

City Council of Peachtree City
Meeting Minutes
Thursday, August 4, 2022
6:30 p.m.

The Mayor and Council of Peachtree City met in regular session on Thursday, August 4, 2022. Mayor Kim Learnard called the meeting to order at 6:30 p.m. Council members attending: Gretchen Caola, Frank Destadio, Mike King, and Phil Prebor.

Announcements, Awards, Special Recognition

Learnard said it seemed emotions had been running high lately, so she wanted to share a few comments before they got started. She stated that they all shared the same goals—peaceful enjoyment of the community through amenities such as the cart paths and green spaces. She wanted to briefly address several topics.

A recent request for abandonment of a path near Edgewater Way had been denied by the City. It was over; the abandonment would not happen, the Mayor stated, adding she was not sure why she still saw "Save our Paths" signs around, but that issue had been put to bed.

Speed bumps were put into place in response to citizen concerns about path safety as well as Council and staff concerns about where most injuries were reported. Public outcry over the speed bumps had been clear, she remarked, and the City was re-evaluating the number, location, and configuration of the bumps. Staff would now take a more measured approach, and Learnard said her guess was that they would reduce the number of speed bumps and would be strategic about where some might remain. She said she would like to see splits to allow for bikes and skates. Council would leave this issue with staff and let them do their jobs.

A fence issue had added to the confusion at an inopportune time, Learnard remarked. The fence ordinance stated that a fence must be no less than four feet from a cart path, but the City website said five feet. The website was in error, and that error had been corrected. The ordinance remained unchanged from 2011 at four feet.

Lastly, Learnard wanted to address the topic of conduct at Council meetings. The ordinance stated that anyone making personal, impertinent, or slanderous remarks should be barred by the presiding officer—which was the Mayor—from further comment before Council during the meeting. That was in the ordinance, and they would follow the ordinance.

Public Comment

As per policy, City Clerk Yasmin Julio stated, the public comment period was 20 minutes, and that time would be divided among the number of speakers, leaving 50 seconds per person.

Megan Kirkland said she grew up in Planterra Ridge and moved back to raise her own children there. But now the traffic situation there had become a danger, especially to the kids. She said multiple traffic apps had begun to direct traffic through there as a cut-through. Traffic studies showed about 18,000 vehicles a week speeding down the streets of a 432-home subdivision at speeds topping 70 mph, Kirkland stated.

Keith Larson called for the removal of speed humps without gaps and for Council to adopt a path safety policy and re-institute the path safety citizens' advisory group. He said the City had received ample notice of these hazards, but had not taken action to correct the problems. The speed humps

had caused several bicycle accidents and action by Council would show they shared the residents' concerns for citizen safety.

Claudia Eisenberg said Peachtree City needed to be number one in Georgia for law enforcement compensation. If they did not raise salaries, they would lose valuable officers. She said her own son-in-law had to leave Peachtree City to support his family. Eisenberg called for a housing allowance that would allow officers to live in the city, which would be a deterrent to crime.

Shane McElroy called for gates to be installed at Planterra Ridge to help stem the flow of traffic and protect their children. He asked Council to include this on a Council agenda for discussion and vote favorably.

Jan Lindstrom of the Saranac Park neighborhood said Fayette's animal tethering laws were archaic, and they needed to update it to save the animals who were suffering in the heat.

Jed Lindstrom said he, too, was concerned about vague tethering laws that did not specify what type of restraints were allowed. Other counties had stepped up on this, he stated.

Celeste Stoney also called for Council to do something about traffic in Planterra Ridge and the danger to residents. The City had documented the heavy traffic and speeding, so they were asking for a one-way gate that would only be down during high-traffic hours.

Lecque Stoney said he lived in Planterra Ridge, and he was not allowed to ride his bike because of the cars, and traffic also made it dangerous to play with his ball.

Wyatt McElroy also asked Council to keep all the Planterra Ridge kids safe with a gate.

Jane Trammell called for strengthening of the tethering laws.

Curtis Wagner said the speed humps were dangerous to bicyclists and skateboarders. They had created more hazards than they had fixed, he noted, saying most carts could stop at the speed bump and be back at 20 mph in a few seconds. They needed to remove the speed bumps and apologize to all the people in Peachtree City, he told Council.

Eric Irvin said he was not ready to wave the victory flag yet because he felt there was a problem with the way Council was handling issues. He said he was disappointed with what he had seen; Council might think this was about annexation of one path or about a fence or speed humps, but it was a pattern of behavior that he called unethical and possibly illegal. Citizens wanted accountability. He noted that Council was preparing to ask for Special Purpose Local Options Sales Tax (SPLOST) funds and to increase tax revenue. No one would support that unless there was transparency and integrity.

Mary Chamberlain, who said she lived in Glenloch, and grew up in Peachtree City, was also concerned about ethics. She suggested Council look into ethics and compliance training.

Chan Suto of Edgewater Way expressed concern about a neighbor who had asked to make the path private. She thought that one person should not have that right and hoped it would not happen in the future.

Vikki Pippin said builders and developers wanted to add more to Peachtree City, but traffic needed to first be addressed. Council had promised to help with the traffic, so she said "Save our Roads."

Jack Hawkins signed up to speak but did not appear.

Suzanne Brown called the time limit on public comment an "abomination" and said it violated free speech rights. She cited the New York Times v. Sullivan, saying it said that comments could be caustic, vehement, and unpleasant to government officials, and there was nothing government could do. She said the Mayor told them last month "there would be none of that or she would have them removed." Brown said they were not intimidated by threats to their First Amendment rights or "we'll have you removed."

Chris Parker thanked the Mayor for her comments, but said there were still some accountability and ethics questions that needed to be addressed. Path safety was an issue, but not because of a specific age group—it was everybody. The issue, he stated, was a lack of enforcement of the rules and ordinances. He also thought that, during a public hearing, the public should have the opportunity for additional comments after Council had asked questions and additional information had been imparted.

Joanne Bolan said she planned to talk about the paths, but now wanted to request that a marching band be added to the July 4th parade.

Cindy Kirkpatrick reported that Saranac Park had someone who was keeping their dog tethered on a short lead. The Police and Animal Control had been called. If Peachtree City was to be a progressive city, ordinances needed to be clear and changed to protect innocent animals.

Vic Painter said he was not there to make accusations; he just wanted them to lock arms and get something done for Planterra. His daughter was nearly hit by a truck in February. Police gathered traffic information that week and found that 64% of the vehicles that came through the neighborhood were over the speed limits; one going 75 mph. The following week, it was 72%. He said Council had been supportive of other neighborhoods; now it was time to help Planterra.

The speed humps were a good idea, Paul Schultz commented, but the execution left something to be desired. A few Saturdays ago, he related, he traveled on the paths from the library to the spillway bridge. It took 9.5 minutes at 11 mph. At 15 mph, he would have arrived at the bridge just 2.5 minutes faster. It would have been unsafe to go much faster than he was driving.

Allison Powell said her neighborhood, The Estates, surrounded Braelinn Elementary and was being used as a cut-through. Braelinn traffic was 25 mph with a big intersection at Peachtree Parkway and Robinson Road. During times when kids were walking to school, cars were cutting through on Biltmore Trace and Callaway Crossing. Neighbors had resorted to putting orange cones in the streets to slow people down. She asked that Council consider adding The Estates to the Braelinn school zone to get the speed limit on par with surrounding major streets. It was within the 1,000-foot limit for a school zone.

Agenda Changes

None

Minutes

1. July 12, 2022, Special Called Meeting Minutes

2. July 12, 2022, Executive Session Minutes

King moved to approve the July 12, 2022, Special Called Meeting Minutes and the July 12, 2022, Executive Session Minutes. Prebor seconded. Motion carried unanimously.

Consent Agenda

1. Appointment of Interim City Manager Effective August 17, 2022

2. FY-22 Budget Amendment and Increase of (1) Public Communications Specialist (F/T)

3. Reclassify Assistant Police Chief Position from Salary Grade 121 to Salary Grade 122

4. Addition of Two (2) Firefighters/EMT's or Paramedics in the Fire Department

5. FY-22 Budget Amendment and Contract with ISE for Stormwater Management Service

6. FY2023 Non-Profit Funding- Fayette Council on Domestic Violence, Inc. d.b.a. Promise Place

7. FY2023 Non-Profit Funding- Fayette Senior Services

Destadio moved to accept Consent Agenda items 1-7. Prebor seconded. Motion carried unanimously.

Old Agenda items

07-22-02 Adoption of FY 2023 Operating Budget and Capital Improvement Program

Financial Services Director Paul Salvatore stated that after the workshop and the required public hearing, it was time to adopt the budget, but first he would review some of the main points. The General Fund would have about \$45,675,000 in revenues, and \$46,346,000 in appropriations. The use of reserves was \$571,397. Both revenues and expenses, he continued, had escalated roughly 12%. The year would end with almost \$25 million in the reserves, leaving the uncommitted reserve fund at 50%.

Salvatore recapped the final adjustments Council had made in the past couple of weeks. They were aware of these changes, which had been discussed publicly. One was a 2% cost of living adjustment (COLA) for all employees as of October 1. Employees were currently about 8 or 9% behind on inflation. A 5% COLA would take effect January 1, but this 2% would get a jump on that, he remarked, and they could review the situation during the fiscal year-end review in December. Another adjustment was to add back the administrative clerk position as of January 1.

A couple of these adjustments dealt with police recruitment and retention, Salvatore noted. Police overtime would now kick in at 84 hours, rather than 86 like it did now. Also, the charge for take-home vehicles would be eliminated for Public Safety employees.

They wanted to pull some street maintenance duties back in-house, particularly those that dealt with cement work. They would basically break even on that move, Salvatore reported.

He went on to say the revenue projections were done in April or May so they could present the proposed budget in June. Since then, there had been a couple more months of actual revenues to look at, and they had been able to comfortably adjust the estimated revenues to \$480,468, which would cover all the adjustments. There were no changes in other funds from what had been discussed, Salvatore reported, and Council had schedules in their information packets.

He presented a five-year financial model that assumed the SPLOST would not be renewed. The fiscal year (FY) 2023 budget reflected the 12% increase in revenue and expenses and that the use of reserves was similar to last year's adopted budget. There was a 50% reserve throughout this model. He pointed out that if SPLOST did not pass there would need to be a .8 mill adjustment in the tax rate as early as FY 2024. Another model depicted the budget if the SPLOST passed, and the millage rate increase would not be needed.

Council had a resolution before them, with all the supporting documentation, and Salvatore said it was staff's recommendation that they adopt the budget as presented.

Destadio said he wanted everyone to recognize what Salvatore had just said. He realized there were concerns about what was going on in the City, but not passing SPLOST because of those concerns would hurt everyone. There would be a .8 mill increase if SPLOST did not pass, so it behooved everyone to work to pass the SPLOST.

That .8 mills was just to maintain basic street and cart path resurfacing, Salvatore remarked; anything else listed in the SPLOST would not be covered. If they tried to do that, the increase would be over three mills. Destadio noted that the estimated SPLOST revenues were \$67 million.

Prebor questioned the need to add the administrative clerk position, which he said was added by Interim City Manager Bernie McMullen. The previous City Manager did not have this, Prebor noted; he worked with a Clerk and an Assistant Clerk. Now there was a Clerk, Assistant Clerk, and an Assistant City Manager, and he did not know if they needed another administrative position. He noted that it was held off until January 1, so maybe they could see how the new City Manager felt.

He said he agreed with the citizen who said their police should be the highest paid. Crime was increasing, and the police needed to know they were appreciated. He wanted Council to consider a housing stipend, perhaps after the new city manager was on board.

McMullen replied that he put January 1 as the start date for the new position, so they would have time to get a second opinion. He felt it was needed because, with the amount of administrative work on the city manager and the assistant city manager, he simply did not have time to get out of the office, and that was important.

McMullen agreed that it was important to have officers living within the city, and they were exploring how to encourage that. That was also something they could look at for January 1.

Destadio agreed increased police salaries were needed, and said he was glad they were not making them pay back for the vehicles. He would support a stipend for living in the city.

There were 159 counties in Georgia, and all but two had a SPLOST, King pointed out. It allowed the people from Coweta and Clayton counties who shopped at The Avenue to help pay for almost \$4 million in street paving. He said he did not want to revert to how it was five or six years ago when there were potholes all over the place. Peachtree City was better than that. SPLOST would help them maintain the level of service they expected. They did not want to go back to the way it was in 2011.

King moved to approve Old Agenda item 07-22-02, Adoption of FY 2023 Operating Budget and Capital Improvement Program. Prebor seconded. Motion carried unanimously.

New Agenda items

08-22-01 Request to Continue Recruitment Sign-On Bonus through February 2023

Director of Human Services and Risk Management Ellece Brown recalled that Council approved a recruitment sign-on bonus in August 2021 to encourage candidates to apply for positions in Peachtree City, particularly in Public Safety. That program was approved with the understanding that it would be assessed and could be renewed in 12 months. Brown said it had been successful, and the recommendation was to extend it for six months, through February of next year. Then they would look at it again.

The program offered certified officers and paramedics \$2,000 upon hire and \$1,500 after completing field training. Uncertified officers and non-paramedic firefighters got \$1,000 when they were hired and another \$1,000 after completing field training. All other positions got \$1,000 upon hire and \$1,000 after a three-month probationary period. During the past year, Brown said they had paid sign-on bonuses to 49 new employees, with a cost of \$148,000. The quality of candidates had improved, Brown noted. Currently, there were 14 openings, and Brown estimated that extending the bonuses would cost no more than \$75,000 for the next six months.

Learnard asked where the money came from? Salvatore replied that it was already allocated in the budget through vacant positions.

Destadio moved to approve New Agenda item 08-22-01, Request to Continue Recruitment Sign-On Bonus through February 2023. King seconded. Motion carried unanimously.

08-22-02 Lake McIntosh Access Road/TDK Blvd Conveyance

City Attorney Ted Meeker said his memo was self-explanatory. The County had maintained what amounted to a private road to access the Lake McIntosh Recreation Area. He called it a private road because the County was not allowed to maintain a public road within the confines of a municipality. In terms of maintenance and other ongoing situations, Fayette County had already approved and was requesting to dedicate this road to Peachtree City as part of the City's street system. The motion would be to accept dedication of the road from Fayette County, he stated.

Learnard asked him to confirm that this did not connect to TDK Boulevard in any fashion, and Meeker confirmed that it did not.

Destadio thanked the Mayor for bringing that up, saying too many people had the wrong idea.

King said he thought there was confusion because TDK Boulevard crossed the bridge over the railroad tracks from SR 74 westward to Dividend Drive where there was a four-way stop sign and continued on the lake. He noted that it did not cross the dam or Line Creek, and, as long as he was on Council, they were not building a bridge.

When that topic was being discussed a long time ago, Meeker remarked, the concept was for the spillway to provide access, but the spillway was constructed in a manner that made it impossible to build a bridge over.

Destadio said Council all agreed that they would not be connecting and re-opening anything. This was simply a transfer of this road so Peachtree City could maintain it.

Meeker said there were no agreements to be able to connect that road via adjacent parcels.

Prebor moved to approve New Agenda item 08-22-02, Lake McIntosh Access Road/TDK Blvd Conveyance. Destadio seconded. Motion carried unanimously.

Public Hearing

None

Council/Staff Topics

1. Peachtree Parkway/Crosstown Intersection Improvements

Dan Davis of Integrated Science and Engineering (ISE) said Council asked him to go back and do a little more investigation. He presented a timeline to help Council understand that this topic had been discussed since 2006-07 when the concept for a signalized intersection was put forward. The Georgia Department of Transportation (GDOT) was consulted and recommended a roundabout. Federal funds were applied for, but not received. In 2009, staff petitioned for a roundabout, but funding was denied.

Pond & Company conducted a traffic study in 2011. It compared a roundabout to a signalized intersection, and the roundabout was recommended based on future traffic demands. GDOT performed a courtesy study in 2017, and once again recommended a roundabout.

In 2018, the City asked ISE to prepare several concept designs for the roundabout, identifying the required right-of-way, which would show the impact on neighbors and on the green space. Davis said they prepared three or four concepts, and the City asked them to advance the chosen one to a 15% design level based on an additional traffic study.

In June 2021, Senior Staff instructed ISE to stop working on a roundabout and bring forward a concept for turn lanes only. Again, this was out of concern for the budget, and Davis agreed the roundabout would be an expensive project, but ISE did not feel that only turn lanes would be a solution. In September, ISE was tasked with evaluating a signal for the intersection, which would not be as costly. This required yet another traffic study, and they began working on alternatives for the signal.

In April 2022, they updated the Interim City Manager, then updated Council, which had three new members, at a meeting in June. ISE asked their traffic sub-consultant to look at the service levels for a turn lane only intersection, and they, too, were of the opinion this would not be a safe option. They said it did not meet standards set in the Manual for Uniform Traffic Control Devices (MUTCD). They also referenced the American Association of State Highway and Transportation Officials (AASHTO). There was not a prohibition on multi-lane intersections controlled by stop signs, but there was a recommendation on the volume of traffic that could pass through. During peak hours in the mornings and afternoons, Davis said, this intersection was significantly above the recommendation. Just adding turn lanes was not a recommendation ISE or the sub-consultants could support.

There were questions in June about the level of service a roundabout or a traffic signal would provide at morning and afternoon peak times. If built today, a traffic signal would bring the morning traffic to a "C" level and the afternoon traffic to a "B" for vehicles on Peachtree Parkway. For a roundabout, the

level of service was forecast by direction. Looking out as far as 2044, Davis stated, a multi-lane roundabout would maintain a very acceptable level of service. There was a hybrid of a roundabout called a turbo roundabout, but it would not yield significantly better results. A traffic signal would keep the intersection at a level "C" in 2044.

This was a lot of information, Davis commented, on a project the City had considered for a long time. He showed an aerial photo of what a roundabout would look like, noting that it encroached into green space on all four corners, and it would get into the utilities, which would take away more trees. He showed a drawing depicting what a signalized intersection would look like. They had the design for the signalized intersection at a 60% level, he stated, and could produce a fairly accurate cost estimate. The roundabout was at about a 15-30% design level.

Davis said his recommendations were to advance the roundabout design to 60% with an up-to-date cost estimate. He said they had seen 40-50% cost increases on projects over the last 12 months. Davis also recommended an updated cost estimate on the signalized intersection. He thought this would give them the information they needed to make an informed decision. They would know the benefits of each as well as the cost.

Davis said the roundabout would be the higher cost, but it was safer, quieter, and had less impact on land use on the four corners. He noted that roundabouts had been installed in several nearby areas. Land uses did not change, and neighbors said they were quiet. There was no noise from huge trucks coming to a stop then having to get going again.

Roundabouts were safer because you did not get the T-bone type accidents like at a four-way intersection. If there were collisions, they were at an angle. Roundabouts were also longer-lasting investments. He acknowledged this was a decision for Council, though, and asked them to consider his recommendations to help them make that decision.

Destadio asked what the cost would be to bring the design to 60% completion? Davis said they already had it at 15-30% and could probably bring it to 60% and do an updated cost estimate for \$20,000-\$30,000.

Destadio said his concern for doing all of this was two-fold. He had rather be spending money on SR 54/74. He said he was aware of additional costs the City would be facing, and he wondered where that money would come from? He was also concerned that in the future, if they had this nice roundabout, future Councils would be pressured to open a connection for all the traffic that would be generated from new homes being built in Coweta. Destadio believed they would eventually wear Peachtree City down, and TDK would be opened up. He said he was not in favor of doing this project, but he would not object if other Council members wanted to spend \$30,000 to get a cost estimate.

King said he was fully aware that a stop light would impede traffic, while a roundabout would let traffic flow. His concern was like Destadio's: somewhere down the line there would be pressure—maybe the State would make it a State road. There was a lot of home building in Coweta, so that pressure was going to increase. If TDK was open to Coweta, upgrades to connecting City streets would be on the backs of Peachtree City residents. From the eight miles at the city limits on Ebenezer, all the way to where it connected with SR 54, Peachtree City was on the hook for 40% of any land acquisition costs needed for widening. This was an expense they did not need to shoot themselves in the foot for, he

remarked. He said he liked roundabouts, but just could not go along with this because he felt it could be a precursor to opening TDK and creating another 54/74 situation that would destroy the quality of life.

Caola said she could see both the good and the bad. The good was from the safety issue, while the bad would be the impact on the residents on those two corners and pressure to open it up to Coweta. She said she was pulled in both directions.

Prebor noted they had some initial estimates of \$3.8 million, which sounded like a lot to him. He would be interested in seeing the costs for a signalized intersection. He noted that Davis mentioned noise but observed there were not too many semis going through there. If they opened it up, Coweta would go "here we come!" Prebor predicted. He acknowledged they needed to do something to alleviate traffic congestion, now and in the future, and thanked Learnard for her work with GDOT to come up with some solutions. He said he thought they needed to keep going down that road.

They had discussed TDK with Coweta County, King remarked, adding that they had removed TDK from the County Transportation Plan for the reasons they had discussed. He asked Coweta leaders if they had looked at a north/south access out of the County, whether through SR 85 or Interstate 85? He said the answer he was consistently given was that they did not want to destroy the rural character of their community. King said he would not be their doormat. "Amen," said Destadio.

Learnard stated that she wanted to solve problems, not kick the can down the road. GDOT had recommended a roundabout in 2006 and again in 2017. Coweta County had been putting pressure on them for 15 years. How had that worked out for Coweta County? Peachtree City had the power to say "no." They had made it even more certain that night with the conveyance of the access road from the County to the City. Failing to get all the information on a solution that would give Peachtree City citizens traffic relief now would be short-sighted and almost irresponsible, she continued. She recommended they get the 60% design and update the construction costs for both options so they would know what they were talking about.

She remarked there were roundabouts adjacent to houses on Lower Fayetteville Road and on Grady Avenue in Fayetteville with no walls or fences in between. They were unintrusive and quiet. Staff had met with the Brookfield Homeowners Association (HOA), and they wanted to see the roundabout in that location. The Mayor again said it would be short-sighted to push down the road for another City Council that would have to spend even more money than now for this solution. She would hate for them to pass up this opportunity to get informed and to compare the two options.

Prebor said they needed to talk to the residents of Village Park, and McMullen said they had met with them. They had not been to the senior facility, but also had talked with some other neighborhoods slightly south of the intersection.

Caola asked if the people of Village Park were more agreeable to it than they were in the emails they had sent to Council? McMullen said he, Assistant City Manager Justin Strickland, and City Engineer Dave Borkowski were all in the meeting, and the residents' main concern—and it would be a concern no matter the situation—was that they used a median cut on Peachtree Parkway to help them head north at peak traffic hours. The left turn lane was already extended almost to that median cut. The most safe thing to do, McMullen continued, was to close the median cut, and for the residents to do a

right turn, then make a U-turn at the next intersection. Going through the median cut at peak hours was asking for a T-bone collision, he remarked.

They would probably have to consider an R-cut, Prebor commented, because the next intersection often got congested.

Learnard said the County was putting in a roundabout at Peachtree Parkway and Redwine Road. She added that she had met with the Coweta County Commissioner from District 4, which bordered Peachtree City, and he told her they finally understood they were not getting TDK Boulevard.

Also, she stated there would be a joint meeting in September with the Fayette County Transportation Committee and GDOT. Their State GDOT Board member would be there, along with the State Representatives, and they would identify what they were going to do moving forward on SR 54/74. GDOT had developments to share on the displaced left turn, and Peachtree City had some questions for GDOT on signal timing, on stopping southbound 74 traffic from turning right on red onto westbound 54, and other things the Transportation Committee had identified. She said she felt like there would be progress, even though it was too late and too long in coming.

As for the Crosstown/Peachtree Parkway intersection, she said she would like to get information on construction costs. Prebor asked if they should ask staff to bring back cost estimates and complete a 60% drawing?

McMullen said that was the recommendation—that they ask ISE to proceed with the roundabout design up to 60% at a cost of about \$30,000 so they had accurate cost estimates. Council could then compare the costs and the updated traffic study figures so they could compare the options of a traffic signal or a roundabout.

There was no need for a vote, just direction, Learnard said. Destadio said he had asked for and received all of the traffic studies and would be reading through them. All the Council Members agreed that they should move ahead with the recommendation, then they would make a decision.

2. Driveway Gates Ordinance

Planning and Development Director Robin Cailloux said Council, after denying a recent variance request, had requested to look at updating the ordinance regarding fence heights. She recommended a change in the fence ordinance so it said gates that crossed a paved driveway should be permitted on lots of one acre or larger, limited to six feet in height, and regulated in the same manner as fences in a front yard—no more than 50% should be opaque and, if composed of metal, that metal should be painted dark brown, black, or dark green, which was the same standard as elsewhere.

Caola asked if they were leaving the maximum fence height at four feet? Could someone have a six-foot gate and a four-foot fence? The scale would not be right. Cailloux said she did not propose any changes to fences. They did not want to see six-foot fences in yards everywhere, but if they wanted to do something like that, they could say the fence would be allowed only if accompanied by a gate. The applicant for the variance had asked for a six-foot gate with a five-foot fence.

How far off the road would it have to be? Prebor asked, and Cailloux replied it had to be on their private property. He did not want to see a six-foot fence at the right-of-way, Prebor continued. The Mayor said they had setbacks, but Cailloux said fences were allowed right at the property line. That is why they had to be lower. Prebor said he thought that would be too close to the road in a lot of neighborhoods.

Destadio recalled that this was based on a variance request they heard at the June 16 meeting. A homeowner on Loring Lane with a lot of more than five acres was making the request because of security concerns. Council decided that, rather than grant this to one individual, everyone should have the same right. They asked Cailloux to return with a proposed change to the ordinance. He wanted it to be clear that they wanted to make this right available to more, not fewer, citizens.

Destadio said he agreed with Prebor and Caola about setbacks and making sure it was not a four-foot fence with a six-foot gate. He thought they should mark this proposal up and send it back to Cailloux.

Prebor asked Cailloux to see how other areas handled this, suggesting Whitewater. Cailloux said that fenced front yards were common in rural areas, so she could look at Chattahoochee Hills.

Destadio said the size of the lot should be considered.

Learnard said what was proposed allowed the six-foot gates on lots of one acre or more. The current ordinance did not designate between a gate and a fence over a driveway, Cailloux said, and that was an issue with the variance request. A gate was defined as a fence, so it was limited to four feet. The Mayor said she recalled that at the June meeting, Council said a bad guy would probably not be deterred by a six-foot gate any more than he would a four-foot. She did not want to waste staff's time if Council was fine with what was on the books.

Prebor said he was approached years ago from a homeowner in Smokerise who wanted to put up a six-foot fence because he was renting to celebrities, and fans were coming into the driveway. A four-foot fence would not have looked good, he noted, considering the size of the house. It was a matter of scale. Prebor said he thought they should do some more homework.

What more did he want to know? Learnard inquired. Cailloux asked if he thought they should go taller than six feet? He said no, but taller than four feet for the fence itself. Cailloux said she would strongly encourage that fence height be tied to a gate. You did not want everyone building tall fences right up to the street, especially in the small lot areas.

Learnard asked if Cailloux recommended they keep this at lots of one acre or larger? Cailloux said that was correct. Prebor said he would like to see people be allowed to install a five-foot gate and fence.

King noted that they already had that in Peachtree City. There were already people who had gates on their driveways. Why should they say no to anyone with a one-acre lot who wanted a gate? Architectural standards, he continued, would say the gate had to match the fence, which might be six feet.

Cailloux said that is what they were asking to do. Right now, the fence could be only four feet.

McMullen suggested they let staff put together a visual presentation showing both four-foot and six-foot fences and gates on larger lots, with the fence at the right-of-way where they were allowed now and also further back at a 10-foot setback.

Cailloux noted there would be a problem if someone was pulling off the road into their driveway and the gate was only 10 feet from the road. Most parking spaces were 20 feet long. Requiring a 20-foot distance from the road would allow the vehicle to get entirely into the driveway while the gate was being opened.

The Mayor asked if staff had sufficient direction to proceed? They said they did.

Learnard noted the new Booth Middle School opened successfully that morning. The former Booth location had become the Center for Innovation, which would house dual enrollment programs and adult education. She said she also visited the Healing Bridge Clinic, which was hoping to partner with some of the Center's allied health programs.

She noted this was McMullen's final Council meeting and thanked him for a job well done.

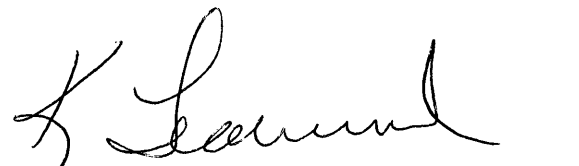
King moved to adjourn to executive session at 8 p.m. to discuss the lease, acquisition or sale of real estate, and personnel. Prebor seconded. Motion carried unanimously.

Prebor moved to reconvene in regular session at 8:20 p.m. King seconded. Motion carried unanimously.

There being no further business, King moved to adjourn the meeting. Prebor seconded. Motion carried unanimously.

The meeting adjourned at 8:21 p.m.


Martha Barksdale, Recording Secretary


Kim Learnard, Mayor