks asked why this could not be handled as an administrative variance, and Williams said it was because this was a new occurrence, rather than an existing situation. Williams said it might be time to look at administrative variances again because there might be some cases like this that should fall under that procedure. He said as an example that staff was currently working on one that was less than one inch.

Lenox thanked Mr. Brogdon for his efforts to try to get things right. McMenamin said she had spoken with neighbors who appreciated the improvements to the property and were in support of the variance. Tennant made a motion to approve the 1.5-foot variance for the garage at 108 Pinecrest. McMenamin seconded the motion. Motion carried unanimously.

01-01-05 Naming of Memorial Parks

Gaddo said the Recreation Commission had discussed naming the All Children's Playground in memory of Luther Holt, and in naming the park that would be located on the site of the old Leach Fire Station after Gerald Reed, and forwarded a recommendation to do so in both cases. Gaddo noted that Holt's seven years on the Recreation Commission and his efforts on behalf of the playground, and Reed's years of service in the Fire Department provided ample justification to name these two particular parks after these two particular people.

Brooks asked if some action was needed by Council designating the old Leach Station site as a park, recalling that the item had been discussed at Retreat and Council intended for staff to proceed along those lines. McMenamin asked if that issue would need to be advertised. Basinger said that, in approving the budget, that action was already taken because there was \$30,000 in funds designated for Leach Memorial Park design and building demolition.

Brooks made a motion to have a design proposal for the park on the old Leach Station for review by Retreat. Tennant seconded the motion. Motion carried unanimously.

Brooks made a motion to name the All Children's Playground for Luther Holt. McMenamin seconded the motion. Motion carried unanimously.

Brooks made a motion to name the park on the old Leach Station property for Chief Reed. McMenamin seconded the motion. Motion carried unanimously.

01-01-06 Pay Plan Appeals

Lenox said the final item was a report on the pay plan appeals from himself and Fritz, who had been delegated to hear those appeals. Lenox said all the Fire Department appeals had been concluded and he felt both he and Councilmember Fritz had learned a great deal. Lenox noted that it had been several years since the city had conducted a formal pay study, and he and Councilmember Fritz had several recommendations:

1. Review the pay plan annually through an abbreviated pay study conducted in-house.
2. Contract to conduct a complete pay study every three to five years.
3. Attempt to increase the salary scale from the 75th percentile to the 80th or 85th percentile. Lenox noted that Peachtree City had far fewer employees per 1,000 residents than most cities, and they were a great group of employees. The quid pro quo for that was the city should pay them well above average because they were above average.
4. Seek ways to enable some or all employees to retire before age 65, particularly in Public Safety due to the physical demands of the job, without making that retirement mandatory.
5. Continue to study the salary compression problem to seek more appropriate solutions, if possible. The problem is that employees who stay beyond five or six years are not earning more, and the city should be able to reward longevity.

Lenox said that only the City Clerk position was still under evaluation, and he felt an acceptable conclusion would be reached. He said he and Councilmember Fritz were asking Council to approve the recommendations for the future. He also commented that only nine appeals out of 226 full-time employees reached Council, and he felt that was a very good percentage.

Tennant made a motion to approve the recommendations of the Appeals Committee and the Employee Pay Plan Appeals. Brooks seconded. Motion carried unanimously.

COUNCIL/STAFF TOPICS

Basinger said that staff had no issues. McMenamin brought up one issue, noting the recent appointment of the late Luther Holt to the Recreation Commission during his illness. McMenamin

said that in such situations, staff might want to announce that the alternate had assumed the commissioner's duties.

Brooks said that there was one personnel Executive Session item, and Lenox said there were also a real estate item and a potential legal item for Executive Session. Lenox made a motion to take a three-minute recess and reconvene into Executive Session for those items. McMenamin seconded the motion. Motion carried unanimously.

EXECUTIVE SESSION

No action was taken in executive session. McMenamin made a motion to adjourn. Fritz seconded the motion. Motion carried unanimously. The meeting adjourned at 10:45 p.m.


Betsy Tyler, Public Information Officer