MINUTES OF MEETING
CITY COUNCIL OF PEACHTREE CITY
September 6, 1990

The City Council of Peachtree City met in regular session on Thursday Night, September 6, 1990, 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 David Good, Annie McMenamin, Robert Brooks and Rich. Parlontieri.

City Attorney Mitch Powell represented the firm.

Addition of Agenda Items

None

Announcements, Awards, Special Recognitions

Mayor Brown announced that the City would be placing a red, white and blue ribbon on the pedestrian bridge across Highway 54 in support of the personnel overseas in the Persian Gulf situation. He explained that in keeping with the city policy, the ribbon would remain there for a period of thirty days although the support and concern would continue beyond that period.

Minutes 8/2/90, 8/16/90, 8/18/90

Mayor Brown called for action on minutes of meetings held 8/2/90, 8/16/90 and 8/18/90. Before taking action on those minutes Councilman McMenamin asked that reconsideration be given to the minutes of June 5, 1990 because she seconded the motion to approve those minutes and she was not eligible at that time to do so because she had not taken her seat on the council on June 5th.

Motion was made by Good that the minutes of the June 5, 1990 be approved and motion was seconded by Parlontieri. Motion carried with McMenamim abstaining.

Motion was made by Parlontieri and seconded by Good that the minutes of the 8/2/90, 8/16/90 and 8/18/90 be approved as published. Motion carried unanimously.

Old Agenda Item

7-90-8 Employee Health Insurance

City Manager Basinger called attention to the position paper presented by Personnel Officer, Jane Miller. He explained that this item was tabled at an earlier meeting to allow staff time to research self insuring the employee health insurance plan. He reported that this action was precipatated by the substantial increase in premiums over the last two years resulting in cost of $517,163 for the City to maintain the current plan.

Basinger explained that to self insure the City would need a company to handle claims administration and also would need excess insurance coverage for major claims, life insurance and for AD&D. The position paper stated that Pan American Life Insurance Company submitted the most cost effective plan. The total annual cost to provide excess insurance over $25,000, claims administration, life,and AD&D would be $345,964. This was based on an estimated claims payout of $252,806 which was the past twelve month experience plus 30%. Basinger stated that the dental insurance, currently with Guardian Insurance Company, would also need to be included in the plan and that cost was $19,248 making a total for the entire plan of $365,212.

Basinger reported that staff's recommendation was that Council approve the bid of Pan American Life at $345,964, that Council increase the employee deductible from $100 to $200 with deductible change to be effective January 1, 1991. Also that new employees coverage start after 90 days employment rather than the current 30 days. These changes would save the City approximately $17,000. Basinger stated that should Council approve the proposal from Pan American there were several areas of concern in the contract that would need to be resolved and that the action should include a contingency that those terms be resolved by the Attorneys. Basinger reported that the City's insurance consultant, Joe Byrd, was present for any questions as was Ms. Miller.

Brooks questioned how the City would be reimbursed for claims over $25,000 and Joe Byrd answered that it was his understanding that Pan American would reimburse the City immediately for each claim.

Parlontieri had a number of questions regarding the plan. He first asked why the previous carrier had rated the city so high when the overall trend was substantially lower. Mr. Byrd felt it was because their entire "book of business" was over their expectation and it was not the City's claims record. In answer to question from Parlontieri regarding the City's liability in self insuring, Byrd answered that the liability would be if the claims frequency for those under the $25,000 greatly exceeded the projection. There was also the unlikely chance that Pan American could become insolvent.

Parlontieri asked about present claims and Byrd answered that Traveler's Insurance Company, the current carrier, was responsible for all claims up until the effective date of the new plan which was proposed to be October 1, 1990. There would be no rebate from Travelers.

Parlontieri asked about self administering the plan as opposed to going outside. Byrd felt that would necessitate additional staff and he didn't feel it could be justified at the present time. He felt this could be considered as the plan matured.

Parlontieri questioned the liability in the case of the claims exceeding the fund and Byrd stated that this liablity was unlimited in that the City would have to find the funds, however, he pointed out that the major claims would be covered by excess insurance and there was coverage of one million dollars per claim. Byrd stated that the contract was for three years and, although there could be an increase in premiums in the event of several large claims, the contract could not be cancelled for that reason.

Parlontier asked why the City did not consider Minimum Premium Funding an option. Byrd expressed the opinion that the self insurance plan was the better way to go at this time. He noted that the City did not ask for that option in the bid.

For the benefit of the public, Good explained that the decision the elected managers had to make was whether or not an expenditure of over $500,000 was a wise judgment call or whether it would be better judgment to start a prudent self insurance program to save money over a period of time. He used the city self insurance plan for property, casualty and liabiity as an example pointing to the fact that over the years a fund reserve of approximately $650,000 had been built up and is now drawing interest for the City.

He felt the risk was substantially less now than it was when the plan was started several years ago and he looked at the health insurance plan in the same way. He felt, in his opinion , the expenditure of $500,000 this year and the unknown of what it would be next year was not a prudent expenditure of tax dollars. He felt the City should provide health insurance for the employees and the staff's recommendation to increase the deductible he supported because it placed some burden on the employee. He felt the self insurance plan was a prudent plan. Good stated that he realized this was a risk but he supported staff's recommendation.

Mayor Brown questioned the increased deductible and asked what the family deductible would be. Miller stated that the family deductible would be a maximum of three family members meeting the deductible which would be $600 Mayor Brown stated that he supported the plan except for the $200 deductible and he felt the $100 deductible should be retained. He pointed to the fact that increased salaries had recently been given certain positions in the City to be able to retain employees in those positions and that this would effect those same employees.

There being no further discussion Mayor Brown called for action on the subject.

Motion was made by Good that staff's self insurance recommendation be approved including solutions (1) (2) and (6) which were increasing the deductible from $100 to $200 effective 1/1/91; extending the waiting period of new employees from 30 days to 90 days and self insuring with $25,000 excess insurance through Pan American Life. Mayor Brown reluctantly seconded the motion supporting the self insured plan but he still felt the $100 deductible should stay in place. Brooks stated that he too would have supported the $100 deductible. Parlontieri stated that he would not support the plan because the minimum premium option was not looked at and he felt it should be considered. Good asked Miller and Byrd about the deductible trend and Miller stated that the $100 deductible was low. Byrd felt the average for government would be $200 and private industry was probably more like $250/$300. Good stated that he supported the increased deductible because he felt it was still better than most places, and was a method of placing responsibility on the insured. McMenamim pointed out that many municipalities require employee participation in the premium and this plan did not require that. She supported the increased deductible.

Brooks suggested a compromise to keep the $200 per individual with a cap of family deducible of $400. Good amended the motion to place an employee deductible of $200 with a family deductible of $400. City Attorney Powell reminded Council of concerns in the draft contract and motion was amended by Good to include a contingency that those concerns be resolved prior to signing contract or, if they could not be resolved, to return to Council for guidance. Amendment was seconded by Brooks. Motion carried with Parlontieri voting nay.

8-90-6 WATERSHED PROTECTION ORDINANCE

City Manager Basinger called upon Barry Amos, the City Engineer, to present the proposed amendment to the Land Development Ordinance for amending the watershed protection requirements.

Mr. Amos explained that in March of 1990 the City revised the Land Development Ordinance to bring the City's regulations in compliance with new State regulations as they applied to the Soil Erosion and Sedimentation Act. At that time the City also implemented and adopted minimal water supply protection for water supply sources of a 50' buffer and established a 25' buffer around State Waters. The Georgia General Assembly has now ratified new regulations which are far reaching covering the entire statewide watershed and were part of the Governor's Growth Strategy Program which can take five years to implement.

Amos reported that the Ordinance before Council at this time would accomplish tracking State Law in four areas. They were:

1. Clarification of the State definition of State Water. The currrent definition defines these as waters that flow 187 days a year which is somewhat argumentative. This has been replaced by definition as streams that are shown on the USGS Quad Map.

2. Establishes 100 foot buffer around water supply reservoirs and their perennial tributaries with 150 foot setback.

3. Establishes a 50 foot buffer with a 75 foot setback for those perennial streams that are not tributaries to a reservoir.

4. Leaves the 25 foot buffer around State Waters but removes any reference to a 50 foot buffer around reservoirs because that is already covered elsewhere.

   Amos encouraged Council to adopt the proposed ordinance and that futher investigation be done by staff and, if necessary, engage an environmental consulting firm, to assist staff in justifying greater buffers where they are needed. He reported that staff had concerns about certain land uses adjacent to waters supplies, present and future, as to what the impact will be on water supply reservoirs and tributaries.

Discussion followed the presentation with points being made as follows:

Parlontieri questioned the definition of impervious surface and Amos replied that the ordinance did not offer a definition and in the absence of that Webster would be used. Parlontieri also asked if there was not a conflict in the definition of buffer in the Land Development Ordinance and what was intended by this proposed ordinance. Amos felt the definition was a good one and didn't see a problem.

Brooks asked that, in the proposed ordinance in Sections 23 and 24, wording be added to include wording "undisturbed natural buffer". Brooks stated that the Ordinance was a result of work and input from many individuals and he wanted to thank them. He called special attention to members of the Planning Commission, the Wetlands Committee from ECO, members of the Water and Sewer Authority, representatives from the Developer, PCDC, and the City staff. He stated that the fairly simple ordinance had been arrived at by members of these groups and was one that he felt would be fair to all members of the City, but at the same time protect the environment and the water supply. He explained that, although the emphasis had been focused on water reservoirs, it would also protect streams and creeks where problems of erosion are occurring.

Amos corrected his reply to Parlontieri regarding the definition of impervious by reading the definition he had found in the State law defining impervious as "man made structure or surface which prevents the infiltration of storm water through the ground into the ground below the structure or surface". Parlontieri asked that this definition be added to the proposed ordinance.

McMenamim cautioned that, in her opinion, the City should not go beyond what the State regulations require pointing out that the State has provided five years for the implementation of the regulations.

Mr. John Setlock, resident of the City, asked if the 100 foot buffer was greenbelt and Amos replied that it was not required to be dedicated to the City as a greenbelt. Setlock asked if cartpaths could be placed in the buffer and Amos felt there would be instances where they would be but the City would look at those in the planning stage and keep them to a minimum.

Brooks asked that an amendment be added to the Ordinance to add statement in Section (23) that all exceptions to the undisturbed buffer have City approval.

Attorney Jim Stokes of Alston and Bird Law Firm, representing Peachtree City Development Corporation and the Equitable Life Assurance Society of the United States, spoke in opposition to the proposed ordinance. He handed a letter to the Council setting out their legal objections and notifying Council of legal action that was proposed if the ordinance were passed in it's current state.

Mr. Stokes stated that PCDC/Equitable had been attempting to work out their objections and he didn't think they were at an impasse at this time. He pointed out that a buffer was adopted earlier this year and now another is proposed with staff's suggestion that further study be made toward further restrictions.

Mr. Stokes pointed out that the state had provided a five year period for implementing it's regulations and PCDC was concerned about the City rushing into something that had not been studied thoroughly. He pointed out problems in the Ordinance and expressed the opinion that there were not enough standards on how permits would be considered and approved. Mr. Stokes felt this ordinance was of particular concern to PCDC because their plans had been made over the years on the basis of using the property around the reservoirs and streams because that was prime property. He stated that they had spent substantial amounts of monies in reliance of having that 100 feet and 150 feet of land available to them and to people who wished to have homes on the water. He explained that they had donated land and greenbelts to the City and to the County on the basis of that and had Master Plans and other plans approved on the basis of that understanding.

Mr. Stokes stated that if PCDC agreed to the 100 foot or 150 foot area they would be giving up a major, major amount economically. He stated that he was not stating that PCDC was not willing to do that but it would be only when there was an ordinance which they understood and where the requirements were clear and were ones they could agree to. He didn't feel they were at that point right now. He pointed to the section in the letter addressing "vested right in the property" and stated that there was a significant legal problem but PCDC did not want to "come to gripes" with that now and would like to work the situation out. He stated that PCDC had been willing to a 50 foot buffer but now there is a 100 foot buffer with a proposal for more buffering in the future. He felt the Growth Strategies Plan meant that time should be taken to work into these regulations and he felt the City was rushing into something. Mr. Stokes felt the Ordinance needed more study and planning and consideration with more fairness in the approach. Mr. Stokes pointed to major legal problems stating:

1. What does "enhanced" mean.
2. Is a deck or a cartpath an impervious surface.
3. Is the buffer required really 100 feet or is it 150 feet.
4. Has the process been followed as required by the State Regulation.
5. Vagueness in the ordinance.

Mr. Stokes strongly urged the City Council to defeat the ordinance at this point because it was too vague, that it results in the taking of private property and that it violated the vested rights of PCDC and was premature in view of the five year period being given to act by the State. He stated they were willing to continue to work with the City in perfecting the Ordinance to where it could be an acceptable compromise.

Councilman Brooks pointed out that it had been a matter of public record that this regulation had been ongoing for six months and there had been opportunity for anyone in the city to work with the City staff on the subject. He disagreed very strongly with the implication that the City had rushed to get this ordinance done. He pointed out that it was postponed in June to allow more time for review .

Brooks stated that he felt very comfortable with the legality of the Ordinance since it did track the State directives and they had been through legal review on the State level. He expressed irritation that this had come up. He found it ironic that suggestion would be made that the City had five years to develop the ordinance when in five years practically all development would be completed in the City.

Good stated that he made a motion to table this at the August 16th meeting to allow time for additional information to be collected by the staff. He asked what had been done during this interim. Mr. Jim Billups of PCDC explained that a committee met and he felt Amos had presented what he thought was the consensus of opinion of that committee, however, the committee did not meet and review the final product. He thought a final meeting of that committee would have worked out the problems.

Good asked what had been done on the part of PCDC/Equitable to provide City staff information on what their objections to the ordinance were since the item was tabled. Mr. Jerry Peterson of PCDC reported that their main concerns had been in definitions and that they had not been able to meet with the City Engineer to review those definitions with an eye toward clarifying them. Peterson thought Mr. Billups had met with the City Engineer yesterday.

Parlontieri asked the following questions: was it true the Watershed Protection Committee had not met on the ordinance; was there a legal opinion from the City Attorney on the proposed ordinance and was it true that there had been no meeting between PCDC and the City Engineer in the last two weeks until yesterday.

Amos stated that there had been two meetings between he and Mr. Billups since the last meeting. Amos had no recollection of Mr. Peterson asking for a meeting with him since the last Council meeting. Amos acknowledged that there was no final meeting of the Watershed Protection Committe but that the Ordinance had been before the Planning Commission and received their endorsement as well as the endorsement of the Water and Sewer Authority.

Parlontieri stated his frustration over innuendoes, lack of information, lack of understanding and communication. He did not want to take action on something on which there was incomplete information including no legal opinion. He would vote to table this item for another two weeks.

Brooks pointed out that the Ordinance before Council was considerably different from what was orignally proposed. He pointed out that the Watershed Protection Commiteee was an idea from the City to obtain input form various areas of the community but they had no legal or official capacity. It was strictly an ad hoc group.

Caroline Price, member of the committee and Planning Commision Chairman, stated that it was her understanding that the committee was a group of people brought together who were concerned and interested in seeing an ordinance come into being in a short amount of time . Also it was a way of creating a forum for obtaining opinions outside a public forum such as the City Council. She stated that there was concern about protecting the drinking water and the Committee met three or four times and were finally satisfied with the concept. As far as the language of the ordinance, it was left up to the City Engineer to finally do the draft. She stated that she was not surprised that the final wording perhaps was of a concern to some, but she did feel the concept was what was agreed upon.

There was much discussion from members of the public in attendance urging acceptance of the ordinance.

Good stated that he wanted to adopt something that was right and that protection of the watershed was not a debatable issue. He wanted to do what was legally responsible and what was morally responsible to land owners in the city. He gave background information on the development of Lake Kedron as a reservoir to reduce the problems of water shortages in the City. He explained that an agreement was worked out whereby Equitable donated property for Lake Kedron to Fayette County and part of their decision in doing that was that it would enhance land values around the Reservoir area for residential development. This was obvious and acceptable to everyone involved in the development of the Lake. He acknowledged that much had happened since that time, six or seven years had expired, with much public environmental awarness and the public had become better informed which was good. He didn't feel, however, that agreements could automatically be nullified with owners who donated land for the reservoir which is now trying to be protected.

Good felt there was a middle ground somewhere whereby the landowners interest and the public interest could get together. He felt frustration over the fact that communication was apparently not taking place. Good also could support tabling the action on this ordinance to attempt to obtain language that would be acceptable to both parties, or at least obtaining what could be considered by both, where Council could then make a decision on what they felt was appropriate.

Billups felt there were only a few technicalities and they could be worked out. Attorney Stokes also felt it could be worked out and if not, they would bring back language they wanted.

Mayor Brown gave some additional information on the background of the development of Lake Kedron and what agreements were understood from that time. He also pointed out that the City had not rushed into this ordinance as he felt was being implied.

City Attorney, Mitch Powell, pointed out that he met with Attorney Stokes in City Hall and also discussed the item with his associate over the telephone prior to the last meeting where this subject was taken up. Also he met with the staff on the ordinance and addressed the legal concerns over the ordinance that was being proposed at that time which was more stringent than the current one. As a result of those discussions the ordinance as presently proposed was drafted and he understood from Mr. Stokes that the legal problems had been addressed. He had heard nothing about concerns presented at this meeting.

Brooks pointed out that even if Council did nothing it would become law in five years by the State Law and he did not understand why it would be illegal if it were adopted now. He pointed out that it was practically the same wording as the State law. City Attorney Powell felt it was legal and he disagreed with Attorney Stokes on the five year period being required. Powell could not address the legal issue regarding vested rights without additional information.

City Manager Basinger stated that at the last meeting when the item was tabled it was his understanding that it was tabled because Council had only received the revised ordinance that afternoon and needed more time to review it. Basinger stated that he had attended the meetings with those working on the project and it was his understanding that all were in agreement on the revised ordinance. In fact, at the Planning Commission meeting Mr. Stokes had spoken as being supportive of the ordinance. He felt the City staff could certainly meet with the committee again but he felt the staff felt at this time all the background work had been done.

Motion was made by Mayor Brown that the item be tabled for two weeks and that the parties get together on the language with the understanding that the two week period was the deadline. Motion seconded by Parlontieri. Motion carried unanimously.

New Agenda Items

Mayor Brown called to order the public hearing for consideration of the FY 1991 Budget. He explained that the City was reorganizing several staff positions through the adoption of the budget. He reported that the reorganization would limit the number of people reporting to the City Manager would be five with the intent to evidentially have only four.

The Mayor explained that the reoganization would create the following Service areas:

Public Services to include Public Works, Recreation, and Library with the Director of Public Services proposed to be Mr. Colin Halterman.

Public Safety Service which would be a combination of the Police and Fire Departments. The Mayor explained that there is no Director of this Service at the present time and he did not know when that would occur and for the present the two Chiefs would continue to report to the City Manager.

Developmental Services to include Planning, Building and Engineering with the Director of Developmental Services proposed to be Mr. Jim Williams.

Administrative Services to include City Hall, Personnel and Purchasing and the Director of Administrative Services was proposed to be Ms. Frances Meaders.

The Mayor stated that it was his intention for the approval of the proposed budget to include approving these Services and the placing of those individuals as Directors of those Services. He then called upon the City Manager, Jim Basinger, to present the proposed budget.

City Manager Basinger explained that extensive meetings had been held by the staff and City Council resulting in the proposed budget. The budget of $9,158,343. represented a 9% net increase over last years budget. It also included slightly over $500,000 in rebudgeted public improvement projects.

Basinger reported major items of public interest were six new positions at a cost of approximately $126,000 and increased health cost of $117,000. He reported that the prior action of Council to establish the self insured health insurance fund would eliminate that item. He reported $773,487 in the self insurance fund reserve at the end of 1991 . He reported that tax millage of 3.79 out of 5 mills was dedicated to public improvements. Significant Public Improvements were: reconstruction of the McIntosh Amphitheater; reconstruction of one swimming pool and tennis court; $50,000 in cartpath reconstruction; reconstruction of Dividend Drive; reconstruction of Kelly Drive from the new bridge to Highway 74 and the rsconstruction and signalization of Crosstown Road/Hwy. 74 intersection; the construction of a third softball field at Meade Field . Basinger reported a reserve fund of $141,531 in the budget.

Basinger also emphasized that the budget was based on the reorganization as mentioned by Mayor Brown and called attention to the organizatiohnal chart in the budget. He recommended that the budget with the reorganization be approved as submitted.

Parlontieri commented on the reorganization as a way of streamlining the effectiveness of the city and to provide the highest level of services to the citizens . He complimented the City Manager on working this out within the short period of time given him.

Motion was made by Parlontieri that the FY 1991 budget be approved as presented by the City Manager. Motion ws seconded by Good. Mayor Brown called for comments from the public and hearing none called for a vote on the motion. The motion to approve the budget was passed unanimously.

9-90-2 <u>Highway 54 Widening - Cartpath Surface and Bridge Rails</u>

City Manager explained that DOT had advised the City that they do not plan to build a new cartpath bridge over Lake Peachtree but plan to relocate the current bridge deck. The contractor has also advised that the rails need to be replaced because of deterioration. Basinger stated that the State will be adding one new section to the deck and they will place the rails on that section. The contractor has offered to replace the rails on the old section at the same time if the city will pay the cost of those which would be $6,600. Also, the relocated cart path will not be paved by DOT and the City will have to pay for that also. The cost of that with the Public Works Department doing the work would be $6,750.

Basinger reported that staff recommends funding the $6,600 for the rails from the Reserve Fund and that the $6,750 for paving be transferred from the Concession / Restroom line item in the PIP budget because this project came in under budget. Basinger reported that these items came as a complete surprise to the City and that there is a meeting scheduled with DOT to strongly express objections to these surprise expenses.

Mayor Brown reinterated the statement of the City Manager that the paving of the cartpath came as a total surprise to him as well and that he planned to express his objections to DOT in Thomaston and then on to Atlanta if necessary.

Motion was made by Parlontieri that the proposal as presented by the City Manager be accepted. Motion was seconded by McMenamim. Good commented that the DOT plans show the old path being taken out and the new one being added and he did not favor taking this action at this time. He felt a meeting with the State DOT should be held prior to authorizing funds for this project.

Mayor Brown expressed his opinion that Council should authorize the funds because the paving will need to be done in the next week or do. He felt the case could still be argued with the State.

Motion carried with Good voting nay.

9-90-3 Appointment of Members to Commission on Children and Youth

City Basinger reported that the following members were recommended for appointment to the Commision on Children and Youth with the recommendation being submitted by both the selection committee and the Commission:

Karen Davis (reappointment)	Term to expire August 31, 1993
Larry Gray (reappointment)	Term to expire August 31, 1993
Sandra Jungers (reappointment)	Term to expire August 31, 1993
Bonnie Campbell (appointment to unexpired term)	Term to expire August 31, 1991
Karen Hansen-Guerrero (appointment to fill unexpired term)	Term to expire August 31, 1992

Ms. Susan Engel - Alternate

Mayor Brown reported that two positions were filling unexpired terms of resigned members Nancy Wortmann and Kitty Seabolt.

Motion was made by Brooks that the recommendations be approved as submitted. Motion was seconded by Parlontieri. McMenamim stated that there were excellent candidates for these positions and she appreciated the citizens coming forward and offering their services in this area.

9-90-4 Adopt a Mile Signage

City Manager Basinger called attention to the position paper from staff regarding the Adopt a Mile Program. He pointed out that the position paper included a recommendation that was the result of numerous meetings between city staff, the sign committee and the adopt a mile representatives. Basinger explained that should Council approve the program it would be necessary for them to consider two variances. One variance would be for the size of the sign and the other would be for the business identification on the sign.

Mr. Peter Pfeifer represented the Adopt a Mile Committee and presented his reasons for feeling the signs were necessary for the success of the adopt a mile litter pickup program.

Mr. Pfeifer presented an exact scale model on the sign proposed and asked for a variance for the total area of the sign and the fact that it will identify specific business entities. In answer to question from Parlontieri, Mr. Pfeifer reported that approximately 61 signs were proposed over a period of time with many of them being in the office and industrial area. He stated that the signs would be no closer than a mile to each other.

McMenamim asked if he felt he would lose volunteers if the signs were not authorized and he felt that was a possibility.

Brooks felt it was important to give credit to individuals and groups for their responsibility in cleaning up areas and he thought the signs would encourage those who had committed to an area to keep their area clean.

Good also supported the recommendation of staff and reported that his firm had adopted a mile.

McMenamim opposed the signage throughout the city and called attention to the number of signs already in place just along Peachtree Parkway. She did not feel signs would prevent litter but felt seeing friends and neighbors out picking up litter would be a deterrent. She suggested that acknowledgement of civic minded individuals or businesses be placed in the Kiosk to be built in the City Plaza. She also rcommended that the City set aside a recognition day for it's civic volunteers that had contributed in that year in maintaining and improving the lifestyle in Peachtree City.

After further discussion a motion was made by Brooks that the Adopt a Mile program be approved and the variances permitted for the signage. Motion was seconded by Good. Mayor Brown stated that he did not like the sign program but would support it at this time in the hope that the program would work.

Motion carried with McMenamim voting nay.

9-90-5 Resolution for City Election

Mayor Brown read a Resolution establishing a City Election for December 4, 1990 to fill positions of Post 1 and 2 currently filled by David Good and Annie McMenamim. The Resolution called for qualifying to begin at 8:30 AM on October 15,1990 and close at 5 PM on October 26, 1990. Voter registration for the December 4th election would close on November 16, 1990 at 5 PM.

The Resolution stated that to be eligible a person was required to be at least 21 years of age, be a qualified elector of the City and have continuously resided in the city for at least six months prior to the election date.

Motion was made by Mayor Brown that the Resolution be adopted. Motion seconded by Parlontieri. Brooks commented that he felt it was very important for people to vote and he felt sometimes people become confused over elections and dates etc. He asked the press to advertise the fact that October 9th was the last day a person could register to vote for the November 6th General Election. Motion to approve the Resoltuion passed unanimously.

9-90-6 Fayette County Municipal Association

Mayor Brown reported that in 1974 he was successful in forming a Municipal Association with Fayetteville, Tyrone and Peachtree City being members. It functioned successfully for some time but had not functioned recently. He reported that Fayette 93 had recommended that this Association be disbanded and that an Association be formed for all Fayette County governments. He felt there was support for a County Association and the Resolution before Council was to disband the old Municipal Association and authorize working toward a Countywide association.

Motion was made by Mayor Brown that the Resolution be adopted. Motion was seconded by Parlontieri. Motion carried unanimously.

Mayor Brown asked for dates of preference for an organizational meeting and suggested dates of October 17th, October 24th and November 7th as possibilities. Council gave Mayor Brown the date of October 24th as their first choice date.

There being no further business Mayor Brown made a motion that the meeting be recessed to be reconvened in executive session to discuss lawsuits of Black, Samples, Justice, Kelly, Simon, Anderson, Michel et al. Motion was seconded by Parlontieri. Motion carried unanimously.

Executive Session

Kelly Lawsuit

Motion was made by Good and seconded by Parlontieri that the offer in the Kelly case be rejected. Motion carried unanimously.

Black Lawsuit

Motion was made by Good that the offer made by Black be rejected and the final offer previously made by the City be rescinded. Motion seconded by Parlontieri. Motion carried unanimously.

Motion was made by Good and seconded by Mayor Brown that the meeting be adjourned. Motion carried unanimously.

Meeting was adjourned at 11 PM.

Frances Meaders

Frances Meaders, City Clerk

Attest

Mayor