MINUTES OF MEETING
CITY COUNCIL OF PEACHTREE CITY
September 5, 1991

The City Council of Peachtree City met in regular session on Thursday Night, September 5, 1991, at 7 PM in the City Hall Council Chambers.

Mayor Brown called the meeting to order and let those in attendance in the pledge of allegiance. City Council members present were: Mayor Frederick Brown, Jr. and Councilmen Edward Bradford, Annie McMenamin, Robert Brooks and Rich Parlontieri.

No items were added to the agenda.

Announcements, Awards, Special Recognitions

Mayor Brown read a Proclamation calling for the celebration of Citizenship Day on September 17, 1991 and Constitution Week the week of September 17 through September 23. The Mayor stated that the Constitution of the United States was the oldest constitution in the world although there are many countries older than the United States. He felt the citizens should be proud of the Constitution and urged everyone to join in the national commemoration during this special week.

Mayor Brown announced a special called workshop meeting of the City Council on September 17, 1991 which would be held in executive session to dicuss a personnel item.

Minutes of Meetings

Motion was made by Parlontieri that the minutes of meetings held August 1st and August 15, 1991 be approved as published. Motion was seconded by Bradford. Motion carried unanimously.

New Agenda Items

9-91-1 Public Hearing - Pitney Bowes Rezoning

Mayor Brown explained the City procedures for conducting a public hearing regarding the rezoning of property. Copies of the procedures were available for the public.

Mayor Brown called to order a public hearing to consider the rezoning of approximately 2.5 acres of land adjacent to the Pitney Bowes/Aberdeen Woods Conference Center. The property owner, The Equitable, was represented by legal Counsel of Pitney Bowes, Inc., Attorney Robert Howard.

Mr. Howard presented the rezoning application for Pitney Bowes, Inc. The request was to rezone a tract of land located on the northwest corner of the existing Aberdeen Woods Complex and contained approximately 2.5 acres. The property was currently zoned General Residential 10 (GR 10) and the request was to rezone the property to General Commercial with the same variances and special exceptions as were applied to the original Aberdeen

Woods complex.

Mr. Howard pointed out that the property is surrounded on three sides by commercially zoned property. He explained that the property was to be used for an extension of the Aberdeen Woods recreation areas , including but not limited to, a softball field, horseshoe pits, volleyball courts, basketball court and additional tennis courts all of which could be lighted or unlighted. Plans also included a dining pavilion lounge, planned for having alcoholic beverages available.

Mr. Howard pointed out that the Planning Commission recommended approval with the condition that a 20 foot cartpath and utility easement be provided along the western side of the property to allow for a future cartpath. This was agreeable to them with the proviso that the cartpath veer to the Equitable property as soon as possible and the path would be constructed as far from their recreation area as feasible.

Mr. Howard asked that the City Council approve the rezoning as requested to General Commercial with the same zoning conditions as the original complex.

Mr. Jim Williams, Director of Developmental Services, reported that the staff and Planning Commission both concurred with the zoning as requested. He reported that they both recommended the property be rezoned to General Commercial on the condition that a 20 foot pedestrian path and utility easement be established on the extreme western side of the property. He explained that plans for the cart path system call for a future path to run through this property from Wisdom Road to Aberdeen Parkway. The path will be built as a part of the development of the adjoining multi- family project, however, an easement was needed to be reserved at this time. It had been agreed by the Planning Commission, the applicant, and the staff that the cartpath would be placed as far to the west side of the easement as possible, and would exit the Pitney Bowes property to the south as soon as possible.

Mayor Brown called for anyone wishing to speak against the rezoning. Hearing no comments he called for comments or questions from the public and hearing none he then called for questions from the City Council.

McMenamin asked Mr. Ted Dowling of Pitney Bowes what type of screening was planned to maintain a certain amount of privacy as was mentioned in the application. Mr. Dowling stated that their plans were to maintain natural materials. McMenamin asked if the recreation facilities would be for Pitney Bowes employee use and Mr. Dowling stated that they would be primarily for their students and personnel but they did lease the facility from time to time and those leasing the facility would have access to them.

Motion was made by McMenamin that the rezoning request be approved as recommended by the Planning Commission with the cartpath and utility easement as a condition of the zoning. Motion was seconded by Brooks. Bradford stated that inasmuch as he was employed by Dictaphone, a subsidiary of Pitney Bowes, and he worked at the Pitney Bowes facility, he would abstain from voting on the matter. Motion carried with Bradford abstaining from the vote.

9-91-2 Public Hearing - FY 1992 City Budget

Mayor Brown reported that the City Ordinance requires the Mayor present an annual budget and that has been completed. The law also required that public notice be given for the hearing and that notice was done by advertisment in the legal organ twice. The notice of the hearing was also placed in the Update Newsletter and the hearing date had been announced at the last three City Council meetings. Mayor Brown called the public hearing to order to consider adoption of the 1992 budget.

City Manager Basinger was called on to present the budget. Basinger reported the budget for 1992 totaled $9,156,141 which was a net increase over the 1991 budget of 4%. He commented that the department budgets this year totaled a little over $5,125,000 and, with the exception of an assistant city clerk position, there were no new personnel in the budget. Also, the budget including funds to implement a new employee pay plan.

Basinger called attention to certain key items of interest in the budget such as in the area of public safety the departmental budgets totaled approximately $1,830,000 which was 35.5% of the department budgets. The Public Improvement Program totaled a little over $2,175,000 with almost $1,000,000 of that being carried over items from 1991 that were not completed with one being the reconstruction of the Amphitheater and another the street program which was out for bid. A large portion of that street program was the reconstruction of Dividend Drive. Basinger reported that other significant items in the PIP for 1992 were the initial funding for the Highway 74 Cartpath Bridge, traffic signals for Robinson Road and Walt Banks Road as they intersect with Highway 54. The public improvement program also included the funding for a utility van for the hazardous materials/dive team and funding for phase I of a new city computer system.

Basinger reported that the budget also included funding for the Property and Casualty self insurance program as well as the employee health insurance program. He reported that if there were no major claims there should be approximately one million dollars in the fund to start the new year with. In the area of debt service funds were dedicated to make payments on the bond issue in the amount of $221,290 and the final payment for the ladder truck at Neely Fire Station of $31,207. Basinger reported that the Reserve Fund totaled $98,603 which would be available for emergencies.

Basinger closed his comments on the budget by calling for questions from the Council or the public and Mayor Brown opened the floor for questions.

Mr. Ken Crowder representing the Wynnmeade Homeowners Association, asked for clarification on funding for the Wynnmeade Park. Basinger explained that the original estimate was $94,000 over a phased three year period with $15,000 being set aside for Phase I in 1992 to get the park started. Also, any funds remaining from the cartpath funds for the path across Highway 54 to the Conference Center would be applied to the park. Basinger reported that Phase II in 1993 had $22,400 budgeted and Phase III in 1994 had $20,900 budgeted. Mr. Crowder was under the impression that the park had been fully funded at the PIP public hearing and Basinger read the minutes from the meeting which explained the phasing process but with the understanding that any excess funds from the cartpath construction would be applied to the first phase of the park.

Mr. Howard Morgan expressed concern that the reserve fund was not larger to cover unexpected revenue shortfalls.

Council made a point that the insurance fund had a substantial balance to cover anything in that area.

Parlontieri expressed appreciation to City Manager Basinger and the staff for the budget and stated that he was pleased with the 4% increase over the 1991 budget which basically stated that the City was just keeping up with what was going on in the market place and still was able to provide a new pay plan for employees. He questioned the source of the development fees in the budget and Basinger stated that this was basically a projection based on past history but , based on the new state law, a development fee committee would be working very soon on a plan for collecting these fees. At the present time the development fees for Kedron Village are being collected at the time an occupancy permit is issued and these funds are maintained in a separate account to be used for public facilities as they come on line in the PIP program.

Brooks commented on the statement by Mr. Morgan about the reserve fund. He stated that the budget in the past years had been increased by approximately seven or eight percent and this year it was only four percent. He felt this was a conservative prediction in the area of revenues and he felt comfortable with the reserve fund.

Bradford thanked the staff and Mr. Basinger for the budget and had no questions.

Mayor Brown stated that there was no way that the budget process could be understood unless someone had worked closely with the process as he had in the last several years. He stated that work started on the budget at least six months ago and the Council started their process at the Retreat in February. He commented that the results of the budget was due to the quality work of many, many people and he stressed the quality of the staff work. He also added his compliment to the staff on the budget and called for action on the item.

Motion was made by Parlontieri that the FY 1992 budget be approved as submitted. Motion was seconded by Brooks. Motion carried unanimously.

9-91-3 <u>Amphitheater Sound Equipment Bids</u>

City Manager Basinger reported that bids were solicited for a sound system for the amphitheater. He reported that Panasonic, located in Peachtree City, had offered to donate a portion of the sound system and that this donation was substantial and was estimated at this time to be approximately $65,000. He felt it was important to make that acknowledgement at this time and to express appreciation to Panasonic. The portion not donated was bid and this was a difficult task in that the equipment had to be compatible with the Panasonic equipment and the City still had to maintain the integrity of the bidding system. Basinger felt both these goals were met. He explained that in addition to the base bid five alternatives were bid. These were offered to five qualified acoustic companies and two bids were received. They were as follows:

Seriously Sound, Inc. Atlanta, Georgia	Base Bid	$39,818.78
	Alt. #1	1,475
	Alt. #2	3,350
	Alt. #3	1,175
	Alt. #4	No bid
	Alt. #5	3,150
Ancha Electronics, Inc. Norcross, Georgia	Base Bid	$27,613
	Alt. #1	1,790
	Alt. #2	4,376
	Alt. #3	602
	Alt. #4	7,500
	Alt. #5	1,909

Basinger stated that Alternate #4 was a mixing board which Panasonic is now going to donate, therefore, Alternate #4 was not needed. He reported that the bid by Seriously Sound totaled $39,818.78. Anchas total bid was $43,790 for all alternates and deducting the $7500 for the mixing board the bid was $36,290. Seriously Sound did not bid Alternate #4, therefore, there was no deduction for that alternate. Staff recommended the bid be awarded to Ancha Electronics, Inc. at $36,290.

Motion was made by Bradford that the bid submitted by Ancha Electronics to include the base bid and alternates 1,2,3 and 5 be accepted. Motion was seconded by McMenamin. Motion carried unanimously.

9-91-4 Relocation of Signal Poles at Northlake/Highway 54

Basinger reported that bids had been solicited for the removal and reinstallation of the existing traffic signal poles at the intersection of Highway 54 and Northlake/Willowbend Roads due to the widening of State Route 54. Three bids were received as follows:

Bass Signal Eatonton, Georgia	$12,800
Brooks, Berry-Haynie Assos. Atlanta, Georgia	$ 5,600
R. J. Haynie & Associates Forest Park, Georgia	$ 7,500

Basinger reported that $10,000 had been budgeted for this project and there were other expenses involved with the relocation of the poles such as the design and construction of a center piece for the pole. Staff recommended the bid from Brooks, Berry- Haynie Associates be accepted.

Motion was made by McMenamin that the bid of Brooks, Berry-Haynie Associates be accepted. Motion seconded by Bradford. Motion carried unanimously.

9-91-5 Resolution Welcoming Clayton State College to McIntosh High School

Mayor Brown explained that Clayton State College had committed to bringing credit courses to Fayette County during the fall, winter and spring quarters of the 1991/92 school year. He read a Resolution welcoming Clayton State College to Fayette County and more specifically McIntosh High School and recommended the Resolution be adopted by the City Council.

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

9-91-6 Senoia Road - Old Highway 74

Mr. Doug. Warner of McGinn, Webb and Warner Law Firm, addressed the Council regarding the status of Senoia Road, formerly Old Georgia Highway 74. He explained that he represented E. Lamar Seals, III who held an option to purchase the property located at the intersection of Senoia Road and Georgia Highway 74. He understood that originally it was anticipated that this intersection would be closed and Old Highway 74 (Senoia Road) would be restructured into a cul-de-sac. The cul-de-sac was to happen when the new access stub approximately one-half mile to the north of the subject property was completed to connect old Highway 74 with the new Highweay 74.

Mr. Warner stated that several months ago he inquired about the status of the new access and Mayor Brown had informed him that DOT had for the present time abandoned the plan to connect the roads at the new access. Old Highway 74 was connected to New Highway 74 at the intersection of Senoia Road and New Highway 74 and the State deeded Seonia Road to Peachtree City which now maintains it.

Mr. Warner explained that his client did not want to exercise his option to purchase the subject property if Senoia Road was going to be closed and made into a cul-de-sac because there would be no reasonable access to the new Highway 74. He asked for a resolution from the Council on their intention regarding Senoia Road.

An opinion from the City Attorney, Mitch Powell, was introduced in which Attorney Powell explained that even if the present City Council adopts a resolution saying it had no intention to cul-de-sac Old Highway 74, there would be nothing to prevent a subsequent Council from voting to do otherwise. Also, the State DOT could at some point influence or require, under certain conditions, the City to change the configuration of Old Highway 74 in the future. His conclusion was that if the present Mayor and Council commit to a certain street configuration for Old Highway 74 or any other street, that committement must be conditional as mentioned. Otherwise purchasers relying on the Councils' actions could have a damage claim if a later Council or the DOT changed the street configuration at a later date.

Warner stated that he understood a present Council could not bind a future Council to a committment.

After discussion the Council felt that there were no plans by this Council to cul-de-sac the road and they had no problem stating that but at the same time state the fact that there could be a change in that determination in the future by a different Council.

Motion was made by Parlontieri that a resolution be approved to not cul-de-sac Senoia Road at the intersection of Highway 74 with the conditions specified in the memorandum from the City Attorney dated September 5, 1991. Motion was seconded by McMenamin. Motion carried unanimously.

9-91-7 Request for Alcoholic Beverage Consumption Authorization

Mr. Jim Webb, representing the Fayette County Chamber of Commerce, explained that the Chamber was sponsoring a musical concert at the amphitheater on October 12, 1991. He requested that Council authorize the concert attendees to bring their own beer and wine to the concert. He also requested, in the event the amphitheater did not get completed in time for the concert, that the concert be approved at the City Hall plaza with the same agreement toward beer and wine. He stated that funds had already been allocated to employ members of the Fayette County Sheriffs department to ensure compliance with all city regulations including that of the use of beer and wine.

Mayor Brown explained that an existing ordinance permits the Mayor or City Manager to approve certain performances at the amphitheater to allow the use of alcoholic beverages. These performances were called the McIntosh Summer Series Concerts and he felt this type performance would fit in with that program and he could support the request. He felt the amphitheater would be completed in time for the concert but that in the event it wasn't, he would have no problem in allowing the same thing for the City Hall Plaza.

Motion was made by Bradford that the Chamber of Commerce be approved to permit those attending the October 12th concert to bring their own beer or wine whether the concert be at the Amphitheater or the Plaza. Motion was seconded by McMenamin. Motion carried unanimously.

City Attorney Powell suggested a slight change be made in the city ordinance to permit alcoholic beverages at the City Hall Plaza. Mayor Brown felt that should be considered at some later date if Council wished to permit that but this would be a one time permit should it be needed if the amphitheater was not completed.

Additional Announcement

Mayor Brown recognized Mr. Gerald Mathews of Georgia Waste Management Systems.

Mr. Mathews explained that an arrangement had been made between his compnay and the City to split 50/50 the proceeds from a curbside recylcing program with the City committing their 50% to the Highway 54 beautification program. He reported that the program had been relatively successful thus far and presented a check to the City representing a portion of April and for May. He explained tht once a quarter his company would be presenting a detailed report on the recycling with a payment to the City for their portion of the proceeds.

Mayor Brown thanked Mr. Mathews for this payment and reported that although the City is supportive of recycling, this program was not solicited by the City but was brought to the City by Mr. Mathews.

There being no further business to come before the Council, a motion was made by Mayor Brown that the meeting be recessed to be reconvened in executive session to discuss litigation of Center Space, Black, Justice/ Simon and a personnel item. Motion was seconded by McMenamin. Motion carried unanimously.

Executive Session

No action was taken in executive session and motion was made by Mayor Brown that the meeting be adjourned. Motion was seconded by McMenamin. Motion carried unanimously. The meeting adjourned at 8:45 PM.

Frances Meaders, Director
Administrative Services

Attest
Mayor