

City Council of Peachtree City
Minutes of Meeting
December 7, 2000
7:00 p.m.

The City Council of Peachtree City met in a regular session, Thursday, December 7, 2000, 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: Carol Fritz, Dan Tennant and Bob Brooks. Annie McMenamin was out of town and unable to attend the meeting.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

There were no announcements.

MINUTES

Brooks made a motion to approve the minutes of the November 9, 2000, joint meeting with Tyrone as presented. Fritz seconded the motion. Motion carried unanimously.

Brooks made a motion to approve the minutes of the November 16, 2000, meeting as presented. Fritz seconded the motion. Motion carried unanimously.

CONSENT AGENDA

Brooks made a motion to approve the consent agenda as submitted. Tennant seconded the motion. Motion carried unanimously.

1. Consider Purchase of Financial Software – authorized contract with Incode in the amount of \$87,251.
2. Douglas Fisher appointed to the Airport Authority to serve a term from January 1, 2001 until December 31, 2005.
3. Luther Holt appointed to the Recreation Commission to serve a term from January 1, 2000 until December 31, 2003. David Ring appointed to serve as an alternate to fill any vacancy that may occur.
4. Steve Bradley appointed to the Water and Sewerage Authority to serve a term from January 1, 2001 until December 31, 2005. Wade Williams appointed to serve as an alternate to fill any vacancy that may occur.

OLD AGENDA ITEMS

11-00-09 Public Hearing – Variance – Lot 11, North Cove – denied 4-0

Mayor Lenox read the rules for conducting a public hearing and allowed ten minutes for each side to present its case. Lenox asked to hear from the applicant, followed by those in favor of the variance.

The applicant, Mr. Charles E. Gardner, wished to build a two-car garage in an area that would encroach into the 150-foot watershed protection buffer that prohibited impervious surfaces adjacent to Lake Kedron. He said he had three valuable antique automobiles that required weather protection to maintain their character and value.

— Hearing no one else speak in favor of the variance, Lenox asked to hear from those in opposition to the variance.

Jim Williams, Director of Developmental Services, recommended the variance be denied. He did not feel the variance met the minimum requirement for a variance. He also felt its approval would establish a precedent that would counter both state and local watershed protection policies. By doing so, he felt the City's status as Qualified Local Government would be jeopardized.

Phyllis Aguayo, resident, also spoke in opposition to the variance. She felt the watershed protection policies should be enforced to protect drinking water.

Mr. Gardner said he did not realize staff would oppose his variance. He also felt Council had already set a precedent by allowing the developer to place a gazebo in the encroachment area. Brooks disagreed. He said the developer had requested a variance for the gazebo, but that it was denied. Brooks said he could not support the variance.

Tennant asked Gardner how long he owned the vehicles. Gardner said he had owned them for a couple of years and that it took a long time to restore them.

— Lenox was empathetic, but could not support the variance and jeopardize the City's Qualified Local Government status. He said the statewide buffer policies had done much to improve environmental concerns.

Fritz said there were good reasons for the state laws and policies concerning watershed protection, and she could not support the variance.

Tennant made a motion to deny the variance. Fritz seconded the motion. Motion carried unanimously.

11-00-01 Consider Alcohol License – The Dark Horse Pub, 288 N Highway 74 – approved 4-0

At the applicant's request, Tennant made a motion to approve an alcohol license for The Dark Horse Pub, located at 288 North Highway 74, and to appoint Mr. Mark Aasen as the Licensee and License Representative. Fritz seconded the motion. Motion carried unanimously.

11-00-03 Public Hearing – Rezoning – Lexington Commons – tabled until January 18, 2001 – 4-0

Lenox made a motion to continue the public hearing until the meeting on January 18, 2001. Tennant seconded the motion. Motion carried unanimously.

— **08-00-07 Consider Ordinance – Dumpster Regulations – approved 4-0**

Betsy Tyler, Public Information Officer, presented an amendment to Peachtree City's Sanitation Ordinance relative to the servicing of dumpsters in Peachtree City. She said several residents had complained about dumpsters being emptied late at night. Itemized lists

— of locations generating complaints are as follows:

<u>Location of complaint</u>	<u>Location of resident</u>	<u>Complaint</u>
Braelinn Baptist Church	Creekside Crossing	Dumpster noise, late night
Braelinn Shopping Center	Wood Ridge	Dumpster noise, trucks beeping
Dividend Court	Planterra Ridge	Dumpster noise, late night
East Brook Office Park	Morgans Turn, Hunters Halt	Dumpster noise, late night
Gables Court Apartments	Gables Court Apartments	Dumpster noise, early morning
Kedron Elementary	Fielding Ridge	Dumpster noise, late night
Kedron Fieldhouse	Fielding Ridge	Dumpster noise, late night
McDonalds	Morgans Turn, Ropers Path	Dumpster noise, early morning
Chic-fil-A	Morgans Turn, Ropers Path	Dumpster noise, late night
PTC United Methodist Church	Bentwood Court	Dumpster noise, late night
Senioa Road	Vendela Circle	Dumpster noise, lights, late night
Sherwin Williams	Blueberry Hill	Dumpster noise, late night
Booth Middle School	Pine Cone Break	Dumpster noise, late night
Aberdeen Shopping Center	Ridgelake	Dumpster noise, late night
Wyndham Conference Center	Ridgelake	Dumpster noise, late night

— Tyler said the proposed ordinance would allow dumpster emptying to continue as it currently does unless complaints are received on a specific location. At that time, the city would enact an 11:00 p.m. to 6:00 a.m. ban on servicing that location, unless it was determined that emptying the dumpster at any other time would pose a safety hazard. If that was the case, staff would then work with the collection company to find other ways of minimizing the noise. If none of those efforts proved to be satisfactory, enforcement would then come through the city's Nuisance Ordinance and the resident would file a complaint with the Court Clerk and present the case in Municipal Court. She explained that this enforcement method was used because such a complaint must be prosecuted by someone who witnessed the activity.

Sharon Chandler, resident, addressed Council to ask questions about the ordinance. After clarification of the ordinance, she stated that she felt it addressed her concerns.

David Langless, EPI, addressed Council to review his concerns with safety and operations.

Brooks made a motion to adopt the ordinance as presented and to accept an itemized list of locations in the City that had generated complaints. Fritz seconded the motion. Motion carried unanimously.

12-00-01 Consider Rate Increase – EPI

— Marcie Blind, Purchasing Agent, addressed Council and explained that the City had a Preferred Provider Contract for refuse collection services for the citizens of Peachtree City with Environmental Partners, Inc. (EPI) and United Waste Services Inc. She said both companies were given the opportunity to renew the contract and United Waste Services had declined to do so. Blind recommended that Council extend the contract with EPI for a one-year period beginning January 1, 2001 and to grant a price increase of 3.06%. Brooks made a motion to extend the contract with EPI as requested and to approve a rate increase of 3.06%. Tennant

— seconded the motion. Motion carried unanimously.

12-00-01 Consider Alcohol License – Baci Italian Cuisine, 282 N Highway 74 – tabled 4-0

Due to the absence of the applicant, Lenox made a motion to table this agenda item until the next meeting. Tennant seconded the motion. Motion carried unanimously.

12-00-02 Discuss Renewal of the Multi-Family Moratorium for the year 2001 – advertise to renew at January 4, 2001 meeting.

Council discussed whether or not they should continue the moratorium on multi-family zoning. Lenox pointed out that the moratorium was written to preclude staff from accepting applications and from discussing the issue with applicants. He said he has found himself involved in such matters and questioned if the moratorium had any real value. Tennant was in favor of the moratorium. Fritz felt the moratorium served the City well and while it was cumbersome, it brought attention to situations that needed close scrutiny. After a brief discussion, Council instructed staff to advertise that they would consider the reinstatement of the moratorium at the meeting of January 4, 2001.

12-00-03 Consider Lifting the Multi-Family Moratorium for 110 Town Homes on the Wieland/Katz Property on MacDuff Parkway – advertise to consider at January 4, 2001.

— On September 20, 2000, Council rezoned the Katz/Wieland Tract to GR-4 General Residential for a total of no more than 350 homes. The plan submitted to Council for illustrative purposes at that time showed a total of 300 single family detached homes. On November 17, 2000 a new concept plat was submitted showing a total of 338 lots on the property, 228 single-family detached and 110 single-family attached town homes. Council discussed whether or not town homes should be included in the definition of multi-family zoning. A citizen from the audience, Phyllis Aguayo, asked if Council could require the town homes to be owner occupied to prohibit them from becoming rental units. Mayor Lenox said that was beyond Council's authority. The developer, Dan Fields, committed to include a provision in the deed and covenants to preclude the units from becoming rental property. After further discussion, Brooks made a motion to instruct staff to advertise a public hearing on January 4, 2001, for Council to consider lifting the multi-family moratorium for the Wieland/Katz property on MacDuff Parkway. Tennant seconded the motion. Motion carried unanimously.

12-00-04 Consider Policy - E-Mail/Internet - tabled 4-0

At staff's request, Brooks made a motion to table this item for further study. Tennant seconded the motion. Motion carried unanimously.

12-00-05 Consider Policy - Public Information Sources – approved 4-0

— Betsy Tyler presented a proposed revision of the City's policy on Public Information Sources that Council approved earlier this year to address political uses of the UPDATE newsletter, Cable Channel 2 and the Web Site. The proposed revisions addressed commercial use of

those sources, as well as the other public information sources formerly listed in the Citizen Assistance Program policy. She explained that a resident and local business owner who asked for a link to his web service from the City's web site brought the need for the revisions to her attention. She noted that the City's site listed, although it did not link to other commercial entities such as local newspapers and real estate offices. In reviewing his request, she said staff felt it would be appropriate to establish a standardized policy for all public information sources, including various brochures and the voice mail system. The proposed policy indicates that the public information sources are not vehicles for advertising nongovernmental organizations or businesses. It does list several exceptions, in which business names might be used, such as: entities with whom the City has a service or provider agreement – sports leagues, sanitation companies; relocation information, namely housing information for people considering moving to Peachtree City; public information sources such as newspapers used for press releases; and on-line library resources. Tyler said every effort was made to be fair and consistent with local businesses while trying to provide information, primarily about city government. She said based upon this policy, the request the City received would not be approved with a link on the web site. She said the proposed policy was basically a clarification of the current procedures for each of the City's information sources.

Lenox liked policy. Tennant agreed; however, he instructed staff to request a link on Pathway Community's website (www.peachtreecity.com) for citizens who may be looking for the government website. After a brief discussion, Fritz made a motion to approve the policy as submitted. Brooks seconded the motion. Motion carried unanimously.

12-00-06 Consider Adoption of Public Pool Regulations – approved 4-0

Randy Gaddo, Director of Leisure Services, said that in October, Robert Kurbis, Fayette County Environmental Health Inspector, addressed Council to review a new state law that would regulate the minimum design, construction and operation requirements for public swimming pools, spas and recreational water parks. Gaddo recommended Council adopt the state law by reference as a City Ordinance so that it could be enforced locally. Robert Kurbis addressed Council to answer questions. He explained that the proposed local ordinance would also apply to apartment, subdivision and country club pools, which were excluded from the state law. He said the construction of existing pools would be grand fathered, except for pools with single drains which could cause a person to become trapped under water. He said existing pools would have to comply with all other water quality requirements. Tennant made a motion to adopt the ordinance as presented. Fritz seconded the motion. Motion carried unanimously.

12-00-07 Consider Establishment of Reward Fund – approved 4-0

Tennant felt fortunate to live in Peachtree City, but he said the city was not immune to crime. He suggested that \$25,000 be earmarked in the Council Contingency Fund to be used at the Police Chief's discretion to help solve crimes. Chief Murray addressed Council and was supportive of Tennant's suggestion. He said Peachtree City had been fortunate to solve all of its crimes; however, he also said he found it helpful in his experience in other jurisdictions to have such funds available when needed. Brooks made a motion to earmark \$25,000 in the Council Contingency Fund to be used by the Police Chief at his discretion to help solve crimes. Tennant seconded the motion. Motion carried unanimously.

12-00-08 Consider Sumner Road Design Options – tabled until January 4, 2001

Troy Besseche, City Engineer, said that when the surveyor staked the limits of clearing for the Sumner Road project, it became obvious that if the approved plans were followed, many of the existing trees would have to be removed; and the visual character of the area would be substantially changed. Under the circumstances, staff felt it would be desirable to investigate alternatives before clearing the area. Besseche explained the range of alternatives. In order to achieve the funding, environmental, and safety objectives, he recommended the road be paved to 22' width with curb and gutter, as well as a 20 mph speed limit. He also suggested shifting the horizontal alignment of the road, while keeping to the vertical..

There were several residents in attendance who had questions and comments concerning the road. Mayor Lenox said that the city would have to live with the results of their decision for a long time and opened the floor for comments and questions. After an informal discussion of the issue, Councilmember Fritz said she would like to see drawings of the various options. Brooks made a motion to table the issue until the next meeting for staff to prepare such drawings and give Council more information about the options. Fritz seconded the motion. Motion carried unanimously.

COUNCIL/STAFF TOPICS

Jim Basinger, City Manager, said city offices would be closed on Friday, December 8, 2000, from 12:00 noon until 1:30 for the annual employee luncheon.

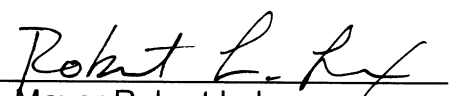
Bob Brooks instructed staff to conduct an employee survey to solicit comments about the City's health insurance to determine the overall satisfaction of the plan. He also instructed staff to hire a physician to review the city's health insurance policy. He suggested the plan could be more user friendly and give employee more choices. Lenox instructed staff to place the issue on the Retreat agenda. He said it was time to review the plan, coverage and costs, but he pointed out that the City paid an annual cost of \$4,500 per employee for benefits and that employees did not have to pay anything for medical insurance. He said employees only paid \$260 per year for family coverage.

Lenox made a motion to take a brief recess and reconvene the meeting in executive session to discuss a personnel matter. Brooks seconded the motion. Motion carried unanimously.

EXECUTIVE SESSION

No action was taken in executive session. The meeting adjourned at 10:15 p.m.


City Clerk, Nancy Faulkner

Attest: 
Mayor Robert L. Lenox