

City Council of Peachtree City
Minutes of Meeting
September 16, 1999
7:00 p.m.

The City Council of Peachtree City met in a regular session, Thursday, September 16, 1999, at 7:00 p.m. in the City Hall Council Chambers. Mayor Robert L. Lenox led those attending in the pledge of allegiance. Other Council members present were: Annie McMenamin, Carol Fritz, and Bob Brooks. Jim Pace was absent.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Mayor Lenox presented the Employee of the Month Award to Wayne Newman.

Mayor Lenox read a Proclamation for ABWA Day and presented it to the ABWA President, Dottie Gandee, and ABWA Past President, Jill Lech.

Mayor Lenox read a Proclamation for Constitution Week and presented it to Jane Trammell, Regent of the General Daniel Newnan Chapter.

Mayor Lenox announced that the Georgia Tennis Association had named the Peachtree City Tennis Center, located on Planterra Way, the "Facility of the Year." The award was based on programming and events, design, organization, staff, and the number of new players attracted to the game. Designation as "Facility of the Year" was the highest honor a public or private tennis facility could receive in the State of Georgia.

MINUTES

McMenamin made a motion to approve the minutes of September 2, 1999, as presented. Fritz seconded the motion. Motion carried unanimously.

OLD AGENDA ITEMS

09-99-01 Consider Bid Proposal, Property/Casualty Insurance

Mayor Lenox explained the proposal for Property and Casualty insurance was tabled at the September 2nd meeting for two weeks in order to allow the insurance consultant and staff to obtain additional information. At staff's request, Lenox made a motion to table the issue again until the October 7th meeting. Brooks seconded the motion. Motion carried unanimously.

NEW AGENDA ITEMS

09-99-08 Public Hearing – Rezoning – Clover Reach Tract LI to LUC

Mayor Lenox read the rules for conducting a public hearing and gave each side 20 minutes to present its case.

Jerry Peterson, Pathway Communities, addressed Council to request the rezoning of a 1.8-acre tract fronting on Clover Reach directly behind the Waffle House and Scholotzsky's tract. He said the property was currently zoned LI Limited Industrial and the proposed zoning was LUC-13 Limited Use

Commercial. He said it would be an extension of the existing zoning for the adjacent City Circle tract. Jim Williams, Director of Developmental Services, spoke in favor of the rezoning. He said the Planning Commission recommended approval, as well. He said the existing uses on all side of the property were commercial in nature, and the site seemed more suited for commercial activity than industrial activity. He said the LUC-13 zoning classification would assure a more compatible development than the existing LI Limited Industrial zoning or a more generic commercial classification.

Hearing no one else speak in favor of the rezoning, Lenox asked to hear from those opposing the rezoning. Hearing no opposition, Lenox asked if there were any questions. Hearing none, Lenox called the hearing to a close and opened the floor for Council debate.

McMenamin felt the ability to put the restrictions on the Limited Use Commercial Zoning would be beneficial. She felt the development should be upscale and compatible to The Avenues. McMenamin made a motion to rezone the tract to LUC-13. Brooks seconded the motion. Motion carried unanimously.

09-99-09 Public Hearing – Variance – Demand; Lot 143 Fairfield

Lenox called the hearing to order and set a time limit of 20 minutes for each side to present its case. Mrs. Demand's contractor addressed Council explaining she would like to build an enclosed porch on the rear of her home. He did not feel it would obstruct anyone's view, and he said it would not encroach onto anyone else's property.

Mrs. Demand addressed Council and asked that they approve the variance. She explained that her physical condition was such that she could not leave her home. She said she wanted the porch so that she could get fresh air. Her niece/assistant caretaker also addressed Council to request approval. She felt it would be an attractive addition to the home.

Hearing no one else speak in favor of the variance, Lenox noted for the record that a petition had been presented to Council opposing the variance. He said the petition had been signed by several residents of The Fairfield Subdivision. He also noted the City had received a letter from Mr. Todd Manuel in opposition to the variance. Lenox asked to hear from those opposing the rezoning.

Todd Manuel addressed Council and stated he owned the property directly behind Mrs. Demand's property. He was concerned about the minimum setback requirements for his subdivision and felt a variance would set poor precedent for the future. He also felt the addition could cause a potential drainage problems. He pointed out that several residents of The Fairfield Subdivision were present in opposition to the variance.

Darlene Smith addressed Council and stated that she was not concerned with the appearance of the addition, but rather that it was not in keeping with the setback restrictions of the neighborhood.

Steve Harrelson addressed Council and urged them to deny the variance and enforce the setback requirements. He said the average size of a lot in the Fairfield Subdivision was less than 5,000 square feet. He said the footprint of each foot home left very little yard. He was also concerned with the potential drainage problems that could be created. He sympathized with Mrs. Demand, but felt there were other ways she could acquire fresh air.

Jim Williams, Director of Developmental Services, opposed the variance. He said The Fairfield Subdivision was the most densely developed single-family subdivision in Peachtree City. He said the minimum square footage for each lot was actually 4,000 square feet. He felt the setback restrictions should be enforced because they were in place to keep a reasonable amount of space between homes.

Lenox asked if there were any questions. McMenamin asked if The Fairfield Subdivision had a formal homeowner's association. Someone from the audience said they were currently in the process of forming an association. Lenox called the hearing to a close and opened the floor for Council debate.

Brooks said that there were no unusual circumstances to grant the variance and noted there were several residents in opposition to it. Brooks made a motion to deny the variance. Fritz seconded the motion and said that she had visited the site. She also said the subdivision was the most highly dense single-family subdivision in the City. Lenox agreed and felt approving the variance would set a poor precedent for the subdivision. McMenamin did feel there were unique circumstances to the situation, which would justify the variance, but she could not support it because of the amount of opposition expressed by the neighbors. Brooks suggested that Mrs. Demond could install windows and screens to increase airflow in her home. Lenox called for a vote on the motion. Motion passed unanimously.

09-99-10 Public Hearing – Consider Traffic Impact Ordinance/ Possible Building Moratorium

Lenox called the Public Hearing to order and explained the procedures that would be followed. He said Jim Williams, the Director of Developmental Services, would give a brief background on the situation, followed by a demonstration by the Traffic Consultant, Dames and Moore. He said Council would then entertain comments from public, discuss the issues and give staff instructions on how to proceed.

Jim Williams, Director of Developmental Services, felt Peachtree City was one of the most outstanding examples of a planned community in the entire country. He said the Land Use Plan had evolved over 30 years and was based on a very thorough study of the transportation system. He felt the City had done very well over the years, up until recently, when the Federal Government put a moratorium on the City's road building process. He explained that two extremely vital traffic projects for development of the community had been stalled for eight to ten years. Those projects were the widening of Highway 74 and Highway 54. He said staff had great concern for development getting ahead of itself in the area effected by those projects.

Williams said the severity of the situation was reinforced when staff reviewed the traffic impact study that had been prepared for The Avenues project which would be developed near the intersection of Highway 54 and 74. He said staff had been aware that traffic was not functioning properly at that intersection, but the study illustrated it very vividly. He said it seemed obvious to staff that they should study the entire corridor to determine the level of service in the area and determine what needed to be done to ensure the intersection did not become grid locked.

Williams said staff had contracted with the firm of Dames and Moore to prepare a traffic model for that area. Staff was also instructed to prepare a traffic ordinance to address the situation that seemed to be rapidly developing. Williams emphasized that staff did not recommend that Council declare a Building Moratorium in that area, which could last 10 years or more while the Federal Government straightened out its priorities. He felt the City should consider every single project that would affect that particular

corridor, and require developers to obtain and provide data to the City so that the impact of future development could be determined. He said if a future project would not have an adverse effect on traffic, it should be developed. However, if it did have an adverse effect on traffic, Williams felt developers should explore what could be done to mitigate that effect. He believed innovative and simple solutions could be found that could result in improving the traffic in the area. He asked Council to pursue the traffic ordinance and follow through with the preparation of a traffic model. He felt that by putting all development data affecting traffic at that intersection into a model, they could determine innovative ways to keep traffic flowing. He said staff did not want to do things that could greatly harm the development process, especially if it would effect the Industrial Park. He said any effect on the Industrial Park would in turn effect the economy of Fayette County, the South Atlanta Region and ultimately the economy of the State of Georgia. He felt there were other ways the situation could be handled. He said staff would put every effort they could into getting the road projects back on track.

Ed Ellis, representative for Dames and Moore, explained they used the model prepared for The Avenues project and expanded the distance in all four directions. He said they could load new project data into the model and determine exactly what impact new development projects would have. He believed significant opportunities for improvements could be implemented at a reasonable cost, which would not violate the clean air restrictions. He did not know how much additional development could be accommodated. He said Council would need to determine a minimum threshold to indicate which projects would require a traffic study, as well as establish criteria for acceptable operating conditions of the road system. He said if a project met the minimum threshold requirement, developers would be required to hire a traffic consultant to estimate the number of trips and direction of trips generated by their development. That information would be reviewed by the computer model to determine the project's impact. If the project was determined to cause the road system to exceed Council's acceptable standards, the developer would be required to find ways to mitigate the impact.

Ellis said his firm would provide a menu of improvements that could be made such as turn lanes, minor widening improvements, intersection improvements and traffic signal improvements. He said developers would be given the opportunity to pick from that menu, or even come up with additional improvements. The improvements could be tested with the traffic model based on their project's impact. In order to move forward, the project would have to fall within the guidelines set by Council.

Ellis said representatives for his firm as well as City staff had met with representatives of GRTA and GA DOT to determine what could be done to accelerate the construction projects and what could be done in the interim. They explored with DOT an option of building a portion of the project that technically would be allowed under the Clean Air Restrictions. However, they learned that the Federal Highway Administration refused to allow any portion of a "grandfathered project" to proceed because it would be an attempt to implement a part of a project subject to a Federal lawsuit.

DOT said the project might not be complete until the year 2008. He felt aggressive attention to the transportation improvement process through ARC, would help speed up the process by a year or two. He encouraged Council to be very vocal and active in the process of setting construction priorities because the project must be reintroduced into the system.

He felt Council would be acting responsible by adopting a Traffic Ordinance. He said very few communities had tested their land use plans and compared them with their traffic plans. He felt that by balancing land use issues and growth with transportation issues Council was acting responsibly.

McMenamin asked Ellis to differentiate between a regional development and a local community development. She felt a regional development would generate significantly more traffic. He said that criteria would need to be set by Council, and there was much criteria that needed to be taken into consideration.

Ellis presented a computer-generated traffic model and explained the existing level of traffic at the intersections. He demonstrated how new data could be entered into the traffic model.

A citizen from the audience asked what would happen to the traffic at the intersection of Highway 54 and 74 if the development of a Home Depot and were allowed, in addition to the proposed 1,600 residential units that would be built in the area. Lenox said the purpose of the traffic model would be to determine such actualities. He felt instinctively that those types of development would cause additional traffic problems.

Orville Barber addressed Council and said he was concerned about response times for emergency vehicles. He stated that traffic was grid locked between the hours of 4:00 and 6:00 p.m. daily, and he suggested that if a Wal-Mart and Home Depot were allowed to be developed they should be required to be closed during those hours. He also expressed concern that the new traffic signal to be installed for The Avenues project would cause additional traffic problems.

Steve Brown from the Planterra subdivision addressed Council on behalf of the Homeowners Association. He said his neighborhood was very concerned about development on the Highway 54 West Corridor. They felt that the residential traffic was not a problem in the City, but rather the commercial and industrial traffic. He said residents of his neighborhood were adamantly opposed to any connection of Planterra Way, the main entrance to their subdivision, to any road on the opposite side of Highway 54. He said his subdivision was connected to Kelly Drive, which was a direct access to the largest employer in the area. He felt a traffic light at the entrance to the Planterra Subdivision would only make it easier for employees from the industrial park to use their neighborhood as a thoroughfare. Although he felt it was difficult for citizens in his subdivision to turn left on a Highway 54 it was their "saving grace." The he said that the DOT projected a completion date of the year 2008 for the Highway widening project, but given the history of DOT's completion dates, Brown felt the development would not be complete until the year 2015. Brown also expressed his concern about emergency vehicles' response times to that area of the City. He also expressed concerned that the additional traffic light on Highway 54 for The Avenues project would increase the traffic problem rather than help the situation.

He said the citizens of his neighborhood were very concerned about the traffic situation. He urged the City Council and members of the Planning Commission to take whatever measures necessary to prevent any new development along the Highway 54 West corridor. He said with the DOT funding on hold and the widening of Highway 54 not expected until the year 2008, any further development would cause a stranglehold on Peachtree City traffic. He felt the public safety issue should be a strong concern. He felt industrial traffic would circumvent the intersection of Highway 54 and 74 by traveling through the Planterra Ridge subdivision. He felt that if Council obtained a traffic study that showed the development of a Home Depot and Wal-Mart Super Center would not impact traffic, then Council should get a second opinion.

Bob Brown addressed Council and said he felt that the traffic in Peachtree City was continuing to get worse. He felt Council should definitely consider other options to control the growth on the Highway 54 West Corridor. He felt Council should seriously consider a short-term moratorium on any development in the next three to six months. He did not want new development projects to be approved until Council had an opportunity to approve the Traffic Impact Ordinance.

The Bob Koons of the Planterra Subdivision addressed Council and said he was in favor the of the Traffic Impact Ordinance. He did not feel developers should be allowed to continue with development even if they could prove that their development would not make the traffic situation worse. He felt the traffic situation was in such a poor condition that it could not be made much worse. He felt the ordinance should help improve the situation and not just maintain a bad situation.

George Rosensweig, attorney for Pathway Communities, said they recognized the traffic situation along the Highway 54 Corridor to be a problem. But, they hoped Council would not fall into a trap of trying to find a quick fix to a situation that took many years to create. He was opposed to any development moratorium or a harsh, inflexible traffic ordinance. He said there were people with Pathway Communities that had been involved in the development of Peachtree City and who had a great record of accomplishment. He said Peachtree City was a model without many comparable models in the country. He said the City's Land Use Plan took into account traffic and transportation issues. He also said Pathway Communities had a 2.4-acre tract for which they had already spent nearly \$2.4 million for connection to the City's carpath system and for road design. He said Pathway Communities had expectations that they would be able to finish, complete, and sell that property under the existing zoning and Land Use Plan. He said the proposed Traffic Ordinance did not take into account the vested rights of property owners, and he suggested that it take into account all planned development based on the Land Use Plan. He said Pathway Communities wanted to be a solution to the problem, but that the proposed traffic ordinance would create turmoil and conflict between them and the City. He felt the City could not solve the problem by slamming the door on development and going to court to fight over vested property rights. He said he had recently read the infamous "District Court of Columbia Clean Air Act" and found one interesting comment. It said the restrictions were not a Congressional effort to micro-manage local regional traffic planning. Therefor, he felt it was up to Congress to provide relief for the situation.

He felt no one wanted the government in Washington D.C. to tell the local government in Peachtree City what to do, but in fact Congress was telling Peachtree City that it could not widened a corridor that the City had relied on for many years. He said although the micro-management from Washington may be well intended it was creating chaos. He felt having many people sitting in their cars with their engines idling in bumper-to-bumper traffic was not going to solve the environmental problem. He felt that there were Congressmen that would be responsive, and he suggested that Council initiate direct conversation with them to solve the problem.

He said Highways 54 and 74 were two major State highways and Peachtree City should not expect that it could, on its own, solve such a complex regional transportation problem. He also suggested Council should decide at what point the relief of traffic created by new roads should be factored into the traffic impact study. He also felt that alternate methods of traffic and transportation should be considered. He suggested that industry stagger shift hours and encourage car-pooling. He hoped that Council would allow the continuation of planning and development in the community. He felt commercial and industrial sites should be allowed to continue to be developed. He felt that if the community were to turn

away such developments, the traffic situation would not change because he felt there were plenty of other nearby communities that would love to have them. He said the traffic generated by development would continue to use the intersection at Highway 54 and 74 regardless of where the development was located.

Mayor Lenox stated for the record that Council had received a letter from Mr. Carl Westmorland, from the firm of Powell, Goldstein, Frazier & Murphy on behalf of the Huddleston Family Limited Partnership to reserve their constitutional rights relative to the proposed Traffic Ordinance.

Walt Mashburn addressed Council and said the issue had been discussed before. He said he knew for a fact that there was a traffic problem at the intersection of Highway 54 and 74 in he did not need a traffic study to tell him that. Mashburn asked Pathway Communities to contact their Congressmen concerning the moratorium of Highway construction. He also expressed concern about response times for public safety vehicles.

Doug Dillard, attorney for RAM Development Group, presented a letter to the Council to reserve his client's constitutional rights pertaining to the proposed traffic ordinance. He said his clients wanted to work with the City in a spirit of cooperation and compromise to try and address the issues at hand. He said Peachtree City was facing a real dilemma with the traffic situation. He felt that Council was becoming a hostage to its Land Use Plan because of the fact that there had been no relationship between the Land Use Plan and The Transportation Plan. He said Council had historically considered them as separate issues. He felt the Land Use Plan had historically dictated that zoning uses be segregated by developing large homes in one area, smaller homes in another area, and commercial and industrial areas away from the residential areas. He said the City was developed around the intersection of two main highways. As part of the Land Use Plan, the City had decided that non-residential zoning uses would be developed along the highways, with single-family uses away developed from them. He said there were no alternative transportation opportunities in Peachtree City. He said because of what had been historically dictated by the Land Use Plan, zoning decisions, and development practices, the City faced traffic problems at the main intersection of Highway 54 and 74. He said the City would have to figure out how to develop the remaining zoned properties around that intersection in a way that would accommodate and protect the rights of the people who owned the property and still preserve the quality of life for the rest of its citizens. He said there were properties that were yet to be developed in Peachtree City and Council could not shut the development down. He said the City had pending applications, which were entitled to be approved based on the existing rules and regulations as of the date submitted. He said there were other properties in Peachtree City that were also yet to be developed, and he asked Council what they would do about it. He said future developments would increase traffic regardless of its location and zoning. He said the Federal Government said highway capacity could not be increased, but it did not say development should be shut down. He suggested that Council consider all of the undeveloped property and make certain assumptions based on the current zoning to determine the impact on the road system of all undeveloped properties. He did not feel the City should only identify the west side of Peachtree to be subject to the Traffic Ordinance.

Lenox said the City had already notified owners of undeveloped land of sufficient size all over the City and advised them that their development might have an impact on the Highway 54 West Corridor and would be required to submit a traffic study.

Dillard said that past courts had determined that zoning could not be denied based on the increase of

— traffic because it should be assumed that all development would generate traffic. He said he was not an environmentalist, but Council should consider the impact of what was being done. He said citizens and developers had a right to use their property. He felt the Clean Air Act made the assumption that if road system capacities were expanded, it would help the air quality. He pointed out if the City did not have the services that the citizens wanted; they would get into their cars and travel outside of Peachtree City to shop. It appeared to him, that the City should try to provide what the citizens needed and wanted within close proximity to the residential areas so that they would not have to travel so far. He felt that was the overall purpose of what the Federal Government was trying to tell people. He said that they had not provided any guidelines to follow in making the type of decisions Council was facing. He said all development would have impact on the traffic, but he did not feel Council could deny property owners the right to use their property just because of the fact that the development would impact traffic. He said people relied on existing zoning. He said some property owners had already paid their impact fees and should certainly be allowed to develop their properties. He said that if Council made any decision to prevent them from developing their properties under the current zoning, then the City should compensate them. He felt there were ways they could reach compromise and allow people to use their properties. He hoped that Council would not enact a building moratorium, or pass a Traffic Ordinance that required the level of service would have to remain the way it is.

— McMenemy said the City was a planned community and made developers contribute toward the highways and streets in the City to accommodate the traffic. She said property owners wanted to increase traffic on the road with their developments, but she felt the City could not accommodate the increased capacity. She asked if Dillard's lawsuit should be with the Federal Government and not with the City of Peachtree City.

Dillard said that it might be with both entities. He said the City was the ultimate permitting authority and would be the authority that would deny the development. He said the City could blame the Federal Government, but the City would probably end up in court. McMenemy asked if the City was not just complying with Federal Law. Dillard said the Federal Government was not giving guidelines. He said if the City was trying to address transportation issues that had been created over a number of years, but they should not deny an applicant the right to use their property. He said the Federal Government mandated that roads could not be widened.

McMenemy said that she felt the law was intended to stop development by limiting the road capacity to accommodate increased traffic. Dillard the Federal Government was addressing existing conditions, not new development. He said the Federal Government felt the answer to air quality problems was to prevent more roads from being constructed. Dillard disagreed with that theory. He said the answer lied in a combination of many things, such as how property should be developed.

— McMenemy said her concern was not the increased traffic, but the safety of Peachtree City's citizens. She said there was no other place in Peachtree City, other than the Highway 54 West Corridor, that public safety vehicles could not access during peak traffic situations. She said that the fire trucks and police cars could not get across the bridge on Highway 54 if traffic was at a standstill. Dillard pointed out that the bridge and traffic situation already existed. He said while future development that might add additional trips in that particular location, it was not a sufficient reason to take property rights from people until the bridge is widened. McMenemy went back to the fact that the Federal Government was the entity that would not allow the increased capacity. Dillard said that the City might want to consider joining the property owners and sue the Federal Government.

A new citizen from Atlanta, Nancy Ames, was very unhappy. She said she was very scared and felt the average citizen did not have the same rights as developers. She said she moved to Peachtree City because it was a family community, had good schools and she wanted her children to be safe. She did not want more development. She said developers destroyed their land with no conscience in cutting trees. She said it was unfair to those who loved the land and wanted a family community. She said she was angry, outraged and hurt.

John Dillihunt addressed Council and stated that he had heard attorneys speak eloquently for the rights of the property owners. He said that he had seen property owners propose a highly populated apartment complex for property that was zoned for commercial use. He felt the issue was pure and simple - "public safety." He commended the City Council for entertaining the Traffic Ordinance and urged them to do something. He felt that the issue of public safety should be more important than any other issue. He felt that not being able to widen the road was an absolutely unsafe situation.

Bill Huddleston, addressed Council. He said that he was not a developer and he was not an attorney. He said his family-owned 42 acres located adjacent to be Highway 54 West Corridor for approximately 50 years. He said the property had been zoned for commercial uses for more than 20 years. He said he had family members that lived in that area of the City and that he was well where there was a traffic problem. He questioned the timing of addressing the situation because the traffic problem has been in existence more than five years. He said he had seen the City aggressively offer incentives to industries to entice them to locate in Peachtree City knowing that a large portion of the labor force would come from Coweta County and would negatively impact the Highway 54 West Corridor. He said no extra constraints had been put on those industries and that they had been given a right to develop their property as zoned. He said the office buildings behind West Park shopping center were nice buildings and the industry in Peachtree City provided a large tax base. He felt it was not fair for the City to say that only the commercial areas along the Highway 54 West Corridor impacted the traffic situation because there were no commercial developments on that side of the City. He said the problems existed based on decisions made by the City over several years. He felt if the City Council was concerned about traffic they should have looked at the situation more than five years ago. He asked to be treated fairly, as other developers had been treated in the past. He said his property was no longer a farm and he would like to develop under its current zoning. He pointed out that there was very little land left in Peachtree City that was zoned for commercial use and family owned a very large tract. He said he did not want to do anything that would be a detriment to the quality of life in Peachtree City and that no one loved the land in Peachtree City more than his family. He referenced comments made by Mrs. Ames stating that she did not want see any more trees cut down. He suspected that trees were cut down when her house was built. He said the problem with Peachtree City was that it was its own worst enemy. He said the better it got, the more people wanted to move to Peachtree City. He asked when they should they shut the door on development. He said if the door had been shut to development after his family moved to Peachtree City not very many people would be there. He asked for equal treatment under the law just as other developers had been given in the past.

McMenamin said she had initiated the discussion on the moratorium about one month ago. She said that it did not have anything to do with Huddleston's property. She said that it had to do with a fact that Council had believed and waited for the State of Georgia to deliver improvements on Highway 54 and 74. She said Council also believed they would be grandfathered when the lawsuit was initiated. She felt the timing was just right to try to do something. She felt it was important to take the leadership role and

do something to protect the safety of the citizens in Peachtree City. She felt it had to do with a complete breakdown between the Federal, State and Local Governments. She had every respect for his rights to develop his property, but that because of Federal mandates Council could not allow any development to take place that would adversely affect the safety of the citizens. Huddleston said that he knew McMenamin voted her conscience and that she would do what she felt was right. He said he had a great respect for her, but that she should not base her decisions on what she thought would happen. He said his family had been talking about developing their property since 1988 and were told that the road would be developed in 1992. The date was then pushed back to 1996. He said the date has been pushed back yet again and that it might not happen for another 20 years. He felt that was a moot point. He said if the City made decisions to bring industry and commercial development into Peachtree City based on what was promised that was a terrible decision. He said most industries in the City had a large labor force that affected that area of the City, yet the City continued to try and entice industry to come to the City. He said that he wanted to be treated just as other developers had been treated.

Mashburn asked Peachtree City to spend money and challenge the Federal Government. Lenox said that the City had done everything they could think of. He said they have talked to attorneys and researched the issue. He felt the only way to change the situation would be to put some political pressure on Senators Coverdale and Collins. Lenox said Atlanta was only the first of many cities to receive this distinction. He said somewhere in the Federal Government was a faceless bureaucrat (or group thereof) that decided that big cities were not the way to go. He said the easiest way to choke a big city would be to deny sewer permits, water permits or roads because without those things a big city could not exist. John Feenaghty addressed Council and suggested they build a perimeter road around Peachtree City to help alleviate traffic from Highway 54 and 74.

Lenox summarized what had been said. He said Peachtree City was a highly planned community and unlike most places, its plans had been concurrent. He felt the City has done a marvelous job of making sure that everything came together as needed. He said what had "hosed" the City in the end was one of the very few things that it could not control on a local level was the construction of state highways. Otherwise, he felt the City had done a fine job. He said the Federal Government had irrevocably changed the rules of the game and as a result, the City acted in the most responsible manner possible. Lenox felt that the City had been whacked by the "Federal meat cleaver." He felt the Federal Government wanted to micro-manage. He felt the City had approached the situation very carefully and Council had an obligation to protect the health, safety and welfare of the all of its citizens, including developers. He said this was one of the most complex and difficult situations ever faced by Council. He said there were no easy answers for a situation they did not create. He appreciated all of the citizens' comments and felt obtaining a scientific traffic study would be a responsible action to take.

Lenox said the traffic study would need to be completed to take additional development into account. He said the City was willing to invest money to create a traffic study as a base for the developers so they would not have to reinvent the wheel. He said the City would have to choose which of the potential developments should be accommodated, and that would be a terrible situation.

Basinger said staff would be prepared at the next Council meeting to present the Traffic Ordinance and traffic study. He also asked for interim guidance on whether or not staff should continue to accept development applications. Lenox said most of the property owners involved recognized the need to have traffic studies prepared. Lenox said it would not make sense for any developer to develop property without doing a traffic study. He did not feel that the City was holding anyone up in the development

process. McMenamin clarified that staff would continue to accept plans, conduct reviews, and actually present plans to the Planning Commission as long as conceptual approval was clearly conditional on the completion of a traffic impact study prior to the issuance of a permit.

Lindsey did not feel that anyone was being denied the right to use their property. He said staff should make sure that all of the applicants were alerted about what Council was trying to do.

Brooks felt Council agreed with the public comments. He thought that if Council did not do something different the City would fall prey to the same problems faced by other city governments. He felt that a building moratorium would not be upheld in court, and Council should consider doing something different. He said that if the City ended of going to court they would need to prove that there was a health, safety and welfare problem. He said the Traffic Study would provide that data.

Lenox hoped the traffic study could help find solutions to permit reasonable development and improve the performance of the roads. He said he did not want to live with the poor condition of the roads. He said that the cost of making the improvements was enormous and the City could not do it alone.

Brooks pointed out that the City was working with Coweta County to provide an alternate road from Coweta County to the industrial park.

Doug McMurrin, Ram Development, said he would like to provide his development data for the traffic study, but was told that he could not. Lenox said staff needed to complete the base line study, and then developers could hire their own traffic consultants to provide data to the City's traffic consultant.

McMenamin said she was glad the developers would be required to hire their own traffic consultants because she would not feel comfortable with developers hiring the City's traffic consultant. She wanted to see communication opened but not money exchanged.

Mike Rossetti asked where his development stood in the process. He felt his development should be included in the initial traffic study. Lindsey said Council would need to make those type decisions at the next meeting.

George Rosensweig asked if the developers could be provided with an advance copy of the proposed Traffic Ordinance and traffic study prior to the next meeting. Council felt that if the information was available, it should be provided.

Basinger again asked for direction from Council as to whether or not new applicants should be required to provide traffic studies for new developments. Lenox and McMenamin said that was the case.

Someone from the audience suggested that Council consider alternative transportation. Lenox said they would take it into consideration.

Lenox made a motion to continue the issue until the meeting on October 7. Brooks seconded the motion. Motion carried unanimously.

Lenox made a motion to take a brief recess. McMenamin seconded the motion. Motion carried unanimously.

09-99-11 WASA FY 2000 Budget and Capital Improvement Program

Larry Turner, General Manager for the Water and Sewerage Authority (WASA), presented the WASA's Operational Budget and Capital Improvement Budget. He said this would be the last year Council would need to approve WASA's Capital Improvement Program (CIP) Budget. He reviewed actual expenses for the current year. He projected revenue for the year 2000 to be \$3,450,000 with approximately \$2,122,423 remaining on existing contracts in the FY99 CIP. He said the proposed CIP represented a move from the original CIP at the time of acquisition to an ongoing annual CIP that would address the type of issues that the Authority would have to deal with on a continuing basis. He gave a brief description of the CIP program and projected revenues. He said the projected revenues would be \$400,000 less than last year due to one exceptionally large connection fee paid in FY99. He said an increase of \$248,000 in the operating budget was to provide 24-hour staffing, increased chemical costs for odor control, increased costs at the Flat Creek Plant to meet permit conditions, increased cost for disposing of solids, and the addition of a part-time GIS Technician. Lenox made a motion to approve the Water and Sewerage Authorities Capital Improvement Program and Plan for the fiscal year 2000. Brooks seconded the motion. Motion carried unanimously.

09-99-12 Consider Update of Master Recreation Plan

Earl Spell, Chairman of the Recreation Commission, presented an update of the Master Recreation Plan. He said the citizens, recreation program instructors, and athletic associations had all provided input for the plan. Spell thanked staff for their efforts in completing the task. He said the majority of projects had been recommended in the Master Plan had been incorporated into the City's Public Improvement Plan. Those that were considered too extensive to handle in the PIP were placed on a future list. Spell said the Plan would continue to be considered on a yearly basis during the preparation of the PIP. He said that the Master Plan should be continuously updated rather than reviewed every five years.

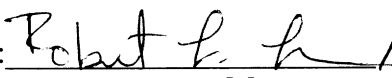
Lenox asked if anyone had any comments or questions. Lenox said that he felt the plan had been studied and discussed thoroughly and made a motion to approve the plan. McMenamin seconded the motion. Motion carried unanimously. Basinger said since he had been working for the City this was one of the most productive Recreation Commissions the City has ever had.

COUNCIL/STAFF TOPICS

There were no council/staff topics.

Lenox made a motion to adjourn the meeting. Brooks seconded the motion. The motion carried unanimously and the meeting adjourned at 10:00 p.m.


Nancy Faulkner, City Clerk

Attest: 
Mayor