

City of Fayetteville
Regular Mayor and City Council Meeting
Minutes
August 7, 2014

Call to Order

The Mayor and City Council of Fayetteville met in regular session on August 7, 2014 at 7:00 p.m. in the Council Chambers at City Hall. Mayor Clifton called the meeting to order, followed by Opening Prayer led by Mr. Woody Johnson, and then led those attending in the Pledge of Allegiance to the Flag. Council members present were: Mickey Edwards, Edward Johnson, Paul Oddo, Scott Stacy and James Williams. Staff members present were City Manager Joe Morton and City Clerk Anne Barksdale.

Stacy moved to approve the minutes of the regular Council Meeting of July 17, 2014. Edwards seconded the motion. Motion carried unanimously.

Public Hearings:

Mayor Clifton called Consider #0-14-14 – Rezone Eight (8) Acres on Veteran’s Parkway from R-70 to OI for Georgia Military College (GMC) – Public Hearing and 1st Reading.

Brian Wismer, Director of Community Development stated the applicant is seeking a rezoning of an 8.6 acre parcel located near the intersection of Sandy Creek Road and Veterans Parkway for the location of a Ga. Military College campus. Last month, the property was subdivided from a larger 40 acre tract and received preliminary plat approval from the Planning & Zoning Commission. The property is currently zoned R-70 and was a part of the major annexation that took place last year. The applicant is seeking Office - Institutional (OI) zoning which is the least intense zoning category that will allow a college campus as a permitted use. Ultimately, the applicant will seek to build two, 20,000 square feet educational buildings with associated parking on the site. Much of the surrounding and adjacent parcels are largely undeveloped, but the property is within close proximity to Piedmont Fayette Hospital.

He said at the July 22, 2014 meeting, P&Z Commissioners approved the preliminary plat and provided a favorable recommendation to Mayor and Council for the proposed rezoning.

Mr. Wismer added, when considering a rezoning request, Staff looks at the city ordinance, specifically the OI zone which is described in Sec. 94-163:

The OI office-institutional district is established to provide a location for educational and other types of institutions, offices, professional service facilities, and limited commercial uses in close proximity to residential land uses.

Because this property is within a newly annexed area within the City, the Comprehensive Plan does not address this area. Due to efforts currently underway to develop a master plan for this area, the majority of those properties are designated *Low Density Single Family* on the Future Land Use (FLU) Map. Staff recommends that this property be amended to the *Public/Institutional* land use category later this year as part of its annual update to the FLU map. The *Public/Institutional* category includes places of worship, schools, fire stations, training centers, day care centers, etc.

Mr. Wismer concluded, the Ga. Military College will be a tremendous asset to the community and will set the precedent for non-Pinewood related, future development of the West Fayetteville area. During the preliminary plat design process, Staff worked with the applicant on the front end to coordinate their site plan with the new goals and guidelines that are currently under development. Staff is also working with the applicant to formulate the best path for sewer service to the site. Because of the benefits this development will bring to the City, Staff recommends approval of the rezoning as submitted.

Mr. Bill Foley, Foley Design and Associates gave a powerpoint presentation and further discussed the project.

There were no public comments.

Mayor Clifton stated this was posted for 1st Reading.

Mayor Clifton called Consider #0-15-14 – Amend Villages PCD for 13 Acres from Restaurant/Retail Mixed Use to Senior Villages – Public Hearing and 1st Reading.

Brian Wismer, Director of Community Development stated and asked that this item be tabled until the first meeting in September.

Williams moved to table #0-15-14 – Amend Villages PCD for 13 Acres from Restaurant/Retail Mixed Use to Senior Villages until the first meeting in September. Oddo seconded the motion. Motion carried unanimously.

Old Business:

Mayor Clifton called Consider #0-10-14 – Motorized Cart Ordinance.

Brian Wismer, Director of Community Development stated on March 28, 2014 the City received correspondence from Fayette County on a newly adopted Motorized Cart Ordinance. The revisions were put in place in an effort to synchronize the County's regulations with regulations currently

existing in other jurisdictions within Fayette County. Part of the ordinance is to recognize reciprocity between operating permits issued elsewhere in the County so that individuals are not required to carry separate registrations. As the cities and County continue to plan for a multi-use path network that spans and connects all of its jurisdictions together, it will become increasingly commonplace for its citizens to cross their motorized carts over jurisdictional lines. The proposed revisions will help to ensure that the same rules apply to motorized carts regardless of location within the County-wide path network.

The key revisions are as follows:

1. The City will honor cart permits issued anywhere else in the County, and vice-versa.
2. Holders of a valid learner's permit shall be permitted to operate a cart.
3. Individuals at least 12 years of age shall be permitted to operate a cart, as long as they are accompanied in the front seat by a licensed driver aged 18 or older.
4. Update of the authorized street listing to include Lafayette Avenue.

He added during the July 17th City Council meeting, Council directed Staff to explore further modifications to the ordinance that would allow for motorized carts to travel along the existing sidewalk infrastructure within the City.

The ordinance currently makes allowances for motorized cart travel along sidewalks, but restricts it to City sidewalks; meaning, sidewalks along City streets as opposed to state highways. The main reason for this is that GDOT has specific standards for "Shared Use Paths" relating to minimum widths and buffers from the roadway. Most of the sidewalks in these areas do not meet GDOT's minimum standards, and so it would not be prudent to specifically authorize their use within the City ordinance.

Staff has made further clarifications to the ordinance text reaffirming that city sidewalks are available for motorized cart use.

Mr. Wismer said Staff agrees with the changes to the ordinance as proposed and recommends approval in order to provide consistency between the City and its neighboring jurisdictions and further the connectivity goals via alternate forms of transportation.

There were public comments about the lack of driving allowances and restrictions on State highways for golf carts by Villages resident Sandi Shubert, Gary Meadow, and Fayetteville resident Larry Dell.

Johnson moved to table #0-10-14 – Motorized Cart Ordinance for further study and discussion with State Leaders. Edwards seconded the motion. Motion carried 4-1. For – Johnson, Edwards, Williams, Stacy; Against – Oddo.

New Business:

Mayor Clifton called Consider Approval of Consent to Assignment and Assumption of Rights and Obligations Under Agreement to Sell in Lieu of Eminent Domain and Development Agreement for Hudson Plaza – Highway 92/Hood Avenue Project.

Mr. Bill Bonner, Hudson Plaza owner and property manager stated he is selling Hudson Plaza and all of the previous obligations will be transferred to the new owner.

Joe Morton, City Manager concurred with Mr. Bonner on the transfer of obligations.

Stacy moved to approve Consent to Assignment and Assumption of Rights and Obligations Under Agreement to Sell in Lieu of Eminent Domain and Development Agreement for Hudson Plaza – Highway 92/Hood Avenue Project. Edwards seconded the motion. Motion carried unanimously.

Mayor Clifton called Consider Appeal of P&Z Denial of Elevations Application for Fayetteville Retail/Verizon Located at 1391 Highway 85 North.

Jim Newman, Clayton Signs spoke in detail of the sign application process, misunderstanding of the sign ordinance, and construction/installation of the new signs.

Residents Larry Dell and Al Hovey-King commented against leaving the sign and asked for Verizon and Clayton Signs to come into compliance with the City's sign ordinance. They feared this could set precedence for future business signs. Resident Sandi Shubert asked that Council consider leaving the sign as is, adding Verizon is a good, quality business that is needed and wanted in Fayetteville.

Williams moved to deny Appeal of P&Z Denial of Elevations Application for Fayetteville Retail/Verizon Located at 1391 Highway 85 North. Motion died for lack of a second.

Oddo moved to table Appeal of P&Z Denial of Elevations Application for Fayetteville Retail/Verizon Located at 1391 Highway 85 North in order to have time to discuss with City Attorney. Stacy seconded the motion. Motion carried unanimously.

Consent Agenda:

Mayor Clifton called for approval of Consent Agenda –

- Consider Approval of Bid Award for Demolition Services – Highway 92/Hood Avenue Realignment Project
- Consider Intergovernmental Agreement (IGA) – Fayette County Development Authority

Stacy moved to approve Consent Agenda as presented. Johnson seconded the motion. Motion carried unanimously.

City Manager and Staff Reports:

Joe Morton, City Manager stated we have set our Millage Rate and are rolling back our assessment portion with no tax increase. This item will be on the next City Council meeting agenda for Council's consideration.

Mr. Morton also announced that we did hire a new Director of Finance and Administration, Mike Bush and he will start next Tuesday.

Alan Jones, Fire Chief reported on progress made with the County on discussion of Automatic Aid. He summarized saying there are two options for short term, either to amend the Pinewood IGA or stand up Station 93. He added they will be meeting next week on the 14th with the deadline being October 1st for decision on coverage for the Westside.

Brian Wismer, Director of Community Development gave an update on the Highway 54 Pedestrian Bridge saying it will be moved 1500 feet west of the initial proposal of Highway 54 and Piedmont/Fayette Hospital. Mr. Wismer added they will proceed with the environmental process.

Resident Bill Bonner asked what the distance would be from the bridge to the proposed Georgia Military College via golf cart.

Mayor's Comments:

Mayor Clifton said he and Brian Wismer and County officials met during a luncheon with the Japanese Consulate yesterday. County Commission Chairman Steve Brown added Mr. Wismer gave an excellent presentation about Fayetteville and the Consulate was very impressed with our city and county. Mayor Clifton said the German Consulate is scheduled to visit in the future.

Mayor Clifton had the opportunity to have a photo op with and congratulate the winning student from Rising Star Montessori School on her leadership award. He added the school has students interested in participating in an internship with the City.

Johnson moved to adjourn the meeting. Stacy seconded the motion. The motion carried unanimously.

Respectfully submitted,

Anne Barksdale, City Clerk