

City Council of Peachtree City
Meeting Minutes
December 3, 2015
7:00 p.m.

The Mayor and Council of Peachtree City met in regular session on Thursday, December 3 2015. Mayor Vanessa Fleisch called the meeting to order at 7:00 p.m. Others attending: Terry Ernst, Eric Imker, Mike King, and Kim Learnard.

Announcements, Awards, Special Recognition

Mayor Fleisch recognized Lani De Mello, who recently earned the title of World Champion in Rhythmic Gymnastics at the Downs Syndrome International Gymnastics World Games held in Mortara, Italy. Graduates from the most recent Community Emergency Response Team (CERT) training and the Citizens Police Academy were recognized.

Public Comment

D. Camille Hampton addressed Council regarding her concerns about drug dealing and cyber hacking in her neighborhood. Glen Cohen discussed his concerns regarding a safety situation in Stoneybrook where a basketball court doubled as a parking lot at the amenities for the subdivision. He was working with the Homeowners Association (HOA) and neighbors, but he also asked the City for assistance and guidance to make the area safer for children.

Minutes

November 19, 2015, Regular Meeting Minutes

King moved to approve the November 19, 2015, regular meeting minutes as written. Learnard seconded. Motion carried unanimously.

Consent Agenda

- 1. Consider Revision to Stormwater Management Ordinance – Adoption of 2001 Georgia Stormwater Management Manual**
- 2. Consider Acceptance of Donation from SAFEbuilt**
- 3. Consider Bid/Purchase of Ambulance – Custom Truck & Bodyworks**

King moved to approve Consent Agenda items 1, 2, and 3. Ernst seconded. Motion carried unanimously.

Learnard thanked SAFEbuilt for their donation, which was sponsoring the employee Christmas luncheon on December 11.

Old Agenda Items

- 10-15-03 Consider Adoption of Right-of-Way Occupancy Ordinance**
- Consider Changes to Fee Schedule (new memo)**

Learnard moved to continue the agenda item indefinitely. Ernst seconded. Motion carried unanimously.

New Agenda Items

- 12-15-01 Public Hearing – Consider Request for Street Name Change (Whitlock Place to Masonic Place)**

Senior Planner David Rast said the request was for a street located within the Whitlock Place office subdivision, which was located off SR 74 North. The subdivision had two public streets – Whitlock Place and Park Place. The Masonic Lodge was the only tenant to have a Whitlock Place address, and the Lodge members had submitted the request and all the information required by the ordinance. All the property owners abutting the street had been notified of the proposed name change, and no one had submitted any concerns as far as Rast knew.

Fleisch asked the representatives from the Masonic Lodge if someone wanted to speak, and no one spoke.

Fleisch opened the public hearing. No one spoke for or against the request for name change. The public hearing closed.

Imker moved to approve changing the name of Whitlock Place to Masonic Place. King seconded. Motion carried unanimously.

12-15-02 Public Hearing – Consider Variance Requests, Chick-fil-A (707 HWY 54)

City Planner Mike Warrix addressed Council. The applicant was Interplan LLC for Chick-fil-A. He said that, at the time the building was constructed, it had met all the zoning requirements. Since that time, the ordinances had changed, and the building and lot were both considered non-conforming. Any modifications to the building had to comply with current zoning and Land Development Ordinance provisions.

Stuart Anderson of Interplan LLC, represented the applicant, Chick-fil-A. He pointed out the building was constructed as a Hardee's in 1983 and was compliant with the codes existing at that time. Chick-fil-A purchased the property in 1992 and renovated the building. The existing layout had a single drive-thru lane that wrapped around the building, and pedestrians had to cross the drive-thru traffic to enter the building.

Anderson discussed the existing nonconformities on the site. Along Dan Lakly Drive, the current ordinances required a 20-foot parking setback and a 10-foot landscape buffer on the public right-of-way. The existing parking adjacent to Dan Lakly Drive was setback 8.3 feet from the property line, encroaching 11.7 feet into the parking setback and 1.7 feet into the landscape buffer. On the SR 54 side of the property, the ordinances required a 33-foot landscape buffer along the state highway. The existing parking adjacent to SR 54 was setback 29.1 feet from the property line, encroaching 3.9 feet into the buffer.

The proposed plan was to demolish the 4,071 square-foot building and replace it with a new 3,922 square-foot custom-built Chick-fil-A, which was smaller than the existing building and the prototypical Chick-fil-A building. The proposed development plan would reduce the impervious surface of the area and add more green area, according to Anderson. A new parking lot and double drive-thru lane would be constructed within the limits of the existing developed site.

Anderson continued that the traffic improvements included closing the existing exit only driveway at the front of the site on Dan Lakly Drive, which would alleviate traffic congestion at the intersection with SR 54. The second drive-thru lane would decrease the customer wait time and improve traffic circulation. The drive-thru lanes would be isolated from the parking field so pedestrians no longer had to cross the drive-thru lane to enter the building. Anderson added this was the best site plan to redevelop the property.

Two variances were requested for Dan Lakly Drive. The first was for a reduction in the building setback along the street. The required setback was 40 feet, and the provided building setback would be 23 feet, requiring an encroachment of 17 feet. The second variance on the Dan Lakly Drive side was for a reduction in the drive-thru lane setback. The required setback was 40 feet, and the provided setback for the drive-thru lane would be 10 feet. The encroachment into the setback would be 30 feet.

Anderson said the two requests were the smallest variances possible to develop the site. They proposed increasing the existing landscape buffer along Dan Lakly Drive to 10 feet and saving the existing mature trees along the street. The isolated drive-thru lane would be safer for

pedestrians entering the building than what was currently on the site. He pointed out that Dan Lakly Drive was a public right-of-way that served as an entrance driveway to the shopping center. The side building setback adjacent to the shopping center would be 10 feet. He continued that, typically, a public way would not be an entrance to a shopping center, making this a unique situation with larger buffers than normal for a shopping center.

Two variances would also be required for the SR 54 side of the property. Anderson said one variance would be for the reduction in the drive-thru lane setback along the state highway. The required drive-thru lane setback was 40 feet, and the provided drive-thru lane setback was 30, which required an encroachment of 10 feet. An encroachment of three feet was needed for the buffer along SR 54. The required landscape buffer was 33 feet, and the provided buffer would be 30 feet. The 30-foot landscape buffer was consistent with McDonald's and BB&T on either side of the Chick-fil-A according to Anderson. The existing buffer along SR 54 would be maintained. Closing the exit-only onto Dan Lakly Drive would alleviate congestion at the Dan Lakly/SR 54 intersection. He reiterated that the isolated drive-thru lane provided a safer path for pedestrians as parking customers no longer needed to cross the drive-thru lane to enter the building.

Anderson continued that the site was an existing nonconforming site that had been built prior to the current code requirements. The existing building was over 30 years old, and the site's current configuration could not be rebuilt without variances. Redevelopment of the site was limited to the existing property boundaries. There was no additional undeveloped property adjacent to the site that could be added to provide enough area for the redevelopment of the site to meet current code requirements. He noted that an alternate layout had been considered where the drive-thru had been shifted, but that plan would only have 20 parking spaces rather than the 45 spaces in the proposed layout, which would also require a variance. The turn radii on the alternate plan were very tight, and fire trucks would not be able to negotiate turns without backing up if the new buffer requirements were met.

In addition, Anderson noted the four conditions staff recommended if the variances were approved, saying Chick-fil-A had objections to conditions 1, 2, and 4.

The staff recommendations for approval included:

1. *The proposed curb line parallel to the western property boundary (BB&T tract) shall be shifted to the east such that it is no closer to the property line than the existing curb line, the intent being to preserve existing vegetation within the planting area between the two parcels. It is understood the drive aisle would reduce in width accordingly.*
2. *In addition to the tree replacement as required by the city's landscape ordinance, no less than six canopy trees (minimum three-inch caliper) and six understory trees (minimum two-inch caliper) shall be planted within the tree save and landscape buffer adjacent to SR 54.*
3. *The existing Bald Cypress trees adjacent to Dan Lakly Drive shall be protected during construction activities.*
4. *A masonry wall of no less than four feet in height and 80 feet in length shall be installed adjacent to the drive-thru lane and parallel to SR 54, the intent being to shield views of the cars stacking in the drive-thru lanes and the menu boards from the highway.*

Condition 1 – Anderson said they felt it would be better to save the trees along Dan Lakly Drive than the trees between the restaurant and the bank, noting they were mostly pine and

sweetgum trees while the trees along Dan Lakly Drive were larger and nicer. The area of the parking lot closest to the bank was where the drive-thru traffic would be routed. Anderson said they needed 18 feet for cars to back out of the parking spaces.

Condition 2 – Anderson said the six canopy and six understory trees might hide the building. They would like to negotiate this condition, suggesting the canopy trees be grouped to the BB&T side of the tract leaving the area around the building open.

Condition 4 – Anderson noted there were no walls at similar restaurants, suggesting a hedge border along the south side of the drive-thru lane.

Fleisch opened the public hearing.

John Dufresne said the proposed variances did not meet the hardship requirement for variances. They had an alternate plan that fit on the property with all the required setbacks and buffers, and it only needed a parking variance. Granting the variances would be granting Chick-fil-A a special privilege. Council would be asked for the same thing at other stores.

Caren Russell said Council was starting to go down a slippery slope with the brand of the City again. The buffers and trees were what made Peachtree City different from every other city. It was what drew residents. Other businesses would ask for double drive-thrus. She asked Council to deny the variances. It was not a hardship, especially with four Chick-fil-As located in the City.

Pam Kemp said she agreed with Dufresne and Russell.

Fleisch closed the public hearing, then re-opened the public hearing.

Mike Holmes, the operator of the Chick-fil-A asking for the variances, addressed Council, saying he had witnessed two people who were entering/exiting the building being hit by cars waiting in the drive-thru. One had been taken off in an ambulance. The second person had been shaken, but told him there were no injuries. People did not pay attention. It was dangerous. They had not planned to rebuild the store, but residents had called Chick-fil-A President and CEO Dan Cathy and told him they would not cross SR 74 to get to the new store on SR 54 West. The company had looked at the viability of keeping the existing building open because there was enough demand from customers on this side of City, but there were sinkholes in the parking lot, and plumbing and electrical issues. The existing building had not been built for the amount of business done at the store. His first concern was the safety of the people crossing the drive-thru lane to enter the store.

Sharon Waples recalled her daughter's third birthday had been held at the Chick-fil-A when it first opened. She visited the restaurant at least five or six times a week. This business was good for the community. McIntosh High School students, groups of ministers, and others met there regularly. It was a community place. She said it would be sad if the variance requests were not approved.

Caren Russell pointed out that people visiting Arby's or any of the restaurants with a drive-thru window had to cross the drive-thru lane to get to at least one entrance. An exit had been added to the back of the building during an earlier renovation so people could go around the building.

Joseph Latimore, Chick-fil-A, said there had been a question about remodeling. There had been a lot of facelifts at the location. This building was busier than Arby's. Remodels could not address the problems with the aging site. There were underground issues that had to be taken

care of, and all the wiring had to be replaced. The new building would provide a better spot for the community that was safer.

Pam Kemp said the new plan was clearly superior, and her concern was how they would protect the citizens moving forward to keep other businesses from encroaching into the setbacks and buffers. If Council approved the variances, Kemp asked how Council would justify saying no to other businesses.

Fleisch closed the public hearing.

King said he appreciated the emphasis on safety. He noted there were a lot of fairly large trucks that navigated the parking lot currently, and they had to make almost a 270-degree turn when getting back on SR 54 through the shopping center. He asked if there were any improvements that could be made. Latimore said that, if the site were larger, the situation would not exist, and some trucks would continue to have problems with those turns. Anderson added there was pavement in front of the dumpster area, which gave extra room for the trucks to swing wide.

Imker said he would vote no at this time, and he did not want to. He preferred to delay the decision so it could be a better informed decision. Imker suggested sending the variance request to the Planning Commission and seeking their recommendation. He liked the plan, adding the Planning Commission had the expertise to look at the changes in the ordinances over the years and any possible implications. He asked how many other places in the City could be in the same situation. It was a great presentation that showed both sides. He would have like to see an overlay of the current plan and the new plan to see the differences. This would be an important chart for the Planning Commission. The building had been purchased in 1992, and Imker said he did not know when the ordinances had changed. He wanted to have the Planning Commission ask the in-depth questions, and then come back to Council with a recommendation. Council needed to explain their vote.

King agreed with Imker. He did not want to see this location go dark, saying there might be a compromise or happy medium out there. He asked if it was possible to reduce the impervious surface and add more greenspace.

Learnard asked how there would be more greenspace and less impervious surface. Anderson said there was a 400 – 500-foot increase according to the overall calculations. Additional buffer area would be added along Dan Lakly Drive. They were adding green islands. Learnard clarified that, if approved by Council at this meeting, the applicant would still have to go to Planning Commission for site plan approvals.

Imker said Council had received an e-mail from Planning Commission Chairman Frank DeStadio, who had encouraged Council to send variances to Planning Commission first so they could look it over thoroughly and give Council a recommendation.

Ernst agreed that considering four variances was not the smartest move on the City's part without having the applicant go to the Planning Commission first. He was opposed to the double order lanes, saying McDonald's would ask for the same thing. He had never waited an extended amount of time at either restaurant.

Holmes said the double lane would help them move the drive-thru line even faster. The line was as slow as the slowest customer, and having another lane would help move those waiting for the slower customer. Rorie asked when construction would begin, assuming the variances were approved. Holmes said the intent was to close this location when the new one on SR 54 West opened so the crew could move from one to the other, hopefully sometime in April.

Rorie referred to Council's remarks regarding the Planning Commission, saying that variances were to be heard and approved by City Council according to the ordinances. A variance was a quasi-judicial process. Council could send something to the Planning Commission for review or have it go through the Planning Commission prior to coming before Council, but he questioned whether that would be a public hearing or another type of process by the Planning Commission. Council would be requesting an opinion rather than a recommendation for approval. There was a difference between variance and public hearing procedures versus a review from the Planning Commission. The Planning Commission did not typically hear variance requests or act as an approval body for variance requests; however, the Planning Commission did look at concept plans, elevations, and landscaping. Warrix added that, assuming the variances were approved, the next step would be for the applicant to take conceptual site plans and landscaping plans to the Planning Commission.

Imker asked if the Planning Commission could look at how other places would be affected by approval of the variances. Rorie said they could, but they would have to be asked. Council would get an opinion, not a recommendation to approve the variances. That was Council's responsibility. Imker said he would fully expect the recommendation to have the implications of a site going in as proposed and how it would affect other sites in the City.

Rorie said Planning Commission membership currently included engineers, architects, and landscape architects, but that was not always the case. The membership would change over time. The authority and responsibility for looking at a variance request, both in the long and short term, and its impact on the community, rested with City Council, not the Planning Commission.

Imker said the staff presentation did not include what he wanted to hear, which were the implications elsewhere in the City. He tasked staff and the Planning Commission to come back with their opinions on those issues. Warrix said staff had an opinion, but had hoped to get a more detailed response to the six review criteria that dealt with hardships before the meeting. The initial application had not referenced any hardship as a justification for the variances. He continued that it was unique for a parcel to have two fronts. Outside of that, nothing else had been submitted to staff that would adequately portray that hardships existed on the site. The issue was not the lot size but a size issue of the development.

Imker said he was seeing continued flaws with the current ordinances, and how they were set up. There was weak verbiage in the ordinances regarding precedence. There should be stronger verbiage on determining precedent and the impacts around the City. City Attorney Ted Meeker clarified that any time Council granted a variance, a precedent was set. He noted the recent approval of the SR 54 West guidelines changed the rules for the corridor, not just one site. Granting a variance changed the rules for that site. The question was what the legal impact was of granting a variance. The approval of a variance two years ago did not mean Council had to approve a similar one this year. There had been a series of cases and a statute that said one Council could not bind future Councils. However, every time a variance was granted, a precedent was created in theory.

Learnard said she appreciated that Chick-fil-A was addressing a safety issue and updating their building. If the variances were approved, the appearance of the site and traffic patterns would improve, and it would be better for citizens.

Rorie said he had asked staff to be specific in looking at the review criteria and the end game of what the variance requests were, moving forward methodically. The City would face redevelopment issues moving forward, and that was why staff needed to look at ordinance

revisions. This was a Council decision, but the applicant would go to the Planning Commission for review.

Learnard was concerned about the proposed conditions, specifically the masonry wall, asking where it would be located. Rast said it would be on the southern (the wall is on the south side, the tree strip is on the west) property line. The strip of land between the parking lot and BB&T had the only mature trees on the property except for those along Dan Lakly Drive, which was why staff had suggested narrowing the lane. There was little to no vegetation in the front along SR 54, except for the cherry trees planted as part of the SR 54 East landscape project. Staff felt that, with the drive-thru lane coming in front of the building, the buffer needed to be recreated with a minimum of six canopy trees and six understory trees, in addition to what was required to replant the site. Rast continued that, during the last 18 months, staff had received the plans for Zaxby's on SR 54 West, and one of the Planning Commission's concerns had been the menu board was in front the building, and they did not want it to be visible from the highway. They had required the installation of four-foot tall masonry wall. Staff felt this would be a dual drive-thru lane with two kiosks and two menu boards facing SR 54. The landscape ordinance would require an evergreen hedge along the highway, which would suffice as a screening device. There should be a hedge or a wall to screen the stacking of cars in the drive-thru from SR 54.

Learnard said proposed conditions 2 and 4 were great topics for the Planning Commission to consider, and they would have a better take on those conditions. She proposed eliminating those two conditions. Condition #3 was not an issue.

Anderson said they would try to save as many pine trees as possible between Chick-fil-A and BB&T, but there had to be enough room in the parking lot for the cars to back out of the spaces, which was a minimum of 18 feet to back out with the drive-thru lane. They would replace any trees that were taken out per the code requirements. Learnard asked if they could plant more trees in that buffer. Anderson said they could.

Fleisch asked what the buffers would be if Dan Lakly Drive was just an entrance into the shopping center. Warrix said the setbacks and buffers would be less.

Rast reiterated that SR 54 and Dan Lakly Drive were considered public streets. The lot was considered a multiple-frontage lot, and the front setbacks and buffers applied. The drive-thru lane was considered part of the building, which was an anomaly of the ordinance and affected two of the variances. Fleisch noted this site was the only one in the City where a public street was the entrance to the shopping center. The special circumstance of the multiple frontage would also apply to McDonald's.

Learnard had concerns about the conditions. She supported the variance requests, and an updated-looking building on the main thoroughfare would be great. The applicant planned to keep the buffer strips that were vegetated on both sides. She wanted to vote in favor of the requests, and then send it to the Planning Commission to look at conditions 2 and 4. She suggested removing them for the vote since that was something the Planning Commission would look at. She wanted to keep the third condition since the applicant had agreed with that one. She was not sure how to resolve the first condition. If the intent was to preserve existing vegetation within the planting area, she suggested it might be better to let the applicant move the curb and work with the Planning Commission on good looking, appropriately sized vegetation for that buffer. It was not a good-looking buffer. Rast said there were mature trees, but they were mostly pines and sweetgums. They could be replaced at the same time the trees were added to the front, so they would grow at the same rate.

Fleisch said she liked closing the exit onto Dan Lakly Drive for safety. She noted the outdoor play area and the entrance on the existing building on the Dan Lakly Drive side, and how busy it was with the drive-thru lane. She was always worried about watching people, cars, and children in that area.

Learnard moved to approve the variance requests 1, 2, 3, and 4 subject to inclusion of Condition 3 as stated in the Council packet. Anderson pointed out the dimensions used in the staff report were incorrect. Learnard restated the motion. King seconded. Meeker said the revised dimensions should be included in the motion.

King withdrew his second. Learnard withdrew her motion.

Meeker asked for the motion to be restated with the correct dimensions. Anderson briefly outlined the correct dimensions.

Learnard moved to approve the variance requests 12-15-02 as follows – 17 feet on the encroachment for the first bullet; reduced encroachment to 10 feet from 10.4 feet as shown in the Council packet (second bullet); to include an encroachment of 30 feet instead of 29.1 feet on the third bullet point; and to include an encroachment of three feet, not 2.5 feet as shown, and to include Condition #3. King seconded. Motion carried 4 – 1 (Imker).

12-15-03 Consider Spear Road Culvert Repair Emergency Award

City Engineer Dave Borkowski reminded Council of the washout on Spear Road, saying staff immediately went to work on an emergency bid for the repair. The culvert and shoulder repairs were previously identified projects, so plans had already been prepared. Because the bid was an emergency, it did not need to be advertised for 30 days, per House Bill (HB) 1079. Staff sent the bid to three companies the City had worked with in the past.

Borkowski continued that staff recommended the contract be awarded to Ronnie D. Jones, the lowest bidder for the base bid and the alternate, for the alternate bid of \$335,999. The alternate bid would allow the corrugated metal pipe to be replaced by a reinforced concrete pipe rather than another metal one, which would last longer and would provide increased hydraulic capacity.

The project was within budget and was currently funded from the 2014 Public Improvement Fund (\$119,783) and the Stormwater Budget-Contractual Services (\$216,216), Borkowski said. The bid was within budget.

Fleisch asked when the work would start. Borkowski said they had been discussing that, but were waiting under after Council's decision to set a date to start. Fleisch asked what Ronnie D. Jones had done in the City. Borkowski said the last project was a sewer project, as well as other culvert projects.

Meeker noted that state law required certain information be in the minutes regarding an emergency bid. He asked Borkowski if the project was necessary to protect against possible damage to life and property. Borkowski answered yes. Meeker asked if an essential City service such as transportation and nearby residents would be impacted if the repair were not made. Borkowski answered yes. Meeker asked if there was the potential for flooding or other water damage to the adjacent properties if the repairs were not made. Borkowski answered yes.

King moved to approve agenda item 12-15-03 Consider Spear Road Culvert Repair Emergency Award. Ernst seconded. Motion carried unanimously.

12-15-04 Consider Approval of Stormwater Detention/Wetland Amenity for the Overlook Retail Center within Line Creek Nature Area

Rorie said staff had been working on this project for months, and it had included traffic improvements along SR 54, stormwater issues, cart path design, and more. Staff's role was coming to an end in making sure the project was compliant. This was a housekeeping issue from the approved development agreement with The Overlook. Final approval from Council was required for the wetlands amenity. Rorie said, in simple terms, the City needed to "dig a ditch." Staff was now working on a plant list. Approval was needed to move forward.

Borkowski said staff and Southern Conservation Trust (SCT) had been working with the developer and engineer. There would be varying depths that would be flooded in the amenity, with wetlands plants, an overlook of the wetlands, and a soft-surface walking trail. The City and SCT were working on some comments and tweaking the plans.

Rorie said the concern from the beginning had been to ensure the plan met technical specifications and engineering standards. Rorie reiterated that they had worked very closely with SCT, including their plant list. Learnard asked why Council needed to approve staff working on the technical details. Rorie said it was part of the process to ensure Council supported the plan. Staff would have to come back with easement documents, and they wanted to make sure everything was approved before moving forward.

Meeker said there was one condition that should be added to the motion, which was the easement agreement to put the wetlands amenity on City property would come back to Council for approval.

Learnard moved to approve the construction plans for the stormwater detention/wetlands amenity for The Overlook retail center subject to the conditions as outlined in the staff memo and that the easement to come back to Council for final approval. Ernst seconded. Motion carried unanimously.

12-15-05 Consider Financing for Municipal Broadband Initiative

Rorie said staff was continuing the due diligence was not ready to make a solid recommendation yet, asking Council to continue the agenda item until January 7.

Ernst moved to continue agenda item 12-15-05 Consider Financing for Municipal Broadband Initiative until January 7. King seconded. Motion carried unanimously.

12-05-06 Consider Cancelling December 17 Meeting

Learnard moved to cancel the December 17 regular meeting. King seconded. Motion carried unanimously.

Council/Staff Topics

Fleisch noted this was Imker's last meeting after six years of service on City Council. She thanked him for his work on Council.

Rorie said staff was ready to answer questions about any project. Fleisch said the reaction time on stormwater projects was great. Things were getting done, and the public could see things being done.

Imker said he had five points to make. He addressed D. Camille Hampton's concerns for her neighborhood, saying he had worked with her over the six years. A lot of problems in her subdivision had been solved, but Hampton was being harassed due to her efforts. He asked the City to do what it could to help her.

Imker referred to Lake Peachtree, saying he was correcting an earlier statement on the City's share of the water usage in the County, which he had stated was 60%. The City's share was 35%. Imker said his point was the need for funding to maintain the lake. A source of funding was needed. He continued that, at the November 12 Board of Commissioners meeting, Commissioner Charles Rousseau had said he wanted to look at savings in operations and maintenance costs, which meant the County would no longer be responsible for Lake Peachtree. The City's water bills should go down a bit as a result. He asked Council to consider a request to keep residents' bills at the same rate, but have the additional funds go into a City enterprise fund for the lake.

As for the Chick-fil-A variances that had been approved at the meeting, Imker said he had a problem with the process, but he definitely wanted the project to move forward.

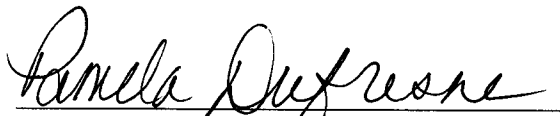
Imker wished Phil Prebor the best when he took over the Council post.

Imker referred to a citizen who had been suing the City for six years regarding issues with Bradford Pond. The suit filed in June 2012 had been determined in the City's favor. The citizen's only recourse now was to take the lawsuit to the Georgia Supreme Court. The City had spent \$100,000 on the series of lawsuits. He was happy the issue had been resolved.

Executive Session

Learnard moved to convene in executive session for pending or threatened litigation at 8:55 p.m. Ernst seconded. Motion carried unanimously.

There being no further business, Learnard moved to reconvene in regular session at 9:21 p.m. King seconded. Motion carried unanimously.


Pamela Dufresne, Deputy City Clerk


Vanessa Fleisch, Mayor