MINUTES OF MEETING
CITY COUNCIL OF PEACHTREE CITY
November 5, 1992
7:00 PM

The City Council of Peachtree City met in regular session on Thursday Night November 5, 1992 at 7:00 PM in the City Hall Council Chambers.

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

Mayor Lenox made a motion to add an item to the agenda concerning a State Patrol Driver License Facility in Peachtree City. Price seconded the motion. Motion carried unanimously. Item was added as 11-92-7.

Announcements, Awards, Special Recognitions

Mayor Lenox announced that anyone wishing to speak to the issues should go to one of the microphones provided and state his or her name and address for the record.

Mayor Lenox presented a Proclamation to the Rotary Club of Peachtree City proclaiming the week of November 8-14 as Rotary Club Week in Peachtree City. The Mayor thanked the Rotary Club for their many contributions to the community. The Board of Directors of the Rotary Club were present to accept the proclamation.

Mayor Lenox presented a ten year service pin to Barry Amos, City Engineer.

Mayor Lenox presented a plaque to Reverend Eleanor Russey for her service to the Commission on Children and Youth from 1989 to 1992.

Minutes

McMenamin made a motion to approve the minutes of the October 15, 1992 Council meeting as presented. Bradford seconded the motion. Motion carried unanimously.

New Agenda Items

11-92-1 Public Hearing - Willowbend Center Variance

Mayor Lenox explained that the Willowbend Center had requested six variances to bring their facility into compliance with code and that it would be conducted as a public hearing. Mayor Lenox explained the rules for the public hearing and stated that each side would have twenty minutes to present their side. Mayor Lenox announced that copies of the rules were available on the agenda table and asked to hear first from the applicant.

Mr. Jack Hancock, attorney representing the owners of the Willowbend Shopping Center, came forward and explained that the owners of Willowbend Center were requesting six variances, for violations brought about by changes to the area such as the widening of Highway 54, to bring the existing facilities into compliance with City code. Mr. Hancock stated that the owners did not want to change the existing structure of the facility but wanted legal status in the event of damage to the structures.

Mr. Jim Williams, Director of Developmental Services, came forward and stated that four buildings and two parking lot areas were in violation. Mr. Williams stated that the violations were not due to fault of the current owners, that part of the violations were due to the widening of Highway 54 when the Department of Transportation bought additional property. Mr. Williams stated that staff was not sure if the buildings along Willowbend were constructed legally, but that it was no fault of the present owners. Williams stated that staff recommended all six of the variances be granted. Williams reported that the parking in front of the old post office building (now Pedal Power) encroached into City property by eight feet but that he did not believe this adversely affected the community. Mayor Lenox asked for those wishing to speak against the variance and hearing none asked for questions.

Price stated that the site appeared to be built out and asked Williams if with the granting of the variance there was any property that could be expanded. Williams stated that it would be possible for the buildings to be expanded but would be difficult to do with the parking situation. Price asked in what way the buildings could be expanded. Williams gave an example that one of the buildings could have a floor added. Price asked if the parking encroachment was due to the outlined parking spaces start too soon or extend too far back. Williams explained the back up spaces behind the parking spaces stuck out into the right of way eight feet. Lenox asked Williams about the owner needing special permission from City Council for the encroachment and asked if it should be done in the form of an easement or should another arrangement be entered into. Williams stated that recognizing in the minutes that the encroachment exists and that the City has no objection would be sufficient.

Mayor Lenox called the public hearing closed and called for Council debate.

McMenamin stated that she agreed with staff position that the present owners should not be penalized for the action of others and that she did not have a problem with any of the variances. Brooks made a motion to grant all six variances as outlined in the position paper presented by staff and let the minutes show that the City gives Willowbend Center permission for continued use of eight feet of City right-of-way for existing drive-way and parking along Willowbend Road. Price seconded the motion. Motion carried unanimously. City Attorney Rick Lindsey asked that the record reflects that the permission to use the eight feet right-of-way of City property was not a conveyance of the property to the owners of Willowbend Shopping Center and wanted to make sure the owners were aware of that. Mayor Lenox wanted Mr. Lindsey's statement stipulated as an addition. Mr. Hancock, agent for the owners of Willowbend Center, came forward and stated that he understood that the City was not conveying the land to Willowbend Center but only allowing usage and stated that the owners would be willing to sign any necessary documents to that effect. Mayor Lenox asked Lindsey if a document should be prepared to make sure there was no misunderstanding. Lindsey stated that an easement agreement could be entered into but that he did not feel it was necessary, as long as the record showed no conveyance was taking place and that Willowbend acknowledged that they were not accepting the property. Brooks asked that the minutes reflect the addition to the motion and Council concurred with the addition.

11-92-2 Architects Proposals - Library Addition

City Manager Basinger stated that seven firms had been interviewed to do the design of the library addition. Basinger stated that the firm of Cherry Roberts had been selected by Mr. Walter Murphy, Flint River Regional Library Director, who would be managing the Library Grant. Basinger reported that the schematic design phase of the project would cost approximately $10,620.00, possibly higher. Basinger asked that Council authorize transferring $20,000.00 from the Blue Smoke Recreation Project and be placed in the Flint River Library account. Price asked if any overage would go toward the City's portion of $364,000.00 in the expansion. Basinger stated that it would. Price made a motion to authorize the deposit of $20,000.00 in the Library account to be taken from the Blue Smoke Recreation Project. McMenamin seconded the motion. Motion carried unanimously.

11-92-3 Alcoholic Beverage License Representative
Peachtree Executive Conference Center

Mayor Lenox stated that the Peachtree Executive Conference Center had requested a change in License Representative and that Mr. Harvey Joseph, General Manager of the Conference Center and applicant for license representative was present to answer any questions. Mayor Lenox stated that all paperwork appeared to be in order. McMenamin stated that the Conference Center had been on probation for serving to a minor and asked Mr. Joseph if that had happened before he became the General Manager. Mr. Joseph stated that he had been the General Manager for six months and that the violation had occurred prior to that time. McMenamin made a motion to approve the change in license representative. Bradford seconded the motion. Motion carried unanimously.

11-92-4 Highway 54/Highlands Cartpath Design Bid

City Manager Jim Basinger stated that the City received two bids for the design of the Highway 54/Highland cartpath as follows:

Guillebeau, Britt, Haines and Assoc.	$10,250
Benchmark Engineering	$12,730

Basinger stated that it was staff's recommendation to award the project to the low bidder, Guillebeau, Britt, Haines and Assoc. for the amount bid. Basinger reported that sufficient funds were available in the Public Improvement Fund. McMenamin made a motion to accept the low bid of Guillebeau, Britt, Haines and Assoc. for the amount bid of $10,250.00 as recommended by staff. Brooks seconded the motion. Motion carried unanimously.

11-92-5 Nature Preserve Acquisition and Development

Jim Williams, Director of Developmental Services, came forward an stated that for the past three years a large group had been working on the idea of a nature preserve for Peachtree City. Williams explained that about a year ago Peachtree City Development Corporation (PCDC) made a proposal to donate 513 acres of wetlands in the Flat Creek basin to the City for a nature preserve. Williams reported that PCDC also proposed a cash contribution of $50,000 to fund the first phase of the development of the nature preserve. Williams explained that the development of the preserve would be to provide access so it could be used as a learning facility for the community. Williams explained that in return PCDC was requesting 32 acres of active recreation land credits in accordance with the City's Development Fee Ordinance. Williams stated that the Recreation Commission had endorsed the concept and voted to accept the 513 acres and $50,000 in return for appropriate recreation credits. Williams stated that the Planning Commission had approved the plan as presented based on the fact it was in accordance with the Land Use Plan and the Comprehensive Plan. Williams went on to say that the planning commission felt that 513 acres of passive recreation land was needed. Williams stated that former Mayor Fred Brown had appointed a committee to study the proposal from PCDC and make recommendations on how it should proceed. The committee was comprised of Jim Williams, City staff; Caroline Price, Planning Commission; Ed Bradford, City Council; Jerry Peterson, PCDC; and Mike Lorber, Recreation Commission. Williams stated that Jerry Peterson, PCDC, was present to explain the immediate and long range plans, Dr. Forbes, consultant and president of the Southeast Land Preservation Trust, was present to discuss the significance of the preserve to the area and the importance of setting up a land trust for a permanent caretaker of the preserve. Williams asked Jerry Peterson to come forward and give an overview of the proposed nature preserve.

Mr. Peterson, representing PCDC, stated that he had been visiting nature preserves throughout the country and felt that the area of the proposed nature preserve in Peachtree City would be unique. Mr. Peterson stated that Dr. Forbes, President of the Southeastern Land Preservation Trust, had acted as a consultant to the committee. Peterson stated that with the help of Dr. Forbes the committee had prepared a master development plan for phase one of the development. Mr. Peterson stated that the area for the nature preserve would be along the flood plain of Flat Creek from McIntosh Trail south to the City limits at Georgia Highway 74. The northern portion of the preserve would be designed to accommodate a limited amount of public access, for education and passive recreation purposes and the southern portion would essentially be maintained as an undisturbed area. Mr. Peterson explained that the main access to the preserve by the public would be from the Amphitheater area and the first phase of construction would involve a 1,000 feet of boardwalk path into the remote areas of the wetland. Mr. Peterson stated that the boardwalk would be hand built and at two points along the boardwalk special overlooks would be constructed as both rest areas and gathering places for observation, picnics, etc. Mr. Peterson explained the long range plan for the preserve would include about 6,000 feet of boardwalk and several miles of unpaved nature paths along the fringes of the wetlands. Peterson stated that another important aspect of the plan would be the building of a nature center to display exhibits and direct residents to the different areas of interest. Mr. Peterson stated that there would be very little financial impact to the City, that property taxes generated about $1,500 per year for the entire 513 acres and the committee hoped that a non-profit organization could be formed to care for the preserve. Peterson stated that the nature preserve would be an important part of the balanced recreation plan for passive recreation and assured Council that it would not be implemented at the expense of active recreation land for organized sports. Peterson stated that PCDC was asking the Council to approve the concept and accept ownership of the 513 acres and allow for recreation credits as called for in the impact fee ordinance.

Mr. Peterson introduced Dr. John Forbes and he came forward and stated that Peachtree City had one of the most unique opportunities he had seen for a nature preserve. Dr. Forbes stated that he had helped 214 communities in 42 states set up nature preserves and stated that Peachtree City had an ideal location that would not take away from the active recreation but would enhance passive recreation for those that use the facility. Dr. Forbes stated that with a major developer willing to turn over property and a donation along with the County commitment of $60,000 to make the preserve possible, he could see no reason to turn down the proposal.

McMenamin stated that in the two and one half years she had served on the Council there had been many environmentalist come to Council and ask that nature areas not be intruded upon but be left as natural as possible. McMenamin asked Dr. Forbes why it was not a contradiction that an environmentalist would want to intrude into a nature area by building a boardwalk and encouraging activity in a wetland. Dr. Forbes stated that the boardwalk would open up the area for residents to enjoy the area when they normally could not because of the wetland terrain.

Bradford asked Williams to identify where the nature preserve would be for the benefit of the public. Williams showed the Flat Creek floodplain on the map where the preserve would start south of McIntosh Trail behind the amphitheater and extend south of Crosstown to the City limits at Highway 74.

Price stated that having been a member of the committee she understood the need for passive recreation but was not willing to give up active recreation land needed for the community to secure land for passive recreation. Price went on to explain that the presentation at the recreation commission meeting had addressed whether the future needs of the City for active recreation land could be met and stated that statements were made that the developer was working with the City to assure that needs would be met and that the 513 acres of passive land would not be obtained at the expense of active recreation land but would enhance the overall plan.

Mayor Lenox thanked everyone that worked on the proposal and stated that he felt it would be a tremendous plus for the City and the citizens but stated that the recreation plan for the City at build-out was nearing completion and that he would like to see the plan and make sure all future recreation needs could be met before taking action on the proposal.

Brooks stated that he did not feel that approval of the concept was the issue, but that authorizing recreation credits needed to be addressed. Brooks went on to say that he would like more information about the County donation of $60,000 that Dr. Forbes spoke of, and whether it was tied to the development of Lake Horton. Brooks also asked the cost of the boardwalk and if the donation of $50,000 from PCDC would be needed along with the $60,000 from the county. Peterson stated that the boardwalk would cost $100,000 to construct. Brooks asked Darwin Palmer, Environmental Concerns Organization member, what kind of intrusion the boardwalk would be into the wetland. Mr. Palmer stated that it would be a minor intrusion, and thought it an excellent way for the residents to observe the natural areas.

Williams stated that the recreation plan was far enough along that he felt comfortable that the demand for active recreation land at build-out would be met. Williams reported that Creighton Warren, Chairman of the Recreation Commission, had been working with major sports leagues to get an accurate projection of need. Williams stated that 55 to 56 more acres of active recreation land was needed and would provide all of the playing fields that would be needed according to the sports persons. Williams reported that several areas had been selected near Meade Field, which would provide good access yet separation from the residential areas which would be affected by lights and noise. Williams stated that the land should be designated for that use now in advance of when needed so that land planning could begin. Williams went on to say that he felt the developer would be inclined to go ahead and dedicate the land in advance of the needed time. Williams stated that he felt it could all be negotiated now and that there was no reason not to do so.

Brooks asked if there were any cost estimates for the boardwalk. Peterson stated that a proposal had been obtained for phase I of $100,000, which would be comprised of the County donation of $60,000 and PCDC donation of $50,000. Brooks asked what form of a commitment the City had from the County for the $60,000. Peterson stated that verbal commitment had been made. Brooks asked if PCDC was ready to commit to recreational lands needed for future needs. Mr. Peterson stated that PCDC was willing to commit the 55 acres of land in the southern part of the industrial park near Meade Field to the City. Brooks stated that all questions he was concerned with had been answered and complimented the committee and staff on the work that was done.

Mr. Tom Cox, Planning Commission Chairman, came forward and stated that the Planning Commission had endorsed the concept and the recreation credits and asked that Council approve it as presented by staff.

Lenox asked Williams about the Line Creek acres available for a nature area. Williams stated that there were several hundred acres and they had been factored into the total 513 acres. Lenox asked who would own the land. Williams stated that the land would be owned by the City and a private non-profit group formed to handle the management of the land and if the City chose to, it could turn the land over to the non-profit group.

Mayor Lenox stated that he had reservations on the overall balance but that now he was satisfied with the answers to the questions. McMenamin stated that she had reservations prior to the meeting on the recreation credits, but now felt comfortable that the citizens would benefit and felt it was an outstanding project.

Price made a motion to accept the 513 acres of the proposed Flat Creek Nature Preserve granting thereby a recreation credit of 32 acres as stated in the impact fee ordinance and the donation of $50,000 from PCDC to begin development of boardwalks. Bradford seconded the motion. Brooks asked if staff was looking for approval of concept or to accept the land. Williams stated they would like Council to accept the land. Motion carried unanimously. Price stated that the non-profit organization spoken of had reserved the name of " The Southern Conservation Trust Inc." with the State and that formal papers were now being prepared to formalize the name. Price went on to say that draft by-laws were being worked on.

11-92-6 <u>Police Car Bids</u>

City Manager Basinger stated that five police cars required replacement as they had reached 100,000 miles. Basinger explained that the cars would be purchased under state contract price from Southlake Ford of Jonesboro and would cost $12,007 per vehicle for a total cost of $60,035. Basinger stated that the Police Chief would like to retain the mustang for use by the DARE officer, for which the city received a grant that required some matching funds. Basinger explained that the car could be used toward the City's matching funds. Basinger stated that staff recommended that Council approve the purchase of five Ford LTD Crown Victorias under state contract and authorize the retention of the mustang for the DARE officer. McMenamin asked Basinger to explain to the public how the vehicles were purchased. McMenamin stated that there were questions last year why American made automobiles were not purchased and why the City did not go out on their own and buy American made. Basinger stated that the Police package had been made in Canada last year and was not sure where they would be made this year. Basinger stated that the City was required by ordinance to go out for bid to buy vehicles and since the vehicles are placed on State contract they do not have to go out for bid. Basinger stated that the Ford vehicles were preferred by the officers for performance and that staff was recommending Council authorize the Ford vehicles again be purchased. Basinger explained that he did not know where the new vehicles would be manufactured. Bradford asked why the department wanted to keep the mustang instead of one of the larger cars for the DARE officer. Chief Murray stated that it was felt the mustang would better relate to the teens the department was trying to reach, and a trailer would transport the robot to the schools. McMenamin made a motion to approve the purchase of five police vehicles under state contract and to allow the mustang to be retained by the Police Department. Brooks seconded the motion. Motion carried unanimously.

11-92-7 <u>Driver License Facility</u>

City Manager Basinger stated that Chief Murray had been working to obtain a driver license facility in Peachtree City for renewal licenses and new licenses from other states. Basinger reported that the State has agreed to a facility and that it will be located in the Recreation Department Tuesday through Saturday for license renewals, transfers and learners permits. The recreation department did not feel that the facility would adversely affect their staff. The property will be leased at no charge, with the State Patrol being responsible for their phones, computers and staff. Basinger stated that staff recommended approval of the lease. Brooks made a motion to approve the lease for the driver license facility at the recreation department. Bradford seconded the motion. Motion carried unanimously.

There being no further business to come before Council Mayor Lenox made a motion that the meeting be recessed to be reconvened into executive session to discuss a personnel matter. McMenamin seconded the motion. Motion carried unanimously.

Executive Session

Brooks made a motion to authorize the Mayor to execute indemnification agreements with the three Authorities. McMenamin seconded the motion. Motion carried unanimously.

Brooks made a motion to authorize the Mayor to recognize and reward Police accreditation personnel at his discretion. McMenamin seconded the motion. Motion carried unanimously.

Bradford made a motion to adjourn the meeting. McMenamin seconded the motion. Motion carried unanimously. Meeting adjourned at approximately 9 PM.

Angie Stevens

Angie Stevens, Asst. City Clerk

Robert L. [illegible] Attest

Mayor