

**City Council of Peachtree City**  
**Minutes of Meeting**  
**November 1, 2001**  
**7 p.m.**

The City Council of Peachtree City met Thursday, November 1, 2001, in the City Hall Council Chambers. Mayor Lenox called the meeting to order at 7:00 p.m. Other Councilmembers present were: Carol Fritz, Annie McMenamin, Steve Rapson, and Dan Tennant.

**Announcements, Awards, Special Recognition**

Fayetteville Councilmember Larry Dell, chairman of the Association of Fayette County Governments (AFCG), presented Mayor Lenox with a plaque on behalf of the AFCG in recognition of service to the citizens of Fayette County during his 10 years as mayor of Peachtree City and his work on the Wastewater Master Plan, the Transportation Plan, his service on the Atlanta Regional Commission (ARC), and the Fayette County FUTURES Committee.

**Approval of Minutes**

McMenamin moved to approve the October 4 minutes with one amendment. Fritz seconded. The motion carried unanimously. McMenamin moved to approve the minutes of the October 18 minutes as written. Fritz seconded. The motion carried unanimously.

**Monthly Reports**

McMenamin asked if there had been a problem with emergency and non-emergency response times to the west side of the City due to the heavy construction traffic in the area and if it would be possible to have a monthly update on it. Police Chief Jim Murray said he would ask the 911 Center to flag all the calls in that zone (west of the bridge). Emergency response times were still under four minutes, but times were taking longer all over the City because of the calls for service, he said. The times were monitored daily, especially with the construction in the area, Murray added.

**Consent Agenda**

1. Consider Alcohol License Representative Change – On the Border Mexican Café
2. Consider Financial Institution for Lease/Purchase of Equipment
3. Delete Ordinance Which Established CCY
4. City Manager Contract

McMenamin moved to approve the consent agenda. Fritz seconded. The motion carried unanimously.

**New Agenda Items**

**11-01-01      Public Hearing – Variance – Centex Homes**  
Lenox read the rules for public hearings.

Lenox told Council that Centex Homes had requested a continuance on the variance request until the November 15 meeting. Centex was working with City staff on a possible solution for the problem that would not require a variance. Lenox moved to continue the public hearing on the variance request from Centex Homes until November 15. Fritz seconded. The motion carried unanimously.

McMenamin asked that Council be informed if a solution was worked out, with adequate time for Council to respond if there were questions or concerns.

**11-01-02 Public Hearing – Variance – Erwin Industries**

Elaine Erwin spoke for the applicant and requested a four-foot variance for the building's encroachment into the required rear setback area. Erwin explained that the company had been in the building for six years and found the four-foot encroachment during a recent audit.

Developmental Services Director Jim Williams said this was a situation where the building crept into the setback area while under construction. Williams added it was a minor encroachment and was just the corner of the building. It had been in place for a number of years and no one had noticed it. The solution of ripping out the corner of the building seemed rather extreme and staff recommended the variance be granted. Williams said it was not deliberate, but an accident, that the building encroached into the setback.

McMenamin commented that it was one of the prettiest buildings with one of the nicest views in the City. She added it was an incredible asset to the City and had been there for many years without a negative impact. She moved to approve the four-foot variance for Erwin Industries. Tennant seconded. The motion carried unanimously.

**11-01-03 Consider New Ordinance 54-13 Animals in the Parks**

Leisure Services Director Randy Gaddo told Council the ordinance was developed to assist parks monitors, as well as other Recreation staff, to deal with a problem that was becoming more difficult to control. He continued that some pet owners, especially dog owners, used the sports fields, parks, and courts as a place to run the dogs. The dogs left evidence of having been there, and then kids using the fields and maintenance crews taking care of the fields came into contact with the remnants left by the dogs. The parks monitor had asked people civilly to not do that, and had tried to appeal to their common sense, but it had not worked. The Recreation Department had gotten a lot of complaints from parents. Gaddo said they felt they needed to take some action to give the parks monitors and crews something to give to people so they will understand it was not just a simple request, but was guided by an ordinance.

Gaddo stated another issue was that specially surfaced tennis courts were being used for dog training not authorized by the Recreation Department. Gaddo said the dogs just being on them marred the surfaces of the courts. Their remnants also stained the surfaces of the specially treated courts. The ordinance would ensure that anyone walking their pet in the common area of parks would be held responsible to carry the equipment they needed to clean up after their own pet. Attempts had been made to take care of it in a more reasonable way, but they had no effect, Gaddo said.

McMenamin asked if a fine would be imposed on those who violated the ordinance. Gaddo answered that the judge could impose up to a \$1,000 fine. McMenamin asked if that information would be included on any signs that were posted. Gaddo said that was the intention.

Rapson said he had no problem with (b), (c), and (d), but did have a problem with the phrase "municipal athletic fields" in (a). He said that would restrict people from going to an athletic field and throwing a frisbee with their dogs, even if they were responsible and picked up the waste. Tennant said he believed that was one of the biggest problems, according to the people he had talked to. Rapson said the way he understood the ordinance, it was to give some "teeth" to rule. Rapson said if the words "municipal athletic fields" were struck, the ordinance would be fine. Rapson explained that his suggestion made it so that if people were going to bring their animals onto municipal athletic fields, then they would also be responsible for cleaning up the waste and having the means to do so. Gaddo commented that it was unfortunate, but everybody had to be punished for something a few people were doing. Rapson continued that the problem wouldn't be eliminated because there was an ordinance, but it would give the City "some teeth" so if someone on site saw a violation, the ordinance could be enforced.

McMenamin agreed the animals should be kept off tennis and basketball courts and asked if (c) could be reworded to include the municipal athletic fields. Rapson agreed and said that would give the ordinance the "teeth" it needed. Rapson said he would take out of (a) municipal athletic fields so it would be unlawful to bring any animals to surfaced tennis courts and outdoor basketball courts. Tennant suggested the "specially surfaced" be removed from tennis courts and changed to outdoor tennis courts. Lenox explained that it was worded that way because the City had some tennis courts where animals weren't a problem and also it left a handful of areas where people could go and train their dogs. Gaddo said the City did hold dog-training classes on one court, at Pebblepocket, and that was the court people training their dogs would be encouraged to use.

Tennant asked Chief Murray what would happen if someone walked their dog without the tools needed to clean up after them, whether it would be a citation or a warning. Murray said that Code Enforcement and the parks monitors would have the authority to enforce the ordinance and the police wouldn't have to be involved. Gaddo said that having the ordinance in place would give his people something to cite when the situation arose.

Council directed Gaddo to revise the ordinance based on their comments and bring the revised ordinance to the next meeting.

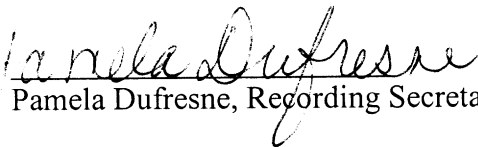
### **Council/Staff Topics**

McMenamin commended Fire Chief Stony Lohr and the Fire Department for the memorial ceremony held Friday, October 26, at Holy Trinity Catholic Church for New York City Firefighter Michael Boyle. McMenamin said it was beautiful, moving, and very much needed by the community.

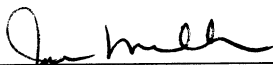
Lenox announced there were two items for executive session, one personnel matter and an update on a lawsuit. Lenox moved to take a brief recess then reconvene in executive session. Tennant seconded. The motion carried unanimously.

Lenox moved to adjourn from executive session. Fritz seconded. The motion carried unanimously.

There being no further business to discuss, Lenox moved to adjourn the meeting. Fritz seconded. The motion carried unanimously. The meeting adjourned at 8:15 p.m.

  
Pamela Dufresne, Recording Secretary

  
Robert L. Lenox, Mayor

  
Jane Miller, City Clerk