

City Council of Peachtree City
Minutes of Meeting
October 16, 2003
7:00 p.m.

The City Council of Peachtree City met Thursday, October 16, 2003, in the City Hall Council Chambers. Mayor Brown called the meeting to order at 7:00 p.m. Other Council Members present were: Annie McMenamin, Steve Rapson, and Dan Tennant. Murray Weed arrived late.

Announcements, Awards, Special Recognition

Mayor Brown recognized Katie Schulz of the 87 Lazars on her selection to the U.S. U-19 Women's National Team. Council Member McMenamin recognized her son-in-law, Sergeant Mark Brown of the Police Department, for 10 years of service to the City. Brown noted that Weed was late due to his duties as City Attorney for Hapeville.

Minutes

Tennant moved to approve the October 2, 2003, Special Called Meeting Minutes as written. Rapson seconded. The motion carried 3-0-1 (McMenamin).

Consent Agenda

- 1. Consider Appointment of Defined Benefit Plan Administrator**
- 2. Consider Authorization for Temporary Public Service Signs**

Brown noted there were additional documents on the dais for both items – a memo from the Finance Director entitled “Pension Trustee Recommendation and a memo from the Fire Chief entitled “Authorization for Temporary Public Service Signs.” Tennant moved to approve the Consent Agenda as submitted. McMenamin seconded. The motion carried unanimously (4-0).

Old Agenda Items

07-03-CA1 Consider Request to Lower Lake Peachtree Four to Five Feet

City Manager Bernard McMullen noted that earlier this summer Council had approved a request to lower the lake two feet. The homeowners asked that the lake be lowered four to five feet in order to repair docks and perform other work. The County Commissioners approved the request and the request was for the same time frame – early November until the end of December. Brown pointed out the request to lower the lake was to allow for dock and shoreline repairs.

McMenamin moved to approve the request to lower Lake Peachtree. Rapson seconded. The motion carried unanimously (4-0).

New Agenda Items

10-03-04 Alcoholic Beverage License – NEW – Mellow Mushroom

McMenamin noted that the paperwork appeared to be in order. She moved to approve the alcoholic beverage license and appoint Jim Utting as the licensee and Vickey Utting as the license representative for the Mellow Mushroom. Tennant seconded. The motion carried unanimously (4-0).

10-03-05 Consider Amendment to Alcohol Ordinance Relative to Definition of Church Building

City Attorney Ted Meeker asked Council to table this agenda item. He said he had several questions from Council Members and would like time to gather the comments.

Tennant moved to table the item until the next Council meeting. Rapson seconded. The motion carried unanimously (4-0).

10-03-06 Consider Endorsement for Loan for Airport Authority

McMullen said that Cathy Nelmes, chairman of the Airport Authority, had asked that this agenda item be tabled. Brown noted there was an additional document on the dais regarding this agenda item entitled "Intergovernmental Agreement."

McMenamin moved to table the agenda item. Tennant seconded. The motion carried unanimously (4-0).

10-03-07 Consider Amendment to Traffic Ordinance Relative to State Rules of the Road

McMullen explained that currently the ordinance adopted specific state rules by specific reference of O.C.G.A. Sections 40-6-1 through 40-6-395. He continued that staff requested the amendment, which referenced Title 40, Chapter 6, of the Official Code of Georgia, so the City automatically adopted any amendments made by the state and there would be no conflict.

McMenamin said this was a housekeeping item and moved to approve the proposed amendment to Section 78-1 of the Peachtree City Code of Ordinances. Tennant seconded. The motion carried unanimously (5-0).

10-03-08 Consider Resolution Regarding Legislative Changes for Motorized Vehicles

Brown noted there were additional documents on the dais regarding this agenda item – a memo from the City Manager entitled "Resolution in Support of Legislative Changes Concerning the Operation of Motorized Carts. Meeker told Council that Representative Lynn Westmoreland had asked legislative counsel to prepare the legislation concerning the changes. The draft legislation was forwarded to the City. Meeker, McMullen, and Chief Murray met and worked on the legislation, then sent it back to Westmoreland's office. Meeker said there was one follow-up change by legislative counsel. Meeker said the legislation did not void the Coker decision. Meeker said Westmoreland asked that Council go ahead and adopt the resolution in support of the legislation.

Brown noted one typo on paragraph 4 of the resolution. Rapson said the legislation would allow local jurisdictions the ability to allow golf carts on paths and designate other parts of the highway system, such as state highway crossings. Meeker said the legislation created an exception for golf carts for state route crossings. The legislation also gave the City the right to determine what

vehicles were allowed to operate on the City's streets. Rapson said the proposed legislation basically put the City back where it was before the court decision. Meeker said the City's ordinances would need to be readopted, but that things would go back as they were before the court decision.

Rapson moved to approve the attached resolution with the amendment made by the Mayor and send it to the Fayette County legislative delegation. Weed seconded. The motion carried unanimously (5-0).

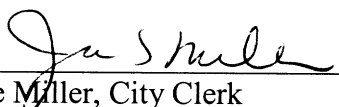
Council/Staff Topics

McMullen told Council that Christmas was on a Thursday this year. In the past, City employees had been given a ½ day on Christmas Eve and all of Christmas Day off. He requested Council consider giving the employees Christmas Day and Friday, December 26, off instead. Brown said he suggested wiping out the half day since no one wanted to come back to work the day after Christmas, especially on Friday. The Council Members said they had no objection.

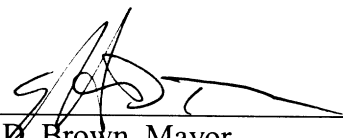
Meeker said he had a matter of pending or threatened litigation for executive session. McMenamin said she also had a legal issue she wanted to discuss. Tennant moved to reconvene in executive session for a legal matter and pending litigation. Weed seconded. The motion carried unanimously.

Weed moved to recess out of executive session and reconvene the regular meeting. Rapson seconded. The motion carried unanimously.

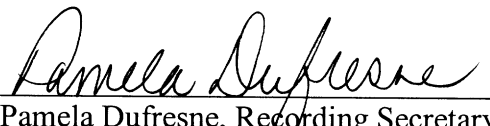
Weed moved to adjourn the meeting. Rapson seconded. The motion carried unanimously. The public hearing adjourned at 8:14 p.m.



Jane Miller, City Clerk



Stephen D. Brown, Mayor



Pamela Dufresne, Recording Secretary