

CITY COUNCIL OF PEACHTREE CITY
December 7, 1995
7:00 p.m.

The Mayor and City Council of Peachtree City met in regular session on Thursday, December 7, 1995 at 7:00 p.m. in the City Hall Council Chambers.

Mayor Lenox led those in attendance in the pledge of allegiance. Present were: Mayor Robert L. Lenox, Councilmembers Annie McMenamin, Robert Brooks, Ed Bradford and Caroline Price.

ADDITIONAL AGENDA ITEMS

Lenox moved to add agenda item 12-95-6 - Public Forum to Discuss Concerns Relative to Growth in Peachtree City at the request of several citizens who were present. Price seconded the motion. Motion carried unanimously.

ANNOUNCEMENTS

Mayor Lenox presented Councilman Ed Bradford with a gift in recognition of his five years of service to the City. Bradford did not run for re-election and James Pace was elected to fill his seat on City Council in January. Lenox also presented Mrs. Bradford with a gift in appreciation of her support of Councilman Bradford's responsibilities.

MINUTES

McMenamin made a motion to approve the minutes of 11/2/95 as presented. Bradford seconded the motion. Motion carried unanimously.

McMenamin made a motion to approve the minutes of 11/16/95 as presented. Price seconded the motion. Motion carried unanimously.

Price made a motion to approve the minutes of 11/20/95 as presented. McMenamin seconded the motion. Motion carried unanimously.

OLD AGENDA ITEMS

10-95-1 Public Hearing - Petersen Rezoning

Lenox said staff had received a telephone request earlier that day from the applicant to continue the hearing. Lenox said staff instructed the applicant to submit the request in writing and the written request had not been received.

Brooks made a motion to deny the rezoning. McMenamin seconded the motion. Motion carried unanimously. There was a general agreement among Council that the applicant had ample time to present his request.

11-95-4 Hwy 54 Apartment Proposal - Public Hearing

Lenox said Council would be continuing a Public Hearing to consider grandfather rights for proposed apartments on Highway 54 West, an area known as the West Village. He said a discussion was made to continue the hearing to give the city, property owners, and citizens an opportunity to work out a suitable arrangement. He said there had been two meetings since the last public hearing to discuss the possibility of altering the proposals to get them more in line with what the community would desire. Lenox said all of the meetings had been very positive and that one developer was willing to develop single family housing instead of apartments.

Lenox said the issue was complicated because several land owners were involved and one person could not speak for everyone involved; however, he said was pleased with the progress made and felt further negotiations would be worthwhile.

Mr. Reeser said due to time constraints, he would have to take legal action next week. He asked that Council understand that they were only taking that action to protect their rights, and they did not want to chill the spirit of the meetings. He stressed that they were willing to work out an agreement and that taking legal action was not an aggressive move. Reeser said he appreciated the efforts being made to work out a suitable solution.

Lenox said Council understood that the applicant had a certain time frame to preserve their legal rights and they did not view preserving those rights as any kind of threatening move.

Lenox made a motion to continue the hearing to the January 4 meeting. Price seconded the motion. Motion carried unanimously.

11-95-5 Hip Pocket Golfcart Path (Update/Funding)

Basinger said staff proposed installing stop signs at Hilltop Drive, and Cedar Drive/Cedar Point intersections. He presented a construction schedule for the carpath. Basinger said traffic counts would be conducted prior to installation and construction should be complete by the end of September 1996. Basinger said staff would meet with the residents prior to the final design of the path.

Staff estimated the cost of an eight foot wide concrete path the entire length of Hip Pocket Road to be approximately \$222,025. Basinger said staff expected that most of the path would be asphalt but wanted to budget for the highest possible cost. Staff

recommended Council fund the path by taking \$120,000 from the 1996 Public Improvement Project "Highway 54 Carpath Bridge Replacement" and \$102,025 from the Council Contingency. He said that would leave \$27,646 to design the Highway 54 Carpath Bridge Replacement and the construction of the bridge could be delayed until the Fall of 1996 by including for it in the 1997 PIP.

McMenamin asked if staff had looked into the possibility of obtaining a grant. Basinger replied staff had talked to representatives of the Atlanta Regional Commission (ARC) and was considering all other possible sources for grants.

Price made a motion to approve the funding of the Hip Pocket Cart Path Project with \$120,000 to be taken from the 1996 PIP "Hwy 54 Carpath Bridge Replacement" and \$102,025 to come from the Council Contingency with any funds not being utilized to be returned to the Council Contingency. Brooks seconded the motion. Motion passed unanimously.

11-95-9 Soil Erosion Ordinance

Basinger said the State of Georgia had developed a model ordinance for Erosion Control and all municipalities were required to adopt the ordinance if they wish to retain the authority to issue development permits. Basinger presented Council with an ordinance prepared by staff that essentially followed the State's ordinance. He said the new ordinance was different from the current one because it provided thirty-four definitions, provided certain exemptions and also provided more defined procedures for permitting, inspection and enforcement.

Basinger said developers and building contractors had been notified of the modifications and their input had been solicited. He said many of their constructive suggestions were incorporated into the ordinance.

Price made a motion to adopt the ordinances. Brooks seconded the motion. Motion carried unanimously.

11-95-10 Traffic Signal - Hwy 54/Wynnmeade

Basinger said the project had been put out for bid twice but no bids were returned. He said staff had been negotiating with a contractor but the contractor was too busy to commit to such a small job. Basinger said staff did have a sense of urgency about the project and was negotiating with another contractor. He said it was difficult for contractors to commit to such a small job

because of all of the construction related to the olympics.

Brooks made a motion to continue this item to the first meeting in January. Lenox seconded the meeting. Motion carried unanimously.

VII. New Agenda Items

12-95-1 Variance Request - Kedron Parcel 9

Lenox read the rules to conduct the variance request as a public hearing and gave each side fifteen minutes to present its case.

Lenox asked first to hear from the applicant. C.L. Dothard said he represented the applicant, PCDC. He said PCDC requested a variance to the definition of a driveway in the land development ordinance. He explained that the definition stated that residential driveways shall not serve more than two lots. Dothard said the Planning Commission had approved a concept plat on October 23, 1995 with the understanding that a variance would be required to permit a private drive to serve six lots in Kedron Parcel 9. Dothard said Honeysuckle Ridge had a similar variance granted and there have been no problems associated with it.

Jim Williams, Director of Developmental Services, said city staff recommended approval of the variance. He said it was similar to other variances that had been granted for Honeysuckle Ridge and Village on the Green subdivisions. He said the Planning Commission also endorsed the variance.

Lenox asked to hear from anyone else who would like to speak in favor of the variance. Hearing none, he asked to hear from anyone who wished to speak in opposition to the variance. Hearing none, Lenox called the hearing to a close.

McMenamin asked Fire Chief Reed if he had reviewed the plan. Reed said that he had no problems with the plan.

Brooks said the concept had worked well in Honeysuckle Ridge and made a motion to approve the variance request. Price seconded the motion. Motion carried unanimously.

12-95-2 Consider Ordinance - Re-adopt Occupational Tax Ordinance

Basinger said during the 1994 session, the Georgia Legislature adopted laws dealing with methods of collecting occupational taxes. The City amended its ordinance in November 1994 to comply with State law. During the 1995 State legislative session, the

Legislature made additional revisions to the law which required the revisions to the City Ordinance. He said the amendments include adding a definition of employee, a computation of how to determine the number of full-time employees and a requirement to have a public hearing prior to any increase in tax rates. Additionally an amendment was made to change the delinquent date and the penalty the could be charged. Basinger recommended the Council adopt the proposed amendments.

Price made a motion to amend Section 13-2, B8 and B9 and that Section 13-11 be deleted and replaced with the amendment and that Section 13-41 also be amended as proposed by staff. McMenamin seconded the motion. Motion carried unanimously.

12-95-3 Appointment to Recreation Commission

Basinger said a Selection Committee composed of Mayor Robert Lenox, Ed Bradford and himself interviewed three applicants for two vacancies on the Recreation Commission.

The committee recommended that Mr. Daniel G. Wright and Mr. G. Earl Spell, Jr. be appointed to serve three year terms which would expire on December 31, 1998 and that Ms. Jan Zink be appointed to fill any unexpired term which might occur prior to October 1, 1996.

Mcmenamin moved to appoint Mr. Daniel G. Wright and Mr. G. Earl Spell, Jr. to the Recreation Commission and Ms. Jan Zink be appointed to fill any unexpired term which might occur prior to October 1, 1996. Price seconded the motion. Motion passed unanimously.

12-95-4 Appointment to Airport Authority

Basinger said a Selection Committee composed of Councilmembers Bob Brooks and Annie McMenamin and himself interviewed six applicants for one vacancy on the Airport Authority.

The committee recommended that Mrs. Janet Wells be appointed to serve a five year term which would expire on 12/31/01 and that Mr. Edward Thompson be appointed as an alternate to fill any unexpired term which might occur prior to October 1, 1996.

Lenox moved to appoint Mrs. Janet Wells to the Airport Authority and Mr. Edward Thompson be appointed as an alternate to fill any unexpired term which might occur prior to October 1, 1996. Price seconded the motion. Motion carried unanimously.

12-95-5 Appointment to Water and Sewerage Authority

Basinger said a Selection Committee composed of Councilmembers Bob Brooks and Ed Bradford and himself interviewed five applicants for one vacancy on the Water and Sewerage Authority.

The committee recommended that Mr. John W. Williams be appointed to serve a five year term which would expire on 12/31/01 and that Mr. Willis Granger be appointed as an alternate to fill any unexpired term which may occur prior to October 1, 1996.

Lenox moved to appoint Mr. John W. Williams to the Water and Sewerage Authority and that Mr. Willis Granger be appointed as an alternate to fill any unexpired term which might occur prior to October 1, 1996. Price seconded the motion. Motion carried unanimously.

12-95-6 Public Forum - Citizen Concerns

Dan Tennant, Melrah Hill, said he first heard about Peachtree City a couple of years ago when he lived in Washington D.C. and saw a report about Peachtree City on CNN. He said his company transferred him to Georgia and he looked at homes in several areas before deciding to locate in Peachtree City. He said he decided to raise his family in Peachtree City because it was a unique planned community and did not have the congestion and crime the other communities had. Tennant said he was able to get 42% of the votes in the last election as a write-in candidate because many people felt the same as he did concerning the need to control growth. Tennant thought developers had too much influence and control. He said the citizens did not want high density apartments because it would mean higher taxes, higher crime, and more congestion. Tennant asked the Council to be conservative when they consider grandfathering apartments. He said the citizens of Peachtree City did not need or want more apartments because the apartments would ruin the community and damage the lifestyle in Peachtree City. Tennant said he thought it would be difficult but asked Council not to cave in to the demands of people who have influence, money and power.

Vivian Conduff, Silver Spur, said she was a fifteen year resident of Peachtree City and she had seen inconsistencies in the way things are done. She said she was confused because she was at a City Council meeting two years ago and was told apartments would be developed on Hwy 74. She said she didn't understand how new apartment developments could be approved but apartment developments that had already been approved could not be developed.

Conduff asked why small business owners on Hwy 74 were denied median cuts on Hwy 74 but Peachtree City Development Corporation (PCDC) was able to obtain approval for median cuts on Hwy 74. Conduff said she felt PCDC was able to do what ever they wanted to do in the community and that it was not fair to small businesses.

Conduff said she heard a rumor that city officials were invested in the sewer project. She said based on recent dealings with the City she felt city officials were invested in other projects as well. She asked if any of the Councilmembers had any investment in the sewer project with PCDC, or any investments in building and development in community. She asked if any Councilmember had any investment in any project associated with the olympics.

Conduff also voiced her concerns about traffic lights. She said she did not understand why the City was spending money on replacing the Highway 54 carpath bridge when the citizens have been asking for a traffic light at Huddleston Road for many years. She also asked why Council approved installing a traffic light at Wynnmeade Parkway and Highway 54 when it was so difficult to install traffic lights at other locations in the city.

Conduff again voiced her concerns about PCDC and asked when the city was going to operate its own information center.

Lenox said he read the article in newspaper about the sewer system and he personally resented the implications of the article. He said in the four years he had served as Mayor, people had disagreed with him and questioned his judgement and decisions, but that no one had ever questioned his integrity or the integrity of anyone other Councilmember. Lenox said he owned and operated a large business with 500 employees and turnover of \$50 million a year. He said that it was worth more than twice as much as PCDC. Lenox said on behalf of council that they regarded the one sided article to be irresponsible journalism because no one on City Council was consulted. Lenox said he personally had passed up untold opportunities to invest in Peachtree City. Lenox said there were a lot of opportunities to invest in Peachtree City that had nothing to do with PCDC. Lenox said he resented the implications that questioned his integrity and he would like to have discussions with Mr. Ewing and with the reporter who wrote the article.

Price said Councilmembers were required to file annual financial statements and she resented anyone who questioned their integrity without first consulting the public records.

Someone from the audience demanded that Council answer the previous question as to whether or not they had any vested interest in any

development in Peachtree City.

Price answered that she did not have any vested interest in PCDC or any other property in Peachtree City other than her home.

Lenox responded that was true for him as well.

Brooks said he has two investments in Peachtree City, his home and his dental practice. He said he had no vested interest in PCDC or any other land developer in Peachtree City.

Brooks also said a number of the issues raised had already been discussed and dealt with during public City Council meetings over the past few months.

Brooks said that the City had minimal control over Highway 74 because it was owned and maintained by the State of Georgia. He said landowners had input into designing the highway and PCDC was able to obtain approval for median cuts because they were very aggressive in requesting approval at the time of the design.

Brooks gave an example of the City not being able to control the access out of Petrol Point onto Highway 54 for several years but that Dairy Queen was able to obtain approval for better access during the last six months.

Brooks also said the City was attempting to install a traffic light at the intersection of Highway 54 and Huddleston Road. The Department of Transportation said major renovations to the roadway would be required before the traffic light would be approved and Brooks said Highway 54 was planned to be widened soon.

Brooks explained that installing a traffic light at the intersection of Highway 74 and Wynnmeade Parkway was more cost efficient.

Brooks addressed the issue of apartments by explaining that Kedron Village had been zoned for a high amount of multi family housing. He said Kedron Village had been developed at only sixty percent of what it had been zoned because a number of areas zoned for multi family housing had been developed as single family housing. Brooks said Council approve only one rezoning. Brooks said the density has been decreasing rather than increasing.

Brooks said he was opposed to more apartment developments and that if citizens had been concerned enough to attend past City Council meetings they would have been aware of how hard Council had been trying to slow growth in Peachtree City. He explained that the

reason this agenda item was added at the last minute was because Council always appreciated input and ideas from everyone in the community. Brooks said he would like to see everyone working together to develop the community as it has in the past, consistently and fairly.

Brooks instructed Basinger to ensure the previous questions that had been asked be answered and included in an up coming issue of the "Update" so that all citizens could be better informed.

Basinger said staff received a letter from DOT earlier that day that would authorize the City to install traffic light at Huddleston Road if the City would pay for it and if the City would agree that no left turns would be permitted off of Highway 54. Basinger said staff planned to meet with the business owners to see if they still wanted the traffic light under those conditions.

Lenox said the City had tried to find a solutions to the problems with highway development they had never found a cost effective solution or a solution that DOT would permit. He said DOT has said that even though it is a state highway, the City can install a traffic signal at that intersection with the conditions that the City pay for it and that no left turns would be permitted into Huddleston Drive. Lenox said he did not particularly care for that condition but the road belonged to the state and they would have to abide by their conditions. Lenox said the businesses and property owners may find the conditions acceptable because one of their major problems is getting off Huddleston Road onto Highway 54.

Price reminded everyone that for a period of four years, the City had worked with D.O.T. to meet their requirements to have the road improved. She said there was a plan that was at the state level that shows all the proposed road improvements on Highway 54 from Highway 74 west to Highway 34. She explained the state had not approved funding to implement the plan but that the City was continuing to find immediate solutions.

Brooks said it was frustrating that the improvements to Highway 54 were to have been completed in 1996 but that it had been delayed by the state.

Lenox said the first plan for improvements to Highway 54 called for Huddleston Road to end with a culdesac rather than have access to Highway 54 and the City told D.O.T. that would not be acceptable.

Mr. Hyde asked if a traffic signal at Highway 74 and Kelly Drive would help the traffic situation on Highway 54.

Lenox said that it would not help because many people who work in the industrial park turn left at Highway 54 to go home. He said some of his employees have complained to him that it takes twenty minutes to get out of Peachtree City. He explained there was a peak load problem at the intersection of Highway 54 and 74.

Lenox explained that the City does not have the funds to construct all of the roads and infrastructure in the City and that it requires developers to build and make improvements to the infrastructure. He went on to explain that the City had been working with DOT and a developer to make improvements to the intersection of Highway 54 and 74 but that the developer had decided to develop that corner.

Lenox explained that PCDC was able to obtain permission for curb cuts on Highway 74 because they requested approve several years before the highway was widened. He said developer were always planning for the future. Lenox also explained that the D.O.T. had standards that prohibited median cuts from being closer than 1/4 mile apart. He said D.O.T.'s primary concern was to move traffic and not to provide access to local businesses.

George Cadel, 104 Greensway, addressed Council and said the citizens were not saying that City Council was not concerned about what was happening in the City but that citizens felt growth in Peachtree City was getting out of control. He said he was concerned that developers were taking advantage of a loop hole in the ordinance to develop apartments in areas zoned for commercial use. Cadel was also concerned that Council continued to allow John Sherrel to develop in Peachtree City when he lied and said the condominiums he was developing at Peachtree Club would not be rental property. Cadel said he did not understand why people had the right to earn money from their property but not be held accountable for living up to their promises. Cadel did not understand why negotiations to purchase GA Utilities were taking so long. He also said he heard a rumor that there was an agreement with the Olympic Committee to relocate people from Techwood homes to Peachtree City. He said citizens in Peachtree City did not want people from Techwood homes to live here. Mr. Cadel also asked about the new development at Crosstown Road and Peachtree Parkway. He said he was concerned that they cleared all of the land and he asked if this development was for the olympics or people from Techwood Homes.

Skip Waitman, 100 Hermitage Place, said he was a ten year resident of Peachtree City. He said when the military transferred him to Georgia he looked at over 117 homes before he decided to make Peachtree City his final home. He said someone from the

information center had told him Peachtree City had very little high volume housing. Waitman said he felt if Council did not stop growth Peachtree City would begin to look like Riverdale and Fayetteville. Mr. Waitman was also concerned about the number of trees that were cut to allow the Longhorn Steakhouse to be developed. He was also concerned that the City is not consistent in requiring set backs for all developments. Mr. Waitman said the state highways belong to the citizens and that members of City Council were elected to serve as the citizen's representatives. Mr. Waitman was also concerned about apartment development and the possibility of a train station in Peachtree City. He said he did not want better access to Atlanta because he did not want people in Atlanta to have better access to Peachtree City. He said a train station would only increase the crime rate.

David Roberts, high school student, said he moved to Peachtree City five years ago. He said he was concerned about the attitudes of the citizens who spoke previously. He said that Peachtree City was not in a bubble and that it was not a perfect world. He said he felt it was a racist statement for anyone to say Peachtree City does not want residents from Techwood Homes or Atlanta to come to Peachtree City because most of those people are black. He said he agreed that the highways belonged to the citizens but that it also belonged to citizens in Techwood Homes and Atlanta. He said the roads belonged to all of the taxpayers. He said he felt no one had the right to eliminate any group of people from coming to Peachtree City. He also said that growth can not and should not be denied. He said more homes and apartments would bring more customers to businesses in Peachtree City which would help build a solid community. He said he found comments that were made that night be extremely racist because they were trying to exclude a certain stereotype of people from Peachtree City.

Lenox said that while people continue to refer to the plan he felt that 99 percent of the people in the room had never seen it, read it or followed its progress. He went on to say that the original plan called for 75,000 citizens at build-out on fifteen thousand acres of land and the City would have five thousand apartment units. He said the name of the community was "Peachtree City" and the original intention of the plan was that this community would be a city available for anyone to live here and would include million dollar mansions and three hundred dollar apartments. He said every City Council since then and the primary developer, PCDC, have spent the last twenty years modifying that plan to suit the demands of the citizenry that had developed over that time. Lenox said when he was voted into office four years ago, he felt the same philosophically as the previous young man, that he felt that everyone had a right to live in Peachtree City. Lenox said he did

not think the reference to Techwood Homes was racial, but rather economic. He said Peachtree City practices one kind of discrimination - economic, and that he did not agree with that. He felt a city should provide housing opportunities for everyone, including police officers, teachers, and blue collar workers who do not make a lot of money. He said the community of Peachtree City wanted him and the other councilmembers to practice economic discrimination. He said if given a choice, citizens of Peachtree City would rather have high rent apartment rather than low income apartments.

Lenox also said that the city spent many hours negotiating over specific trees at the Long Horn site. Lenox said he personally spent over 40 hours negotiating with representatives from Applebee's but in the end they were not willing to locate in Peachtree City because the City would not let them cut down all of the trees.

Lenox said there were over 800 homes being built a year back in 1980's and currently only 500 homes were being built. Lenox said based on the decrease of homes that were being built, he did not feel that growth was out of control. He said he felt that as the amount of undeveloped land gets to be less and less, the development which takes place becomes more visible. He said most of the wooded sites that are in Peachtree City are not going to remain a forest forever because those sites really belong to someone and have long been planned for specific uses.

Lenox said the development at Crosstown and Peachtree Parkway was going to be a senior citizen housing area that would offer single family homes as well as assisted living. He said the development had been planned for over twelve years. He said the development is no surprise to anyone who had been paying attention to development plans in the City.

Marie Barr, Morallion Hills, said she was concerned about Peachtree Station apartments because they were subsidized apartments. She wanted to know who approved them and why were they developed in the center of Peachtree City? Ms. Barr also wanted to know how she could help with doing away with subsidized housing in Peachtree City.

Don Bagnall, 509 Hip Pocket Road, said it seemed there were a lot of angry citizens at the meeting that night and he wanted them to know that the issues had been discussed for a long time. Bagnall said he personally attended several council meetings and there was a lack of citizen input. He said citizens seldom attend meetings or exercise their right to vote. Bagnall said he felt the

Councilmembers were doing their job and it was the citizens who needed to make improvements. He said citizens can become more involved by running for City Council, volunteering to serve on a Commissions or Authorities, joining civic groups and attending meetings. Bagnall said he did not think that it made sense for citizens to attend meetings only when they want to complain. Bagnall said the citizens of Peachtree City want the City Council to be leaders but that it was difficult for them to lead when no one was following them.

Marian Hicks, 138 Chadwick Drive, said she was opposed to apartment development in Peachtree City. She also said she agreed with Bagnall that everyone needed to become more involved with the community. She said there was a great deal of voter apathy in Peachtree City that has been obvious in past elections.

Brooks said Council was trying hard to control growth in Peachtree City and had an annexation moratorium in place for several years. Brooks said it would be easier for Council to deny and negotiate rezoning requests when citizens attend meetings, voice their concerns, and let developers know they are willing to spend over \$400,000 to defend a law suit. Brooks said the City was currently involved in a law suite concerning a rezoning issue, and recently successfully defended another law suit for denying a shopping center to be developed across from McIntosh High school. Brooks said there were a number things that Council has done to control grown in Peachtree City that people do not recognize.

McMenamin said if citizens were concerned about Peachtree Stations they needed to write Mac Collins. She also said the Police Department is aware of citizen concerns and pays special attention to patrolling Peachtree Stations. McMenamin said she also voted against additional apartment development in Peachtree City and Council changed the ordinance to close the loophole that allowed apartments to be developed on property zoned for commercial use. McMenamin said it disturbed her that she was on the Land Use Plan Task Force, along with representatives from PCDC, and spent several months discussing the use of each parcel of land in Peachtree City and PCDC never indicated they were going to develop apartments on commercial land. She said when Council finally changed the ordinance, PCDC already had their plans in the process of being reviewed.

Phyllis Aguayo, Stonington Drive, said she read the plan and followed its progress. She said the plan that was in place when she moved to Peachtree City was based on the village concept, not a metropolitan city.

Shirley Bass, 502 Pine Circle, said she was a twenty-seven year resident of Peachtree City and she was ready for Peachtree City to stop growing.

Jim Webb, City Attorney, said he was an eleven year resident of Peachtree City. He said as the City Attorney, he had an obligation to everyone in the City, not just City Council. Webb said he was proud of the fact that Peachtree City was the first city in the in State of Georgia to adopt a Code of Ethics. Webb said his office had the responsibility to enforce the Code of Ethics and investigate any complaints. He said no one had initiated an investigation. He said if anyone had any allegations other than rumor, gossip, and nonsense he would be happy to investigate. Webb also said the apartment issue was a difficult legal issue because they were attempting to balance the rights of citizens and rights of property owners. Webb said every Council he had served had been very aggressive to keep density down. He said he had told them on many occasions that their conduct was not legally supportable but they were willing to take that action because they were trying to deal with some of very issues that were raised earlier. Webb said Council was in a difficult situation and they were trying their best to do what citizens want.

Someone from the audience asked if Council had considered higher impact fees to discourage development?

Lenox said when the State of Georgia drafted the law concerning development impact fees, developers had input to legislation and the method to determine a legal impact fee. Webb went on to explain that state legislation mandates impact fees. Peachtree City was the first city in the state to have legislation approved. Impact fee must bear a direct relation to the cost of the improvements and consequences caused by the new home. Webb said Fire and Police protection, Recreation services, and infrastructure were all examples of the consequences of a new home. Webb said the City can not just pull a number out of the air so high that no one would want to build here. He said the City would end up in court and pay high attorney fees and lose. Webb said he felt Peachtree City's development impact fees were as high as they could be without ending up in court.

Lenox said currently there are approximately 28,000 citizens, and 9,000 residential units on approximately 15,000 acres of land, including 900 apartment units. He said when Peachtree City was fully developed it would have the same 15,000 acres of land, (with the possible exception of the Westside Village annexation), would have 41,000 citizens, and those same 900 apartment units plus what ever apartments the City can not stop from being developed. Lenox

— said even if the City can not stop the apartment development that has already been proposed, Peachtree City would still be below the average of most developed areas. Lenox said each apartment unit carried the same impact fee as a single family residence, \$1,100. He said if 300 apartment units are to be built, the City would receive an impact fee of \$330,000 before the construction would take place.

Brooks said he was frustrated because if citizens had attended the past Council meetings, they would know that Council was opposed to additional apartment development because they feel it endangers the health and safety of the citizens.

— Price reminded everyone that Council was not considering rezoning property. She said apartments were legally allowed on those parcels of land. She said the developers were asking for something that the law allowed. When Council saw that the Ordinance needed to be changed, they amended the ordinance to that it is no longer legal to build apartments on property zoned for commercial use. Price said in Peachtree City there is a finite amount of land that is zoned for multifamily use and if someone came with a rezoning request to permit additional multi-family development, she was sure that Council would deny that request.

Price said the Planning Commission and the Land Use Task Force had looked at every single parcel of land in Peachtree City to determine if the land would have an appropriate use. She said the Task Force spent several months preparing a report which was submitted to City Council at several public hearings. Price said Council adopted the report and copies were available at City Hall and the Library.

Someone from the audience said there was a general feeling that City Council was "in bed" with the builders. He asked why Council continued to let dishonest builders build in Peachtree City.

Price said there were laws that had to be followed and that there had been some things that builders tried to get away with, but unless they were talking about specific cases she could not answer those concerns.

— Lenox said Council could not anticipate how a builder would finance a project and Council could not pass an ordinance making it illegal to rent property. Lenox said senators and congressmen had control over subsidy programs and that City Council did not have any control over those programs.

Brooks said City Council were the citizens representatives and they

had contacted Congressman Mac Collins who had initiated an investigation of Peachtree Stations. Brooks said no one wants subsidized housing next door to them and Council was trying to determine how to prevent it from happening in the future. Brooks also said the building process does not come before Council unless someone requests a variance or change in zoning.

Lenox said there was not much Council could do. If Council could have made a conscious decision, they probably would not have allowed Peachtree Stations to be built. However, Lenox felt the federal government would probably feel that anyone should be allowed to live in Peachtree City and they would probably not approve of economic discrimination.

Webb said the city can not choose builders or prohibit a builder from building a home based on a reputation. He explained that Peachtree City had the toughest rezoning laws in the state and that the city had a land use plan, zoning regulations and city ordinances to govern how a piece of land can be used. Webb explained that if land is zoned for a certain use, then that property owner has the legal right to develop his property that way. Webb also said that it is not the city's business to dictate how property is financed, and that subsidized housing is a matter of financing. Webb said there is absolutely nothing anyone could do about subsidized housing except request federal officials to change the laws.

Someone from the audience asked how many acres of land were zoned to permit apartment projects.

Williams said there were a significant number of acres of land zoned "general residential" that could have apartments built on it; however, he said there had been an agreement as a result of the Land Use Plan Update, that all of those parcels would be developed as single family residential or cluster homes. Williams also said apartments could be developed on a few other sites that were still zoned for multi-family use.

The gentleman from the audience asked Council to look at every parcel of land in the city and change the zoning on those parcels that would permit apartment developments.

Lenox said he resented the fact that someone who had never been to a Council meeting before would tell Council what needed to be done. He said in fact, there had been numerous meetings over last eighteen months, in which a special task force studied each parcel of land in the city to determine and make recommendations for changes. Lenox said that recently, a series of four public

hearings were held in which City Council discussed each parcel of land. Lenox said the Task Forces's recommendations were discussed and public input was solicited from citizens, builders, and developers, before Council adopted the recommendations. Lenox said many people in the community had worked on the Land Use Plan Update and that tremendous strides had been made in resolving the situation. He said 3,000 apartments could have been built in Kedron Village eighteen months ago and that number was reduced to approximately 300.

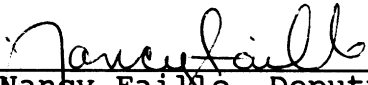
Someone from the audience said the City needed to do a better job of getting information out to the public. Lenox said he felt Peachtree City did an excellent job in getting information out to the public. He said a monthly newsletter is mailed to every residence in the City, a special cable channel was set up specifically for public information about city government, and minutes were taken of every public meeting which are available to the public at City Hall or the Library. Lenox said if a group of citizens were willing for organize monthly meetings, he would be supportive of having someone from the city meet with them to discuss topics of their choice.

Lenox made a motion to adjourn the meeting for a brief recess and reconvene in executive session to discuss a legal matter. Bradford seconded motion. Motion carried unanimously.

Executive Session

Lenox made a motion to approve action on the Georgia Utilities matter. Price seconded the motion. Motion passed unanimously.

Meeting adjourned at 10:30 p.m.


Nancy Failor, Deputy City Clerk

ATTEST: 
Robert L. Lenox, Mayor