

MINUTES OF MEETING
CITY COUNCIL OF PEACHTREE CITY
November 7, 1991

The City Council of Peachtree City met in regular session on Thursday Night, November 7, 1991, at 7 PM in the City Hall Council Chambers.

Mayor Brown called the meeting to order and led those in attendance in the pledge of allegiance. Members present were: Mayor Frederick Brown, Jr. and Council members Edward Bradford, Annie McMenamin, Robert Brooks and Rich Parlontieri.

No items were added to the agenda.

Announcements, Awards, Special Recognitions

Mayor Brown presented a certificate of appreciation to Mr. Ed O'Brien, volunteer in the Fayette Literacy Action Group, for his leadership in organizing the Literacy Group which is active in the community in trying to combat illiteracy. He also presented a certificate to Mr. Jim Pittman, Director of the Community School Program at McIntosh High School, for the development of a volunteer tutoring program at the school.

Mayor Brown also recognized Veronica Corley, President of the McIntosh High School Y Club, and read a Proclamation proclaiming the week of November 10th through November 17th as Y Club Week in Peachtree City.

Mayor Brown recognized Cub Scout Pack 211 who were in attendance as part of their merit badge requirement.

Mayor Brown recognized Mr. Gerald Mathews of Waste Management Company who presented a check to the City for a percentage of proceeds derived from the recycling program. Mayor Brown accepted the check on behalf of the city and expressed appreciation to Mr. Mathews for his work in this effort.

Minutes of Meeting

Motion was made by McMenamin that minutes of the meeting held September 19, 1991 be approved as presented. Motion was seconded by Bradford. Motion carried unanimously.

Old Agenda Item

10-91-3 Proposed Rezoning of 20.8 acre tract on Stagecoach Road

Mayor Brown read a letter from Mr. Edwin R. Koons, agent for property owner, Kathryn Palmer, requesting that the rezoning application be withdrawn without prejudice to allow time to work out a plan that would be acceptable to the surrounding neighbors. Motion was made by Brooks that the request to withdraw the rezoning application be approved. Motion was seconded by Bradford. Parlontieri asked if the applicant would be required to wait six months before reapplying and the Mayor responded that he would not inasmuch as the application had not been denied. Motion carried unanimously.

New Agenda Item11-91-1 Public Hearing - Nineteen Inch Front Setback Variance
and Fifteen Foot Front Setback Variance

Mayor Brown called to order a public hearing to consider variances requested by Mr. and Mrs. Thomas Rickert of 110 Hilltop Drive. The Mayor explained the procedures for a public hearing. Copies of the procedures were available to the public.

The Mayor asked that the variances be considered separately and allowed the applicant fifteen minutes for each presentation.

Ms. Rickert explained that they had recently purchased the home at 110 Hilltop Drive and were attempting to make some improvements to it. When they applied for a building permit the building department informed them that the house encroached into the front setback area by approximately nineteen inches and a building permit was denied.

Jim Williams, representing the City, recommended the variance be approved because it was an encroachment that occurred when the house was built many years ago and there had been no complaints on it. He did not feel the encroachment adversely affected any adjoining or nearby property.

Motion was made by Brooks that the variance be approved. Motion was seconded by McMenamin. Motion carried unanimously.

Ms. Rickert explained that they also added a trellis to the front of the house and they did not obtain a building permit for it because they felt it was landscaping. She explained that the trellis was built to display plants and to provide an attractive entry to the home. She did not think the trellis would be considered a structure because it did not have a roof. The trellis addition encroached into the setback of the front by approximately fifteen feet and she asked that a variance be approved to allow it to remain as built. Ms. Rickert presented letters from adjoining property owners stating no objection to the trellis structure.

Mr. Randy Wortmann, owner of property next door to the Rickert home stated his support for the trellis structure. He felt it could help correct a drainage problem on the lot.

Speaking in opposition to the trellis structure was Jim Williams representing the City. He stated that he had to speak against the variance because this was a structure by definition and it encroached into the setback by fifteen feet. He explained that if a building permit had been applied for this encroachment would have been discovered and the permit denied. Williams stated that the staff recommended against the variance because of the fifteen foot encroachment, however, he did feel the structure was attractive and did not seem to adversely affect the neighborhood.

Howard Morgan, former Mayor and Councilman, spoke against the variance because of his general feeling that variances weaken the zoning ordinance and establish precedents for future requests.

Mayor Brown closed the public input portion of the hearing and called upon

the Council for comments or action.

McMenamin stated that she had been by the house several times to try to find a way to justify a variance of this size but she just could not find a way to do so.

Brooks felt there were several situations in this application that could be considered justification for a variance based on the guidelines in the zoning ordinance. He felt one was the drainage problem issue and another was that the property is in an older residential area of town and the setbacks are set up differently from other sections in the City. He felt he could approve a variance based on those two criteria. He did not feel if the variance was approved it would be establishing a precedent for others.

Motion was made by McMenamin that the variance be denied. Motion was seconded by Bradford. Motion carried with McMenamin, Bradford and Parlontieri voting aye; Brooks and Mayor Brown voting nay.

11-91-2 Change in licensee and license representative - Pilgreens

City Manager Basinger explained that Pilgreens Restaurant had undergone a change in management and requested that the alcoholic beverage license be changed to show Mr. Jimmy Lee Comer, President of Cobra Inc., the Corporation owning the business, as licensee and Ms. Betty Sparks, Manager, as license representative. Basinger stated that Ms. Sparks was a resident of Fayette County. He stated that the paperwork appeared to be in order and that both Mr. Comer and Ms. Sparks were present for any questions Council might have.

Parlontieri asked Mr. Comer and Ms. Sparks if they were both familiar with the City alcoholic beverage ordinance and did they have an ongoing training program for their employees in the dispensing of alcohol. They both stated that they were familiar with the ordinance and did have a training program in place.

Motion was made by Parlontieri that the license be amended as requested. Motion was seconded by Bradford. Motion carried unanimously.

11-91-3 Alcoholic Beverage License Application - Classic Cue

Mayor Brown stated that the Classic Cue II Billiards Center in the Aberdeen Village Center had requested a license to sell beer and wine. The application requested that Mr. John Grunden be named licensee and that Mr. Paul Powers be named license representative. Mr. Grunden and Mr. Powers were present.

Parlontieri asked Mr. Grunden and Mr. Powers if they were familiar with the alcoholic beverage ordinance and whether or not they had a training program in place. They answered in the affirmative.

Motion was made by Parlontieri that the application be approved as presented. Motion was seconded by McMenamin. Motion carried unanimously.

11-91-4 Bids for Amphitheater Security System

Basinger explained that the staff had solicited bids for a security system at the newly reconstructed amphitheater and two bids were received. They were:

Systems Installation and Service	\$ 7,958.00 (slow scan)
Douglasville, Georgia	\$22,000.00 (Wireless)

Peachtree Communications	\$ 9,012.94 (slow scan)
Newnan, Georgia	\$18,251.94 (wireless)

Basinger explained that Systems Installation and Service did not meet the bid specs by failing to provide a cost for a black and white monitor.

Basinger explained that the bids were requested for both the slow scan and the wireless, however, the wireless came in at more than twice the budgeted amount. Staff recommended purchasing the slow scan equipment and awarding the bid to Peachtree Communications at \$9,012.94. Funds were available in the amphitheater reconstruction account.

A citizen questioned approving the higher bid and whether or not the other company was contacted about not meeting the specifications. Basinger explained that after bids are submitted they cannot be changed. The only choice would be rebidding the item.

Police Chief Murray explained that his recommendation would have been for Peachtree Communications regardless because their bid was for equipment of higher quality than the other bid.

Motion was made by Brooks that the bid submitted by Peachtree Communications be approved at \$9,012.94. Motion was seconded by Bradford. Motion carried unanimously.

11-91-5 Highway 74 Entrance Sign Dedication by PCDC

City Manager Basinger reported that Peachtree City Development Corporation (PCDC) has requested approval for a new entrance sign on Highway 74 North of Peachtree Parkway replacing the one that was removed when Highway 74 was widened. The sign would be located on the east side of Highway 74 travelling southbound and would be visible on Highway 74 on the east side. A prototype of the sign was displayed with wording "Peachtree City Welcome Home". Basinger explained that the sign would be located on land dedicated to the City by PCDC and the City would own the sign. PCDC would maintain it. The sign proposed complied with the sign ordinance, however, City Council approval was required. Staff recommended approval of the sign.

After a short discussion with Mr. Don Burns of PCDC about the type lettering on the sign a motion was made by McMenamin that the sign be approved. Motion was seconded by Bradford. Motion was carried unanimously.

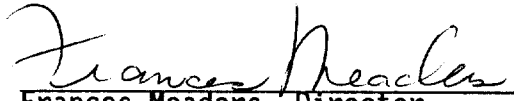
11-91-6 Appeal to Planning Commissions Denial for Rezoning of Property
at Robinson Road and Peachtree Parkway

Mayor Brown announced that those submitting the appeal had requested this item be tabled to the next meeting. The item was tabled to the November 21, 1991 meeting.

There being no further business Mayor Brown made a motion that the meeting be recessed to be reconvened in executive session to discuss pending lawsuits of Justice, Black, and Center Space.

Executive Session

No action was taken in executive session and a motion was made by Mayor Brown that the meeting be adjourned. Motion was seconded by Brooks. Motion carried unanimously. The meeting was adjourned at 8:45 PM.



Frances Meaders, Director
Administrative Services



Mayor Attest