City Council of Peachtree City
Agenda
August 19, 2010
7:00 p.m.

I. Call to Order

II. Pledge of Allegiance

III. Announcements, Awards, Special Recognition
Recognize District 4 Big League All-Star Baseball Team
Presentation by Tri-PTC
Honor Flight Fayette Proclamation
Recognize Darrell Neese for 10 Years of Service

IV. Citizen Comment
Any member of the public attending the meeting may comment on any issue or item that is not included on tonight's agenda. The time limit is two (2) minutes.

V. Agenda Changes

VI. Minutes
August 5, 2010, Special Called Meeting

VII. Consent Agenda
1. Consider Alcohol License – NEW – TJ's Bistro, 1200 N. Peachtree Parkway
All new licenses must be approved by Council. Applicant has met the requirements
2. Consider Budget Amendments – FY 2010
Consider amendments to FY 2010 budget for Stormwater Utility Fund, transfer of funds within Leisure Services Department, and transfer of funds for general legal costs,

VIII. Old Agenda Items
07-10-05 Consider Ordinance Amendment – Telecommunications Towers and Antennas Ordinance or Extend Moratorium on Requests for New Applications
Staff will present the amended Wireless Telecommunications Facilities Ordinance for adoption
08-10-01 Public Hearing – 2010 Millage Rate
Final public hearing of the three required for the millage rate

IX. New Agenda Items
08-10-06 Consider Changes to Budget Policy Guidance & Adoption of Fund Balance Resolution
Consider updates to financial policy and adopt resolution for commitment of fund balance in the General Fund
08-10-07 Consider Adoption of FY 2011 Budget Resolution
Consider adoption of budget resolution and confirmation of supporting budget summaries
08-10-09 Consider Adoption of 2010 Millage Rate
Approval of proposed millage rate authorizes the 2010 tax levy

X. Council/Staff Topics
Hot Topics Update

XI. Executive Session

This agenda is subject to change at any time up to 24 hours prior to the scheduled meeting.

City Council of Peachtree City
Minutes of Special Called Meeting
August 5, 2010
6:45 p.m.

The City Council of Peachtree City met Thursday, August 5, 2010, in the City Hall Council Chambers. Mayor Don Haddix called the meeting to order at 6:45 p.m. Council Members present: Vanessa Fleisch, Erik Imker, Kim Learnard, and Doug Sturbaum.

The purpose of the meeting was to hold a public hearing for the proposed millage rate.

Financial Services Director Paul Salvatore gave a brief PowerPoint presentation (a copy is included in the meeting file). Salvatore said the current millage rate for maintenance and operation (M&O) was set at 5.134 mills. The proposed M&O rate was 6.384 mills, an increase of 1.25 mills, representing an increase of 19.1% over the rollback millage rate of 5.36 mills, which was higher than usual due to the decline in the tax digest. The current bond millage rate was set at 0.399 mills and would not change for 2010

Salvatore continued that the total proposed millage rate (bond and M&O) was 6.783 mills. The 1.25 mill increase would generate approximately $2,288,953 to support General Fund operations. This millage rate option would also result in the lowest total millage rate by 2015 than the other options considered. Any reserves generated in excess of the 20% minimum required would be used to offset anticipated shortfalls in FY 2013 and beyond [Special Purpose Local Option Sales Tax (SPLOST) funds would run out in 2013, and the Local Option Sales Tax (LOST) would be renegotiated based on population in 2013].

Salvatore went over the overall tax bill for City residents, which included the Board of Education, Fayette County, and state taxes. Overall, the bills would have just over a 0.5 mill decrease. Based on the information from the tax digest, the average value of a home in the City had decreased from $272,000 to just under $260,000. The net impact of the changes on the average tax bill was about $220.

Salvatore also looked at the five-year models, noting that if the 1.25 mill increase was approved, there would be 0.196 mill increases each subsequent year that could possible be avoided, for a total millage rate of 7.168 in 2015. The reserve balance would be drawn down to the 20% minimum during that period.

The public hearing opened.

Lynda Wojcik supported the proposed 1.25 mill increase, saying that Council and staff had been diligent in looking at the budget. Any further service cuts would make the City suffer and would affect home values. A previous Council had failed to increase the millage rate when the Library bond was approved. Not increasing the millage rate would cause the cash reserves to go down too quickly, and if something came up such as the issues with the Police Department building, the City's bond rate could be affected.

John Merrick said the City only had three ways to raise money – raise taxes, cut services, and getting money from the outside. He read from a June e-mail he had sent to the Mayor and the City Manager regarding grants and whether the City had applied for any federal or state grants. He said he had not received an answer.

Caren Russell supported the proposed 1.25 mill increase, saying it made the most sense since the City was playing catch-up due to actions taken by previous Councils. It was realistically the only thing to do for the City, as well as the cheapest way down the road. She had moved here because the City was different; now she wanted to maintain what the City had. Any lower millage rate was a political stance. The industrial land needed to be developed, but retail development and filling empty retail spaces should not be ignored either.

Dick Allis said he was against a tax increase. There was an easy solution, doing more with less. He recommended lowering taxes to make the City more desirable to get more industry in the City and increase the tax base.

Grey Durham, a member of the Development Authority of Peachtree City (DAPC), requested an increase in DAPC funding. He said they were making progress with the retailers in the City and in bringing in new businesses. He said Council should look at it as an investment in the future. The board was overworked, adding that he spent about 25 hours a month on DAPC work, and he did the least of the volunteer members. Bringing in new businesses and retaining the businesses the City had was important. It was a draconian mistake not to increase DAPC funding.

The public hearing ended.

Sturbaum gave a presentation entitled, "PTC Job Creation Project." A copy of his presentation is included in the meeting file. Sturbaum said they could either maintain the status quo or try something different, which would entail funding the DAPC, accountability for that funding, and providing numbers so everyone could understand where their money went. The state reported that the average person in this area generated $3,735 in taxes. At least 206 jobs had to be generated to keep the City's economic engine moving forward. The City Manager had proposed the use of $764,341 in cash reserves to balance the budget. Two hundred and six jobs would generate $767,350 and a savings of 0.42 mills.

Sturbaum continued that job losses in the City averaged 6.39% over in a year. The state/local tax burden was equivalent to 9.9% of per capita income. Sturbaum used his employer, Panasonic, as an example. Panasonic cost the state an estimated $1.968 million in lost tax revenue with the loss of its 527 jobs. The average tax paid by those jobs was $3,735 per job. The per capita income in the City was $38,164. The property tax in the City was $13.34 per $1,000. Sales tax was down 75% ($1.79 million). Property tax collections were down $395,000, and impact fee collections were down $23,000 per year.

The lack of impact fees and permits, the loss of sales tax collection at the state level, the loss of the Homestead Tax Relief Grant (HTRG) from the state, job losses, and health care costs (average increase of 14%) were hurting the City financially, Sturbaum said. Sturbaum said taxes could be increased, adding the City was not static, capital acquisitions had to happen each year. A reduction in force was a reduction in services. Twelve jobs could be cut or there could be a 6.5% salary reduction across the board next year. If nothing was done, the City would be in the hole by 2014, and both staff and Imker had provided charts showing the projected shortfalls.

Sturbaum discussed Porter's Five Forces Model, a framework of industry analysis and business strategy development, and the City. He noted that the City competitors for industry were North Atlanta, as well as other areas of the state. The City's strengths were its standard of living and strong labor base. The City's weaknesses included a 10% higher cost of living than other areas, distance to the Interstate, and empty buildings. Overseas jobs and a volatile economy were threats. The opportunities were to retain what the City had, attract new employers, and use the City's available spaces.

Initiatives included the Job Tax Credit Program, which reduced taxes for job creation to attract employers; impact fee variances, through which some impact fees could be waived to generate the tax base for local hiring benefits; an employer retention program, engaging local employers to ensure general welfare and see what opportunities were available; and tapping into the new $26 billion grant for states that should be approved in the near future.

Resources for the Job Creation Project included the DAPC as the lead with support from the Fayette County Chamber of Commerce, the Convention and Visitors Bureau (CVB), City staff, Planning Commission, Council, and local businesses. Sturbaum continued that the DAPC would do quarterly presentations on job creation and retention, the DAPC should be funded with $150,000, and they should hire an executive director for the DAPC, similar to the Airport Authority, Water and Sewerage Authority, and the CVB. Sturbaum added that the break even analysis on funding the DAPC with $150,000 was 41 jobs.

Sturbaum reported that Coweta County funded its development authority with $242,251, Newnan's Downtown Development Authority received $151,691, Valdosta (City authority) received $104,906, Valdosta's Main Street program received $62,188, and College Park's received $191,711.

The DAPC's director's initiatives should include job creation and retention, reporting on the progress and threats, and providing risk mitigation plans; filling empty industrial, retail, and homes; working with the United States Department of Agriculture (USDA) on cleaning up and re-developing Photocircuits, similar to the Brownfield Redevelopment Fund in Vermont; and working with Sany on their 19 supply chain vendors to have them open facilities in the City.

Sturbaum's proposed timeline showed the DAPC working with the Sany vendors from September to mid-January, working on the USDA commitment during the next seven months, and having job creation taking place through the next 12 months. The 2011 goals for the DAPC included job creation, the USDA commitment on Photocircuits, visiting China to meet with Sany vendors and ultimately securing three of the 19 vendors come to the City, and finding another education outlet.

Other economic counter measures included the creation of a Special Purpose Stabilization Fund (SPSF) that would enhance the City's Public Improvement Program (PIP), with a percentage of the millage would be allocated to the SPSF like Massachusetts with prioritized purchases. There should be a taxation balance initiative, reducing the millage rate accordingly if a SPLOST were passed. If the City added a service, then the appropriate millage rate would be applied (an Added Services Fee Program). The proposed Empty Building Registration ordinance should be brought back and approved, as it was similar to programs in Baltimore and DeKalb County. A Joint Financing Municipal Project Program should be enacted to share costs with other cities for capital projects.

Sturbaum gave an example of Tax Allocation Modeling with all funds earmarked, proposing the 0.5 mill increase he supported, with 0.1 mill for the DAPC, 0.3 mills for debt relief, and 0.1 mill for a special purpose stabilization fund.

Sturbaum asked if the City should remain static and go about business as usual, use the tax and cut method, or step up to the plate and move a program forward by funding the proper authority, creating economic policies, and driving an initiative that created jobs and stabilized the tax base. The City had just been informed that an existing industry was being targeted. The City needed to retain those jobs.

Juan Matute said that every special interest was put together in SPLOST packages; they were usually a Christmas package of goodies. He said voters should be able to vote on what they wanted item by item, rather than just having a choice of "yes" or "no."

Russell asked why Sturbaum had not supported Learnard's compromise on hiring a City employee that would assist the DAPC. Sturbaum said he questioned the legality of such a position. They were asking for an executive director that was state economics certified and did economic development as a business 8 a.m. to 5 p.m. If more help was needed in Planning and Zoning, they should bring the position forward on its own merits. They were open to compromise. He was trying to charge the motor. Everyone on Council wanted to get to the same place, but they were taking different routes.

Mary Ann Grove referred to the many empty, boarded-up spaces in the City, saying that she wanted the City to grow, but the City needed to keep what it had before more was built. Sturbaum said other areas were recruiting the City's businesses. One thing the DAPC needed to do was a cross-sectional analysis of what the City had and what companies were looking for, matching up the skill sets in the area with what other companies wanted.

Haddix said that the City's millage rate could be lower than projected in 2015; people were talking as if there were no intention of having that 1.25 increase going away. The 1.25 mills would cost taxpayers $15.32 more than the 0.5 mill increase. The question was how much a property owner would pay and what the impact would be after 2015. He asked if the millage rate would ever roll back. If they were looking for the increase to be permanent, then the millage increase should be 1.65 mills. They wanted to rebuild the City's economic base with the least impact on the residents. A City employee could not do development authority work; there were things that were illegal for a City employee to do. Haddix continued the Alpharetta model had been discussed. Alpharetta did not have an active development authority, and the coordinator did not do anything a coordinator was not allowed to do, but he did not attempt to do any development authority work.

Haddix said he had contacted Valdosta, which had a downtown development authority, a coordinator, and a development authority. The coordinator told Haddix she did not know how the development authority was funded and that her office handled office/profession/retail and restaurant recruitment only. The Valdosta/Lowndes Industrial Authority handled industrial, distribution, manufacturing, logistics, and warehousing. Haddix said he asked if the coordinator exercised any authority over the development authority in certain areas, and her answer was that the office of economic development had no control over the development authority and they worked in partnership. Her office had one person with $86,000 in funding per year. Haddix contacted the director for the development authority, which had a budget of approximately $800,000 for its programs. Haddix noted that Valdosta had one of the most admirable economic growth rates in the state.

Haddix continued that, if the City was looking at a success model, then they should fund the DAPC. There should be cooperation between the City and the development authorities (DAPC and FCDA), but they could not cross the legal lines. There had to be a legal scenario to compromise from. He suggested taking the money needed for a coordinator, combining it with the DAPC's $35,000, and balancing it off the $150,000 for a funded DAPC.

Fleisch asked City Attorney Ted Meeker if he had read the job description sent by her, Learnard, and Imker and whether it was a legal position. Meeker said he believed it was, but there was some language about the person overseeing the DAPC that was not technically correct. The DAPC was a separate independent board that functioned as a separate independent unit. The person could, as in other jurisdictions, serve as the chief administrative officer, running day-to-day operations and taking direction from the DAPC on the duties. The board would set the policy, and that person's job would be to follow the policy. Haddix said the job description said the person would work for the Community Development Director, and the director would write the policy. Meeker said that was why they needed to tweak the job description to provide clarity as to who was in charge. Haddix said that employee would have to take off the "Community Development hat" when working for the DAPC. Meeker said it had worked in other models. Griffin and Marietta both had people on staff working with the development authorities, although Griffin's was a downtown development authority, which was a bit different. They were all marketing the same thing.

Haddix said that, when it came to setting and executing policy for grants, which was specifically a development authority power, a City employee could not do it. Meeker said he did not know if he agreed with that point. He agreed that development authorities could do things a city could not. In terms of a City employee also working for the DAPC, he did think that was legal.

Haddix asked if a City employee could be given an order by the Community Development Director to order the DAPC to do something. Meeker agreed that the employee could not give orders to the board. The board set the policy, goals, and objectives, and the employee worked toward those goals. Haddix asked if the DAPC could give an order to a City employee. Meeker said yes, if that City employee had also been appointed as the director for the DAPC. There would be a chain of command, but in terms of job function, the employee would have to adhere to the DAPC. Haddix asked who would pay the employee. Meeker said that was an in-house matter that would be similar to how Nancy Price was paid as the Amphitheater director and the executive director of the CVB. Griffin had a similar situation. Haddix said it was important to him to know who was calling the shots. Meeker said the DAPC did not have any taxing authority from a budget standpoint. The money would come from the City. Council would have to make any decision. Haddix said there could be a conflict of interest and control if the chain of command was not extremely clarified. Meeker said if an employee was performing a dual role, the employee would have to answer to both boards.

Sturbaum asked Fleisch why the proposed job description had not been shared with him and Haddix and whether they had met to discuss the job description. Fleisch said they had not. Sturbaum asked why it was not shared so they could address their concerns up front about the language. Fleisch said it was out there. Haddix said his question was budgeting and who would give the employee orders. At this point in time, he was not clear what the members wanted.

Imker moved to adjourn the public hearing on the millage at 7:42 p.m. Learnard seconded. The motion carried 3-2 (Haddix, Sturbaum).

Pamela Dufresne, Deputy City Clerk

Don Haddix, Mayor

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council**

VIA: **City Manager** nv for BJM

FROM: **Deputy City Clerk**

DATE: **August 13, 2010**

SUBJECT: **Alcohol License – NEW – TJ's Bistro**
August 19, 2010, Regular Meeting

Recommendation:
Staff recommends Council consider the attached application for a new alcohol license.

Discussion:
TJ's Bistro, 1200 North Peachtree Parkway, has submitted a request for a new alcohol license. Mr. Jarvis Wynn has requested he be appointed as the Licensee and as the License Representative. He will attend the meeting on Thursday, August 19, to answer any questions you may have.

Budgetary Impact:
The budgetary impact of the alcoholic beverage license will be positive. The applicant will be required to pay the annual fee for the sale of beer and wine, which is $1,350, and, if they choose to serve on Sunday, they will pay an additional $500 annually.

Attachments

PEACHTREE CITY
PLAN TO STAY™

CITY HALL
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
PHONE: 770-487-7657
FAX: 770-631-2505
WWW.PEACHTREE-CITY.ORG

Application For Alcoholic Beverage License

Business Name: TJ's Bistro	Business Location: Kedron Village	
Nature of Business: Restaurant	Mailing Address: 1200 N. Peachtree Pkwy	Business Phone Number: 770-486-6628
Name of Licensee: Janis K. Wynn	Home Address: 7219 Bedrock Cir. Lithonia Ga. 30038	Home Phone Number: 770-484-7603
Name of License Representative: Janis K. Wynn	Home Address: Same	Home Phone Number: Same

Please indicate type of licenses applying for:

Retail Consumption Dealer		Retail Package Dealer		Wholesale Dealer	
✓	Malt Beverage		Malt Beverage		Malt Beverage
✓	Wine		Wine		Wine
	Distilled Spirits		Distilled Spirits		Distilled Spirits

Please complete information below (use separate sheet if necessary):

NAME Individual Owner's Name, Partners' Names, Corporation Name and the name of the name of a Contact Person regarding License Changes, Taxes, etc.	ADDRESS Please provide Home Addresses for the individuals listed:	PHONE NUMBERS Please provide Home and Business Phone Numbers for individuals listed:
Janis K. Wynn	7219 Bedrock Cir	H-770-486-6628
Martha & Sally's Corp.	Lithonia, Ga. 30038	B-770-484-7603

Is any person who owns an interest in the license an employee of the City of Peachtree City? YES / NO

If YES, Please Provide Name of Employee: ____________________

PEACHTREE CITY
PLAN TO STAY™

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PEACHTREE CITY, GA 30269
PHONE: 770-487-7657
FAX: 770-631-2505
WWW.PEACHTREE-CITY.ORG

State of Georgia

City of Peachtree City

I, H.C. "Skip" Clark II, Chief of Police for the City of Peachtree City, do hereby certify that:

Jarvis Karl Wynn
7219 Bedrock Circle
Lithonia, GA 30038

has been investigated and found not to have been convicted of, nor to have entered a plea of nolo contendre, to any felony or misdemeanor relating to the sale or use of alcoholic beverages or illegal narcotics or drugs within five (5) years prior to the date of the application for this license.

HCC
H.C. "Skip" Clark II
Chief of Police

8/13/10
Date

Major R.M. DeMee
Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Bernard J. McMullen, City Manager 8/12/10

FROM: Paul J. Salvatore, Financial Services Director
Janet I. Camburn, Assistant Finance Director

DATE: August 12, 2010

SUBJECT: Budget Amendments – Fiscal Year 2010

August 19, 2010 City Council Consent Agenda

Recommendation:

It is Staff's recommendation that City Council approve the attached budget amendments to amend the 2010 budget resolution.

Discussion:

Attached please find budget amendments 10-032 through 10-034 for fiscal year 2010 submitted for your approval. Budget amendment 10-032 is for the Stormwater Utility Fund and increases budgeted expenditures for the Wisdom Road Stormwater Project. City Council previously approved funding for this project from the Stormwater Fund Renewal & Extension (R&E) reserves. This amendment also requests funding from the R&E for the unexpected water line relocation at the project site. Budget amendment 10-033 is based on a request from the Leisure Services Director to transfer budgeted funds from the Recreation Department to the Kedron Fieldhouse and Aquatic Center Department to cover costs over budget associated with a new small pool impeller and related work and for pulsar pellets. Budget amendment 10-034 transfers budgeted legal expenditures from the General Administration Department for Litigation Services to the City Clerk's budget for general legal costs. Both budget amendments 10-033 and 10-034 require Council action due to the transfer of budgeted funds from one General Fund department to another.

Budget Impact:

The budget amendments presented have no impact on the General Fund budget and increase both revenue (use of reserves) and expenditures in the Stormwater Utility Fund in the amount of $61,978.

If you have any questions, please do not hesitate to contact either Paul Salvatore or Janet Camburn.

Thank you for your attention to this matter.

Attachments

JIC/BUDGET AMENDMENTS – FY 10 – 9/18/2010

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 10-032

DATE August 19, 2010

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
521-00-38-9025	xxx	Surplus Carryforward	61,978	
521-4250-54-1428	U28	Infrastructure - Wisdom Road	61,978	

To amendment budget for Wisdom Road project, previously approved by City Council, due to the water line relocation that was required at the project site. Funds are available in the Renewal & Extension account.

ENTERED ____________

APPROVED ____________

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 10-033

DATE August 19, 2010

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
100-6122-52-2200	xxx	Repairs & Maint. Equip. - Kedron	1,500	
100-6110-52-2290	xxx	Repairs & Maint. Other - Rec.		1,500
100-6122-53-1175	xxx	Operating Supplies - Kedron	3,652	
100-6110-52-2290	xxx	Repairs & Maint. Other - Rec		3,652

To transfer budgeted funds from Recreation to Kedron Fieldhouse and Aquatic Center to cover the costs associated with a new small pool impeller and related work and for pulsar pellets for the Kedron pool. Amendment is required due to the transfer from one department to another department.

ENTERED ____________

APPROVED ____________

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 10-034

DATE August 19, 2010

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
100-1580-52-1200	xxx	Professional Services	50,000	
100-1505-57-9130	xxx	Litigation Services		50,000

To transfer funds from Litigation Services in General Administration to the City Clerk's budget to cover general legal costs.

ENTERED ____________

APPROVED ____________

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

VIA: **City Manager**
City Clerk

FROM: **Community Development Director** David

DATE: **August 12, 2010**

SUBJECT: **Consider amendments to Chapter 18, replacing existing Telecommunications Towers and Antennas Ordinance with new Wireless Telecommunications Facilities Ordinance or extend moratorium on new requests for applications for Telecommunication Towers and Antennas**
August 19, 2010 City Council Agenda

Recommendation:
That Council adopt the proposed amendments to Chapter 18, replacing the existing Telecommunications Towers and Antennas Ordinance with a new Wireless Telecommunications Facilities Ordinance (Attachment "A"), to include a new application process for new telecommunications facilities and support structures as presented by City Staff (Attachment "B"). In addition, Staff recommends that Council authorize Staff to establish an application fee of $250 for Administrative Review applications and $500 for Conditional Use Permit applications in the Schedule of Fees as kept on file by the City Clerk. If the ordinance is not approved, Staff recommends that Council extend the moratorium until September 2, 2010.

Discussion:
The attached ordinance has been revised in accordance with comments received at the June 14 Planning Commission workshop, comments received from the wireless industry prior to the July 12 Planning Commission meeting, and comments received at the August 9 Planning Commission meeting. Following a lengthy discussion with citizens and representatives from the wireless industry, the Planning Commission voted unanimously to forward the ordinance to City Council with a recommendation that it be approved.

The Planning Commission recognized there may be additional zoning districts we might consider for locating new telecommunications facilities, specifically within the GC General Commercial and OI Office Institutional zoning districts. Staff is analyzing various parcels within these zoning districts to determine if additional criteria might be necessary prior to permitting new telecommunications facilities in these zoning districts and will make a recommendation to the

Planning Commission at their meeting on September 13, 2010. Those recommendations will be scheduled for the October 7, 2010 City Council meeting for consideration.

Approval of new telecommunications facilities and/ or support structures will be permitted through administrative review or by issuance of a Conditional Use Permit. Administrative review would be conducted by City Staff, while a Conditional Use Permit would be reviewed by City Staff, the Planning Commission and City Council.

As a part of the Conditional Use Permit process, an Applicant would be required to provide a series of documentation supporting the new structure including, but not limited to, an Evidence of Need Report certified by a Radio Frequency Engineer, a Visual Impacts Assessment, results of a balloon test, and documentation from the Federal Aviation Administration and the Peachtree City Airport Authority approving the new structure. These documents would be reviewed by City Staff, then forwarded to the Planning Commission and ultimately to City Council for approval.

As a part of our presentation, Staff will be presenting an analysis of prospective sites within the search rings identified by the wireless industry illustrating how the ordinance requirements may or may not impact these sites.

Budget impact:
There is no budget impact associated with this request.

ORDINANCE NO. __________

AN ORDINANCE TO AMEND CHAPTER 18, ARTICLE XIV. OF THE CODE OF ORDINANCES OF THE CITY OF PEACHTREE CITY, GEORGIA, AS AMENDED, TO REPEAL ARTICLE XIV, TELECOMMUNICATIONS TOWERS AND ANTENNAS, IN ITS ENTIRETY AND REPLACE IT WITH A NEW ARTICLE XIV; TO ESTABLISH A NEW WIRELESS TELECOMMUNICATIONS FACILITIES ORDINANCE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY, TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that:

Section 1. Chapter 18, Article XIV of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, be repealed in its entirety and replaced as follows:

Article XIV. Wireless Telecommunications Facilities.

Sec. 18-500. Purpose

The purpose of this ordinance is to ensure that residents and businesses in the City of Peachtree City (City) have access to wireless telecommunications networks and state-of-the-art communications services while also ensuring that this objective is achieved in a fashion that preserves the aesthetic character of the community and is accomplished according to City zoning, planning, and design standards.

The Telecommunications Act of 1996 preserved, with certain limitations, local government land use and zoning authority concerning the placement, construction, and modification of wireless telecommunications facilities. The City recognizes that facilitating the development of wireless service technology can be an economic development asset to the City and a significant benefit to its residents.

To accomplish the above-stated objectives and to ensure that the placement, construction or modification of wireless telecommunications facilities complies with all applicable Federal laws, and is consistent with the City's land use and zoning policies, the City of Peachtree City is adopting comprehensive regulations pertaining to wireless telecommunications facilities.

These regulations are designed to meet the following:

(a) Promote the health, safety and general welfare of the public by regulating the siting of and establishing development standards for wireless telecommunications facilities and related equipment;

(b) Encourage the location of wireless telecommunications facilities within non-residential areas;

(c) Encourage collocation and site sharing of new and existing wireless telecommunications facilities;

(d) Facilitate the use of public property for wireless telecommunications facilities;
(e) Locate wireless telecommunications facilities in areas where adverse impacts on the community are minimized; and
(f) Encourage design and construction of wireless telecommunications facilities to harmonize the visual impact of the wireless telecommunications facilities with the existing natural and/ or built environment.

Sec. 18-501. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory equipment means any equipment serving or being used in conjunction with a wireless telecommunications facility or support structure. This equipment includes, but is not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or other structures.

Administrative approval means approval that the Director or his designee is authorized to grant after Administrative Review.

Administrative review means the non-discretionary evaluation of an application by the Director or his designee as identified herein. This process is not subject to a public hearing.

Antenna means any structure or device used to collect or radiate electromagnetic waves for the provision of cellular, paging, personal communications services (PCS) and microwave communications. Such structures and devices include, but are not limited to, directional antennas, such as panels, microwave dishes and satellite dishes, and omni-directional antennas, such as whips.

Atlanta Regional Airport – Falcon Field means the airport owned and operated by the Peachtree City Airport Authority.

Building Official means the building official of the City of Peachtree City.

"Carrier on Wheels" or *"Cell on Wheels" ("COW")* means a portable self-contained cell site that can be moved to a location and set up to provide personal wireless services on a temporary or emergency basis. A COW is normally vehicle-mounted and contains a telescoping boom as the antenna support structure.

Collocation means the act of siting telecommunications facilities in the same location on the same support structure as other wireless telecommunications facilities.

Existing structure means a previously erected support structure or any other structure to which wireless telecommunications facilities can be attached.

FAA means the Federal Aviation Administration.

FCC means the Federal Communications Commission.

Geographic search area (GSA) means an area of land, as defined by the applicant, being studied for the location of telecommunications facilities.

Height means, when referring to a support structure, the distance measured from ground level to the highest point on the support structure, even if the highest point is an antenna.

Director means the Community Development Director of the City of Peachtree City.

Major modification means improvements to existing telecommunications facilities or support structures that result in a substantial change to the facility or structure. Examples of major modifications include, but are not limited to, modifications that increase the height of the support structure or expand the physical size of the structures. Collocation of new telecommunications facilities on an existing support structure without replacement of the structure shall not constitute a major modification.

Minor modification means improvements to existing telecommunications facilities and support structures that result in some material change to the facility or support structure but of a level, quality or intensity that is less than a major modification. Examples of minor modifications include, but are not limited to, repair and/ or replacement of existing antennas, switching stations or electrical components.

Monopole means a single, freestanding pole-type structure supporting one or more antenna.

Municipal Code Officer means the code enforcement officer of the City of Peachtree City.

Ordinary maintenance means ensuring that telecommunications facilities and support structures are kept in good operating condition. Ordinary maintenance includes inspections, testing and modifications that maintain functional capacity, aesthetic and structural integrity; for example the strengthening of a support structure's foundation or of the support structure itself. Ordinary maintenance includes replacing antennas and accessory equipment on a like-for-like basis within an existing telecommunications facility and relocating the antennas of approved telecommunications facilities to different height levels on an existing monopole or support structure upon which they are currently located without changing the overall height of the support structure. Ordinary maintenance does not include major and minor modifications.

Pre-existing support structures and antennas means any support structure or antenna for which a permit has been properly issued prior to the adoption of this ordinance.

Replacement means constructing a new support structure of proportions and of equal height or such other height as would be allowed under the definition of minor modification to a pre-existing support structure in order to support a telecommunications facility or to accommodate collocation and removing the pre-existing support structure.

Stealth telecommunications facility means any telecommunications facility that is integrated as an architectural feature of an existing structure or any new support structure designed so that the purpose of the telecommunications facility or support structure providing wireless services is not readily apparent to a casual observer.

Support structure(s) means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers or monopole towers. The term includes radio or transmission towers, microwave towers, common carrier towers, cellular phone towers, alternative structure towers and the like.

Telecommunications facility means any unmanned facility established for the purpose of providing wireless transmission of voice, data, images or other information including, but not limited to, cellular telephone service, personal communications service (PCS), and paging service. A telecommunications facility can consist of one or more antennas and accessory equipment or one base station.

Sec. 18-502. Applicability.

(a) All telecommunications facilities or support structures erected within the city shall comply with the requirements of this article; except that this article shall not govern any telecommunications facility or support structure that is owned and operated by a federally licensed amateur radio or citizen band radio operator, or any antenna that is used exclusively for receive-only purposes.

(b) Preexisting support structures and antennas shall not be required to meet the requirements of this article, except as identified herein.

Sec. 18-503. Approvals required for telecommunications facilities and support structures.

(a) Administrative review. Telecommunications facilities located on an existing support structure shall be permitted after administrative review and administrative approval in accordance with the standards set forth in this ordinance.

(b) Conditional use permit. Telecommunications facilities and support structures not permitted by administrative approval shall be reviewed as a conditional use in those zoning districts set forth in this ordinance in accordance with the standards set forth in this ordinance.

(c) Exempt. Ordinary maintenance of existing telecommunications facilities and support structures, as defined herein, shall be exempt from zoning requirements but shall comply with all building department requirements.

The following facilities are <u>not</u> subject to the provisions of this ordinance:

(1) antennas used by residential households solely for broadcast radio and television reception;

(2) satellite antennas used solely for residential or household purposes;

(3) COWs placed for a period of not more than one hundred twenty (120) days at any location within the City after a declaration of an emergency or a disaster by the Governor or by the responsible official of the City; and

(4) television and AM/ FM radio broadcast towers and associated facilities.

Sec. 18-504. Telecommunications facilities and support structures permitted by administrative approval.

(a) Telecommunications facilities located on existing structures.

(1) Antennas and accessory equipment are permitted on any existing structure in accordance with the provisions of this ordinance.

(2) Antennas and accessory equipment shall not penetrate the protected airspace associated with Atlanta Regional Airport – Falcon Field.

(3) Minor modifications as identified herein.

(b) General standards, design requirements, and miscellaneous provisions.

(1) Unless otherwise specified herein, all telecommunications facilities and support structures permitted by administrative approval are subject to the applicable general standards and design requirements identified herein.

(c) Administrative review process.

(1) All administrative review applications must contain the following:

(a) Administrative review application form signed by applicant.

(b) Copy of lease or letter of authorization from property owner evidencing applicant's authority to pursue application.

(c) Construction drawings detailing proposed improvements. Drawings must depict improvements related to the requirements listed in this ordinance, including property boundaries, setbacks, topography, elevation sketch, and dimensions of improvements.

(d) A plat of the property identifying exact boundaries of the lease area for the new telecommunications facility and support structure, as well as the location of the access easement.

(e) Administrative review application fee.

(2) Procedure.

(a) Within thirty (30) business days of the receipt of an application for administrative review, the Director shall either: (1) inform the Applicant in writing the specific reasons why the application is incomplete and does not meet the submittal requirements; or (2) schedule an administrative review meeting with the applicant within thirty (30) days of the receipt of a complete application. This meeting is not a public hearing. If the Director informs the Applicant of an incomplete application within thirty (30) days, the overall timeframe for review is suspended until such time the Applicant provides the requested information.

(b) An applicant that receives notice of an incomplete application may submit additional documentation to complete the application. An applicant's failure to complete the application within sixty (60) business days after receipt of written notice shall constitute a withdrawal without prejudice of the application. An application withdrawn without prejudice may be resubmitted upon the filing of a new application fee.

(c) The Director must issue a written decision granting or denying the request within ninety (90) days of the submission of the initial application unless:

(1) The Director notified the Applicant that the application was incomplete within thirty (30) days of filing. If so, the remaining time from the ninety (90) day total review time is suspended until the Applicant provides the missing information; or

(2) Extension of time is agreed to by the Applicant.

(d) Should the Director deny the application, the Director shall provide written justification for the denial. The denial must be based on substantial evidence of inconsistencies between the application and this ordinance.

(e) Applicant may appeal any decision of the Director approving, approving with conditions, or denying an application or deeming an application incomplete within thirty (30) days to the City Council in accordance with city ordinances.

Sec. 18-505. Telecommunications facilities and support structures permitted by conditional use permit.

(a) Any telecommunications facilities or support structures not meeting the requirements of administrative approval shall be reviewed and subject to approval by both the Planning Commission and City Council as a conditional use within specific zoning districts, subject to the requirements of this ordinance.

(b) General standards, design requirements, and miscellaneous provisions.

(1) Unless otherwise specified, all telecommunications facilities and support structures permitted by conditional use permit are subject to the applicable general standards and design requirements identified herein.

(2) Siting of new telecommunications facilities and support structures shall be in accordance with the following hierarchy of facility alternatives, ranked from highest to lowest preference as follows:

(a) Collocation on existing structure.

(b) Concealed freestanding (stealth application).

(c) Non-concealed freestanding monopole.

(d) Non-concealed freestanding lattice structure.

(c) Conditional use permit review process.

(1) All conditional use permit applications must contain the following:

(a) Conditional use permit application form signed by applicant.

(b) Copy of lease or letter of authorization from property owner evidencing applicant's authority to pursue application.

(c) A Title Report or American Land Title Association (A.L.T.A.) survey showing all easements on the subject tract, together with a full legal description of the property.

(d) Construction drawings detailing proposed improvements. Drawings must depict improvements related to the requirements listed in this ordinance, including property boundaries, setbacks, topography, elevation sketch, and dimensions of improvements.

(e) A plat of the property identifying exact boundaries of the lease area for the new telecommunications facility and support structure, as well as the location of the access easement.

(f) A vicinity map delineating the location and classification of all major public or private streets and rights-of-way, driveways, public parking areas and multi-use paths within 1,000 LF of the proposed telecommunications facilities and support structure location. Said vicinity map shall also include zoning districts boundaries.

(g) A list of all property owners, to include the name and mailing address of all owners of property abutting the property where the new telecommunications facility will be located as well as all owners of property located within 200 feet of the property where the new telecommunications facility will be located. Property ownership shall be ownership as shown by the Fayette County Tax Digest for the year in which the application is considered, and the city officials have no duty to inquire into ownership beyond that shown on said tax digest. As used in this section, the phrase "owners of adjacent property" means any owner of property that physically touches the property under consideration.

(h) Two (2) sets of mailing labels for such property owners shall be provided, along with a notarized Letter of Certification stating the ownership list referenced herein is accurate and to the best of the Applicant's ability.

(i) An Evidence of Need report certified by a Radio Frequency Engineer demonstrating the need for the new telecommunications facilities and support structures at the proposed location. The following information shall be provided within the report:

(1) Identification of the efforts to comply with the facility and location hierarchy as identified herein. If a concealed freestanding or non-concealed freestanding structure is proposed, the Applicant shall demonstrate that existing facilities, or the mitigation of existing facilities, within the Applicant's geographic search area (GSA) cannot reasonably accommodate the Applicant's need because:

(a) There are no existing structures within the GSA that meet the Applicant's engineering requirements and why.

(b) The existing telecommunications facilities and support structures within the GSA are not of sufficient height and cannot be increased in height to meet the Applicant's engineering requirements.

(c) The existing telecommunications facilities and support structures within the GSA do not have sufficient structural strength and cannot be structurally improved to support the Applicant's proposed telecommunications and related equipment. Such information shall be certified by a Professional Engineer licensed to practice in the State of Georgia.

(d) There are other limiting factors that render existing telecommunications facilities and support structures in the GSA unsuitable.

(2) For all telecommunications facilities and support structures proposed within 500 LF of any residentially zoned parcel, a written report shall be provided which demonstrates the Applicant's meaningful efforts to secure alternative sites in non-residential areas. The applicant shall provide:

(a) A list of alternative sites that are potential alternatives to the proposed location.

(b) A written explanation as to why the alternative sites considered were either unacceptable or infeasible due to technical or physical reasons.

(c) Copies of written requests and responses for shared use, along with any letters of rejection stating the reasons for rejection.

(3) Graphics to be provided shall include:

(a) A map of the GSA to include the location of the proposed telecommunications facilities and support structures and all existing telecommunications facilities and support structures within the GSA. The exact location (in longitude and latitude, to degrees, minutes and seconds to the nearest tenth), including the height of the existing towers; and height, type and number of existing antennas on each support structure.

(b) A map of the GSA and all existing alternative structures that are potential alternatives to the proposed telecommunications facility and support structure.

(c) A color plot demonstrating the existing coverage of all existing telecommunications facilities and support structures owned and proposed by the Applicant within the GSA.

(d) Additional maps and calculations as may be deemed necessary by the Director to prove the need for the new telecommunications facilities and support structures.

(4) Applications for new telecommunications facilities and support structures shall be considered together as one application requiring only a single application fee.

(5) All new support structures shall be designed such that more than one wireless carrier can collocate on the new support structure in the future.

(j) A Visual Impact Assessment demonstrating the visual impacts the proposed telecommunications facilities and support structures might have on the adjoining properties. The following information shall be provided within the report:

(1) Line-of-sight analysis. The Applicant shall provide a line-of-sight analysis, including elevation views of the proposed facility. The analysis shall include a description of natural and man-made features that affect the buffering of the potential visual impact of the structure.

(2) Photo simulations. The Applicant shall provide photo simulated post-construction renderings of the completed proposed telecommunications facilities and support structures, equipment compound, equipment cabinets,

ancillary structures and landscaping. The simulations shall include a minimum of four views (north, south, east and west).

(a) The views shall incorporate before and after scenarios, a scaled color image of the proposed type of facility, an aerial map with the location of the selected views, and a description of the technical approach used to create the photo simulations.

(3) Balloon test. The Applicant shall conduct a balloon test, the purpose of which shall be to delineate the height of the proposed telecommunications facilities and support structures, prior to the public hearing on the application. The balloon test shall meet the following requirements:

(a) The Applicant shall arrange to fly, or raise upon a temporary mast, a minimum of a three (3) foot in diameter length brightly colored balloon at the maximum height of the proposed telecommunications facilities and support structures. Said balloons shall be flown within fifty (50) horizontal feet of the center of the proposed support structure.

(b) The dates (including a second date, in case of poor visibility on the initial date), times and location of the balloon test shall be advertised no less than seven (7) days in advance in the city's legal organ. The Applicant shall notify the Director no less than fourteen (14) days in advance of the balloon test.

(c) The balloon shall be flown for no less than four (4) consecutive hours sometime between 10:00 AM and 4:00 PM on the dates chosen. The primary date shall be on a weekend. In the case of poor weather or visibility on the selected date, the secondary date shall be scheduled for the following weekend at the same time. Pictures shall be taken of the balloon from approximately 200' away from a minimum of four (4) views (north, south, east and west).

(k) Documentation from the FAA indicating the proposed telecommunications facilities and support structure are in compliance with Subpart C of the Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace," if applicable.

(l) Documentation from the Peachtree City Airport Authority indicating their approval of the proposed telecommunications facilities and support structure.

(m) Conditional use permit review application fee.

(2) Procedure.

(a) Within thirty (30) days of the receipt of an application for an administrative review, the Director shall either: (1) inform the Applicant in writing the specific reasons why the application is incomplete and does not meet the submittal requirements; or (2) deem the application complete and schedule a meeting with the Applicant. If the Director informs the Applicant of an incomplete application within thirty (30) days, the overall timeframe for review is suspended until such time the Applicant provides the requested information.

(b) An applicant that receives notice of an incomplete application may submit additional documentation to complete the application. An applicant's failure to complete the application within sixty (60) business days after receipt of written notice shall constitute a withdrawal without prejudice of the application. An application withdrawn without prejudice may be resubmitted upon the filing of a new application fee.

(c) A complete application for Conditional Use Permit shall be scheduled for a Public Hearing in accordance with established procedures.

(d) Applications for new support structures with proposed telecommunications facilities shall be considered as one application requiring a single application fee.

(d) The subject tract shall be posted and the adjoining property owners shall be notified in accordance with established procedures.

(e) The Director shall issue a written decision granting or denying the conditional use permit application within one hundred fifty (150) days of the submission of the original application unless:

(1) The Director notified the Applicant that its application was incomplete within thirty (30) days of filing. If so, the remaining time from the one hundred fifty (150) day total review time is suspended until the Applicant provides the missing information.

(2) Extension of time is agreed to by the Applicant.

Failure to issue a written notice within one hundred fifty (150) days shall constitute an approval of the application.

Sec. 18-506. General standards and design requirements.

(a) Permitted zoning districts.

(1) Telecommunications facilities and support structures shall be limited to the following zoning districts as a conditional use:

(a) LI light industrial;

(b) GI general industrial; and

(c) OS-P open space – public.

(2) Telecommunications facilities and support structures may be considered to be either principal or accessory uses on a particular zoning lot. For purposes of locating a telecommunications facility or support structure on a particular lot, the dimensions of the entire lot shall control, even though the telecommunications facility or support structure may be located on a leased parcel within the overall lot.

(3) Telecommunications facilities or support structures shall not be located on any zoning lot that is determined to be nonconforming, or on any zoning lot on which there exists a nonconforming use.

(b) Design.

(1) Monopoles shall be subject to the following:

(a) Monopoles shall be designed to accommodate no less than four (4) telecommunications providers.

(b) The telecommunications facilities at the base of the monopole shall be of sufficient size to accommodate accessory equipment for no less than four (4) telecommunications providers.

(c) Unless otherwise required by the FCC, the FAA, or the City, support structures shall have a galvanized silver or gray finish.

(2) Lattice support structures shall be subject to the following:

(a) Lattice support structures shall be designed to accommodate no less than five (5) telecommunications providers.

(b) The telecommunications facilities at the base of the support structure must be of sufficient size to accommodate accessory equipment for no less than five (5) telecommunications providers.

(c) Unless otherwise required by the FCC, the FAA, or the City, support structures shall have a galvanized silver or gray finish.

(3) Stealth telecommunications facilities shall be designed to accommodate the collocation of other antennas whenever economically and technically feasible or aesthetically appropriate, as determined by the Planning Commission and City Council.

(4) Upon request of the Applicant, the Planning Commission may recommend to the City Council that they consider waiving the

requirement that new support structures accommodate the collocation of other service providers if it finds that collocation at the site is not essential to the public interest, or that the construction of a shorter support structure with fewer antennas will promote community compatibility.

(5) The City of Peachtree City and/or Fayette County shall have first right of refusal to collocate emergency and/or public radio equipment on any approved support structure within the city limits provided that the collocation of antennas does not interfere with the normal tower operations. Reserved space shall be provided on each new support structure for future collocation of antennas. While Peachtree City and/or Fayette County shall have a first right of refusal, the consideration to be paid for such collocation shall be subject to negotiation between the parties.

(c) Setback requirements.

(1) The following setback requirements shall apply to all new support structures:

(a) All support structures shall be set back from any property line abutting a residential use, school or place of worship, as measured from the base of the support structure to the boundary of such property, a minimum distance of 250 feet.

(b) All support structures must provide a minimum front yard setback of 200 feet from any public street right-of-way and sufficient rear and side yard setbacks a distance equal to no less than 50% of the height of the support structure.

(c) Unless otherwise stated herein, all accessory equipment shall be set back from the property lines in accordance with the minimum setback requirements within the underlying zoning district.

(d) Height.

(1) New support structures in all districts shall not exceed a height of one hundred eighty (180) feet as measured from ground level to the highest point on the support structure, even if the highest point is an antenna.

(e) Aesthetics.

(1) *Lighting and marking.* Telecommunications facilities and support structures shall not be lighted or marked unless required by the FCC or the FAA. Support structures required to be lit by the FCC or FAA shall not be located within two hundred feet (200') of a residentially zoned tract of land.

(2) *Signage.* A sign no larger than four (4) square feet shall be located on the telecommunications facilities and shall identify the ownership and emergency contact information, FCC antenna registration number (if

required) and any other information as required by government regulation. Commercial advertising is strictly prohibited.

(3) *Landscaping.* In all districts, the Director shall have the authority to impose reasonable landscaping requirements surrounding the accessory equipment. Required landscaping shall be consistent with surrounding vegetation and shall be maintained by the facility owner in perpetuity.

(4) *Accessory equipment.* Buildings, cabinets or shelters shall be used only to house equipment and other supplies in support of the operation of the telecommunications facilities and support structures. Any equipment not used in direct support of such operation shall not be stored on the site.

(5) *Security fencing.* Accessory equipment at the base of the support structure shall be enclosed with a black vinyl-coated chain link fence at no less than eight feet (8') in height. Portions of the telecommunications facilities visible from off-site shall be screened with a stockade-type wood fence at no less than 6' in height with brick columns (2' x 2' x 7' tall) spaced at no less than 16' o.c.

(6) *Anti-climbing devices.* Support structures shall be equipped with an anti-climbing device to prevent unauthorized access. Any form of razor wire shall not be permitted as an anti-climbing device.

(7) *Access drive.* All access roads shall be constructed of gravel and/ or dustless and durable Portland cement or asphaltic concrete complying with specifications established by the city. Said drive shall be maintained in a usable condition.

(f) Compliance with government regulations.

All telecommunications facilities and support structures must comply with current standards or regulations of the FAA, the FCC, or any other agency of the federal government with the authority to regulate such telecommunications facilities and support structures. If such standards and regulations are changed, the owners of the telecommunications facilities and support structures governed by this article shall bring such telecommunications facilities and support structures into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations unless a more stringent compliance schedule is mandated by the controlling federal agency. Failure to bring telecommunications facilities and support structures into compliance with such revised standards and regulations shall constitute grounds for the removal of the telecommunications facilities and support structures at the owner's expense and shall result in appropriate action by the code enforcement officer.

(g) Compliance with building code.

All telecommunications facilities and support structures must comply with all current building and electrical codes which have been adopted by the city, as well as the applicable standards of the Electronic Industries Association, as amended. If upon inspection the city concludes that a support structure fails to comply with such codes and standards and constitutes a danger to persons or property, upon notice being provided to the owner of the support structure, the owner shall have 30 days to bring such support structure into compliance with such standards. If the owner fails to bring such support structure into compliance with such standards, appropriate action will be taken by the code enforcement officer.

Sec. 18-507. Miscellaneous provisions.

(a) Safety.

(1) All ground-mounted accessory equipment and support structures shall be secured and enclosed with a privacy fence as specified herein.

(b) Environmental standards.

(1) Telecommunications facilities and support structures shall not be located within wetlands or wetland buffers, whether federal or state designated.

(2) Telecommunications facilities and support structures shall not generate noise in excess of 60db at ground level at the property line.

(c) Abandonment and removal.

If a support structure is abandoned and it remains abandoned for a period in excess of twelve (12) consecutive months, the City may require that such support structure be removed only after first providing written notification to and giving the owner of the support structure the opportunity to take such action(s) as may be necessary to reclaim the support structure within thirty (30) days of receipt of said written notice. In the event the owner of the support structure fails to reclaim the support structure within the thirty (30) day period, the owner of the support structure shall be required to remove the same within six (6) months thereafter. The City shall ensure and enforce removal by means of existing regulatory authority. As used herein, no support structure may be deemed "abandoned" unless the owner of the support structure intends to permanently and completely cease all business activity associated therewith.

(d) Multiple uses on a single parcel or lot. Telecommunications facilities and support structures may be located on a parcel containing another principal use on the same site.

(e) Support structure certifications.

(1) An annual support structure certification shall be required for any support structure or antenna in the city, including those legally in use on the effective date of this article. Certification shall be submitted to the Director and shall be signed and notarized by the support structure owner or his authorized representative by January 31 each year.

(2) A support structure certification shall consist of a current description of the support structure's location, height, physical condition, antennas and support facilities.

Sec. 18-508. Telecommunications facilities and support structures in existence on the date of adoption of this ordinance.

(a) Telecommunications facilities and support structures that were legally permitted on or before the date this ordinance was enacted shall be considered a permitted and lawful use.

(b) Non-conforming telecommunications facilities.

(1) Non-conforming antennas or accessory equipment. Ordinary maintenance may be performed on non-conforming antennas and accessory equipment.

(2) Minor modifications to non-conforming telecommunications facilities may be permitted upon the granting of administrative approval by the Director.

(3) Major modifications to non-conforming telecommunications facilities shall require approval of both the Planning Commission and City Council.

(c) Non-conforming support structures.

(1) Non-conforming support structure. Ordinary maintenance may be performed on a non-conforming support structure.

(2) Collocation of telecommunications facilities on an existing non-conforming support structure is permitted upon the granting of administrative approval by the Director.

(3) Minor modifications may be made to non-conforming support structures to allow for collocation of telecommunications facilities. Such minor modifications shall be permitted by administrative approval granted by the Director.

(4) Major modifications to non-conforming support structures shall require approval of both the Planning Commission and City Council.

Sec. 18-509. Variances.

All telecommunications facilities and support structures shall comply with the provisions of this chapter, unless a written request is filed and approved to waive this requirement. All variance procedures shall be held in strict conformance with the procedures for variances as set forth in the city's zoning ordinance.

Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _________ day of ____________________ 2010.

____
Don Haddix, Mayor

____

____

____

____

Attest: ______________________________
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and City Council**

VIA: **City Manager** mw for BSm

FROM: **Financial Services Director** PS.

DATE: **August 12, 2010**

SUBJECT: **Public Hearing – 2010 Millage Rates**

August 19, 2010 City Council Meeting

Recommendation:
Hold the third and final public hearing required by state law to gain public input on the proposed Peachtree City millage rates for 2010 (FY 2011 Budget).

Discussion:
Staff will present a brief Powerpoint presentation explaining the proposed millage rates for the 2010 tax levy and will answer any questions. Members of the public will then be invited to speak on the matter.

Adoption of the 2010 millage rates, adoption of the FY 2011 Budget resolution, and adoption of the revised budget guidelines/fund balance resolution will be presented as separate agenda items for this meeting.

Budgetary Impact:
N/A

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and City Council**

VIA: **City Manager**

FROM: **Financial Services Director** P.S.

DATE: **August 12, 2010**

SUBJECT: **Updated Financial Policies and Resolution to Commit Fund Balance in the General Fund**

August 19, 2010 City Council Meeting

Recommendation:
Adopt updated financial policies (CAR 9-5) and also adopt resolution for commitment of fund balance in the General Fund.

Discussion:
During the FY 2011 Budget workshop meetings, it was explained that the Government Accounting Standards Board (GASB) has issued new standards for classifying fund balance, including *Unspendable, Restricted, Committed, Assigned* and *Unassigned.* Any commitments of fund balance must be made formally through the adoption of an ordinance or resolution and must list specific purposes. The *Unassigned* category is the grouping where the minimum 20% reserve is maintained. CAR 9-5, Policy 8, has now been updated to recognize the new standard (GASB 54). At the workshop meetings, staff also received guidance from Council to update the policies to include the following budgetary guidelines:

- Ongoing funding sources must be clearly identified in the current and future budgets if new services are added to the budget (See Policy 3)
- Council should consider lowering the Maintenance and Operation (M & O) millage rate should a new SPLOST or other voted revenue source become available
- Conversely, Council should consider adjusting the M & O millage rate accordingly if a SPLOST or other ongoing revenue source ceases to exist to recover the lost revenue unless another new or increased revenue source is available. (See Policy 18).

These guidelines have now been incorporated into the budgetary policies as referenced above.

As for the resolution for the commitment of fund balance in the General Fund, a Five-Year Financial Model was presented during the Council workshop that included a strategy to achieve the following:

- Reduce *Unassigned* fund balance to the 20% minimum level over the next five years
- Stabilize future millage rate increases for fiscal years 2012 through 2015

It has been recognized that current SPLOST funds available are expected to be depleted by the end of FY 2012, causing an increase of approximately $1.5M in ongoing General Fund expenditures for infrastructure maintenance that had been funded by the SPLOST, particularly street and path resurfacing. It has also been recognized that, starting in FY 2013, the potential exists for decreased annual LOST revenues of approximately $1M if the renegotiated distribution is made on a pro rata basis.

In order to avoid the significant 'spike' that these two significant factors may have on the FY 2013 budget, a resolution has been prepared to commit any portion of fund balance that exceeds the 20% policy minimum for the *Unassigned* fund balance category. These reserves are intended to stabilize the future millage rate increases anticipated for fiscal years 2012 through 2015 (currently estimated at .201 mills per year).

Budgetary Impact:
Five-Year Model attached

CAR 9-5 BUDGET POLICIES CAR 9-5

OPR: Finance
06/21/01 (Revised 6/xx/10)

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I. Purpose

The City of Peachtree City has enacted the following policies as a basis for the City's routine financial practices associated with preparation, adoption, and execution of the City's operating and capital budgets. Their primary objective is to provide a standard of budgetary performance that both staff and Council have endorsed and to provide budgetary decision making with greater continuity, reinforcing the City's core financial values and preserving them for successive staff and Council.

Regular, updated budget policies can be an important tool to ensure that City resources are used to meet its commitments, to provide needed services to the citizens of Peachtree City, and to maintain sound financial management practices. These policies are therefore guidelines for general use and allow for exceptions in extraordinary conditions.

These policies have been approved by the City Manager and Financial Services Division and have been adopted by the City Council. The Budget Policies of the City will be reviewed annually and can be adjusted at any time by action of the City Council.

II. OPERATING & CAPITAL BUDGET POLICIES

Budget Scope:

Policy 1. Funds included in the operating budget. The operating budget shall include the following funds:

- Governmental Type Funds
  - General Fund
  - Special Revenue Funds
  - Capital Projects Funds
  - Debt Service Funds
- Proprietary Type Funds
  - Stormwater Utility Fund (including stormwater capital projects)
  - Amphitheater Fund

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Policy 2. Integration with capital budget. All capital project budgets will be prepared concurrently with the annual operating budgets for each fund, and are to be an integral part of the operating budget.

Policy 3. Baseline and service level funding. In the absence of a fiscal crisis, the City's top program priority is the maintenance of existing service levels in all divisions and departments. To reflect this, the budget process should include the calculation of baseline funding levels for all departments, reflecting current staffing, and inflationary increases in supplies and service budgets. This baseline should serve as an agreed upon point of departure for subsequent budget discussions, such as the impact of adding a new facility or service. Any additional services above the baseline level shall be fully funded at the time of the adoption of the annual budget, and the ongoing funding source(s) for these additional services, for the current and all subsequent years, shall be clearly identified. Such ongoing funding sources must be in the form of either new or increased revenues, or clearly identified expense reductions.

Deleted: for a full year

Deleted: shall identify

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Budgetary Balance:

Policy 4. Adoption. The City shall adopt and operate under an annual balanced budget for the General Fund, the Capital Projects Funds, each Special Revenue Fund, and each Debt Service Fund in use by the City. The annual balanced budget shall be adopted by resolution of the City Council prior to the start of each fiscal year.

Policy 5. Balance defined. The budget resolution is balanced when the sum of the estimated revenues and appropriated fund balances is equal to appropriations. Appropriations of fund balances shall only be made in compliance with the "Reserves" section of this policy. There are additional requirements for budgetary balance that apply to the Stormwater Utility Fund. Per requirements set forth in the Stormwater Bond covenants, the utility must also maintain a bond debt service coverage ratio of at least 1.15, on an annual basis. This means that the annual revenue available for debt service, after payment of all other annual operating expenses, must exceed the amount of the annual debt service by at least fifteen percent (15%).

Policy 6. Capital projects. The City shall adopt and operate under a project-length balanced budget for each capital projects fund in use by the City. The project-length balanced budget shall be adopted by resolution in the year that the project initially begins, and shall appropriate total expenditures for the duration of the capital project.

Policy 7. Budgeting/accounting basis. The City will make all current expenditures with current revenues, avoiding procedures that balance current budgets by postponing needed expenditures, accruing future revenues, or rolling over short-term debt.

Budgetary Reserves:

Policy 8. Types and levels of reserves. The City, in conjunction with Governmental Standards Board Statement No. 54 (Fund Balance Reporting and Governmental Fund Type Definitions), shall maintain the following fund balances (reserves) in all governmental type funds that are established in Policy 1:

- Non-spendable – to establish balances that cannot be spent because they are in a non-spendable form (i.e. inventories, prepaid amounts, long-term loans and notes receivables, or property held for resale).
- Restricted – to establish balances constrained for a specific purpose through restrictions of external parties (i.e. creditors, grantors, contributors, or laws or regulations of other governments) , or by constitutional provision or enabling legislation. These balances may include monies from loans, grants, and donors, particularly in those governmental fund types normally other than the City's General Fund.
- Committed – to establish balances constrained for specific purposes imposed by formal action (ordinance or resolution) of the City Council and shall include all funds not designated as non-spendable, restricted, assigned, or unassigned. These funds will be for the specific purpose of establishing a revenue stabilization fund to provide resources to cover anticipated and unanticipated revenue shortfalls in subsequent years. If available, committed reserves shall also be used to replenish the unassigned reserves to the minimum 20% level should they fall below that level.

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- Assigned – to establish balances to be set aside by City management to fund a projected budgetary deficit in a subsequent year's budget as adopted by City Council.
- Unassigned – remaining amount that has not been classed as non-spendable, restricted, committed, or assigned that shall remain equal to or greater than twenty percent (20%) of the "Total Uses of Funds" amount appropriated in the General Fund budget. These unassigned funds are intended for the following purposes:
  - Cash Flow – to maintain sufficient cash on hand to satisfy cash flow needs of the City, especially between the start of the fiscal year and such time that property tax revenues are received.
  - Operating Contingencies – to provide resources to pay for expenses that were not originally appropriated in the annual operating budget.
  - Insurance – to provide funding for unanticipated costs associated with the repair and/or replacement of City property that is unexpectedly damaged or destroyed, and for other liabilities for claims against the City in excess of the amount recovered through claims filed against individuals or with the City's insurance carriers, or other reimbursements such as State and/or Federal disaster assistance.
  - Grants – to provide funding to cover costs associated with grant projects when funds must be expended prior to submitting for grant reimbursement (i.e. SAFER, CERT, COPS FAST, GA DOT, etc.)
  - Loans – to provide funding to cover costs associated with purchases and construction of fixed assets that will be financed upon completion through a reimbursement resolution process.

  Unassigned reserve fund balance shall be reviewed annually and any significant amounts over the 20% minimum shall be reclassified as committed, unless an alternate use is agreed upon by Council. Similarly, any available committed reserves shall be used to replenish the unassigned fund balance should it fall below the 20% minimum.

- **Capital Project (PIP) Contingency** – to provide funding for unanticipated costs associated with capital projects/equipment in the Public Improvement Program, or for new projects/equipment that were not originally appropriated in the PIP budget. Subject to annual review, the City shall appropriate an amount per year, as deemed necessary in a PIP Contingency account to serve these purposes. Any excess project funds, including interest earnings of capital projects funds, shall also be transferred into this account upon completion of any project that completes under budget. The City Manager shall review the PIP Contingency Fund balances on a regular basis to determine if they will still be needed for projects. If not, they may be transferred back to the General Fund or be used for other lawful purposes.
- **Special Consideration** – at the will of Council, any of the committed, assigned, or unassigned funds balances (reserve amounts) described in this policy may be combined and used for any lawful purpose that Council sees fit, provided that a sound financial plan for replenishment of the reserve funds is established prior to any such disbursement. The use of any committed funds require formal action through a Council resolution and must be enacted prior to the close of each fiscal year.
- **The City shall strive to meet the above reserve requirements, and staff and Council will review the requirements annually.**

Budget Responsibility:

Policy 9. Preparation and submittal. Per City Ordinance, the City Manager has the responsibility for the preparation and submittal of the City's annual budget. In this capacity, he shall have the authority to

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Cash Flow - to maintain sufficient cash on hand to satisfy cash flow needs of the City, especially between the start of the fiscal year and such time that property tax revenues are received.¶
Revenue Stabilization – to provide resources to cover unanticipated revenue shortfalls (sales tax, etc.) due to economic conditions.¶
Operating Contingencies – to provide resources to pay for expenses that were not originally appropriated in the annual operating budget.¶
Insurance – to provide funding for unanticipated costs associated with the repair and/or replacement of City property that is unexpectedly damaged or destroyed, and for other liabilities for claims against the City in excess of the amount recovered through claims filed against individuals or with the City's insurance carriers, or other reimbursements such as State and/or Federal disaster assistance.¶

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standardize budget documentation, to prepare the budget calendar, and to review departmental budget requests for accuracy and conformity to budget guidelines. He shall also review all revenue forecasts prepared during the budget process. The Financial Services Division shall assist the City Manger in fulfilling these responsibilities by preparing and submitting a draft budget to the City Manager.

Policy 10. Implementation. The Financial Services Director shall be responsible for overseeing budget implementation. Duties in this phase will include, but are not limited to, preparation and review of interim financial reports, monitoring revenues, reviewing departmental expenditure requests for conformity with budget, reviewing supplementary appropriation requests, and recommending transfers across accounts or departments in conformity with the City's budget implementation policies.

BUDGET IMPLEMENTATION POLICIES

Budget Amendments and Reallocations:

Policy 11. Legal level of control. Means the lowest level of budgetary detail at which a local government's management or budget officer may not reassign resources without approval of the governing authority. Per Georgia State law, the City's legal level of control shall be, at a minimum, expenditures for each department for each fund for which a budget is required.

Policy 12. Budget amendments. Any increase in appropriation at the legal level of control whether accomplished through a change in anticipated revenues in any fund or through a transfer of appropriations among divisions, shall require the approval of the City Council. Such amendment shall be adopted by resolution.
Carryovers. Financial Services staff shall prepare an estimate for each project that staff intends to re-appropriate funds for at year-end. City staff shall be authorized to carry forward any available appropriations from previous years' approved budgets for any capital projects that are still active based upon *actual* available balances at fiscal year-end, although such amounts may differ from the estimates prepared during the budget process.

Policy 13. Reallocations. Transfers of appropriations within any fund below the City's legal level of control shall require only the approval of the Financial Services Director.

Policy 14. Preventing overspending. The City Manager may impound budgetary authority for spending in situations when total revenues of a fund fail to keep pace with estimated revenues budgeted for that fund.

Policy 15. Reporting. The Finance Department shall be responsible for preparing monthly budget status reports that will be made available to the public. They are also responsible for preparing an annual financial report as of fiscal year-end.

REVENUE POLICIES

Policy 16. Review of fees and charges. A comprehensive analysis of all City fees and charges will be conducted at least once every three years. At least one public hearing shall be held, prior to adoption of any changes to the fee schedules, to disclose the results of the survey and to discuss staff's recommendations.

Policy 17. Use of one-time revenues. One-time revenues shall generally not be used for on-going operating expenses, such as additional personnel or new contracts for goods or services that will remain in effect after the one-time revenue sources has been exhausted. Examples of allowable uses of one-time revenues are purchases of capital assets, start-up costs, early debt retirement, and deposit to the operating reserve fund. Use of one-time revenues for other purposes may be considered on a case-by-case basis.

Policy 18. Adjustment to millage rate. At the will of the Council, reductions in the Maintenance and Operation millage rate may be made in any budget year where Special Purpose Local Option Sales Tax (SPLOST) or other voted revenue sources will be available to provide funding for eligible projects of such funding sources traditionally covered by Maintenance and Operation ad valorem property taxes. Conversely, should a SPLOST or other revenue source cease to exist, Council should consider adjusting the millage rate accordingly to recover the lost revenue, unless another new or increased revenue source is available.

APPROVED:
City Council
City Manager
Assistant City Manager
Financial Services Director

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RESOLUTION TO COMMIT FUND BALANCE

A RESOLUTION TO COMMIT FUND BALANCE OF THE GENERAL FUND OF THE CITY OF PEACHTREE CITY (THE CITY) AND PROHIBIT OTHER USE OF SUCH COMMITTED FUNDS UNLESS AUTHORIZED BY FUTURE RESOLUTION OR ORDINANCE ADOPTED BY THE CITY COUNCIL

WHEREAS, there exists a category of fund balance established under GASB 54 that allows for the formal commitment of fund balance, and

WHEREAS, such commitments must be made for specific purposes, by adoption of a resolution or ordinance, and

WHEREAS, such commitments can only be changed by a future resolution or ordinance passed by the City Council, and

WHEREAS, such commitments may be used for rate stabilization, and

WHEREAS, the CITY anticipates that the General Fund will need to appropriate approximately $1,500,000 per year for road and path resurfacing, beginning in FY 2013 due to the depletion of remaining 2005 – 2010 Special Purpose Local Option Sales Tax (SPLOST) funds, and

WHEREAS, the CITY anticipates a decrease in Local Option Sales Tax Revenue (LOST) of approximately $1,000,000 per year, beginning in FY 2013, due to renegotiation of the LOST distribution formula based on the 2010 U.S. Census data, and

WHEREAS, the CITY currently anticipates fund balance levels at the end of FY 2010 in excess of the 20% minimum required to be maintained in *Unassigned* fund balance, and in excess of other fund balance amounts categorized as *Unspendable, Reserved* or *Assigned*

NOW, THEREFORE, BE IT RESOLVED that any available fund balance in the General Fund that is not needed to maintain the 20% minimum required in *Unassigned* fund balance, and that is not categorized as *Unspendable, Reserved* or *Assigned*, be *Committed* and used to offset the anticipated revenue losses in SPLOST and LOST described above, and to stabilize future millage rate increases for fiscal years 2012, 2013, 2014 and 2015, as evidenced by the 5-Year Financial Model associated with the final adopted FY 2011 Budget.

LET IT BE FURTHER RESOLVED that use of the Committed reserves other than as described above is expressly prohibited unless specifically authorized by future resolution or ordinance of the City Council.

SO RESOLVED, in open session assembled pursuant to law. This ___ day of ________, 2010.

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Mayor

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ATTEST: _______________________________
Betsy Tyler, City Clerk

City of Peachtree City
Five-Year Financial Projections
1.25 Mill Tax Increase

General Fund	Projected Actual FY 2010	Proposed Budget FY 2011	Model Budget FY 2012	Model Budget FY 2013	Model Budget FY 2014	Model Budget FY 2015
Beginning Unreserved Fund Balance	$9,548,227	$9,434,464	$10,467,111	$11,880,189	$10,574,111	$8,306,815
	37%					
Sources of Funds:						
Percentage Increase in G.F. Revenue over Prior Year		8.70%	2.02%	-0.38%	3.25%	3.74%
Total Revenues & Transfers In	$25,584,330	$27,810,394	$28,372,752	$28,266,001	$29,183,240	$30,275,126
Uses of Funds:		2.74%	3.25%	9.28%	5.21%	4.25%
Departmental Operating Expenses	$22,889,800	$23,875,388	$24,651,320	$27,075,739	$28,485,586	$29,849,320
Salary Vacancy/Other Savings:		($358,131)	($369,770)	($541,515)	($569,712)	($746,233)
General Administration Expenses	$473,304	$344,612	$338,317	$349,060	$365,475	$377,672
Transfers to Other Funds/Authorities	$2,334,989	$2,915,878	$2,339,807	$2,688,795	$3,169,186	$2,666,042
Total Uses of Funds:	$25,698,093	$26,777,747	$26,959,674	$29,572,079	$31,450,537	$32,146,801
Percentage Increase in G.F. Expenses over Prior Year		4.20%	0.68%	9.69%	6.35%	2.21%
Surplus / (Deficit)	($113,763)	$1,032,647	$1,413,078	($1,306,078)	($2,267,296)	($1,871,676)
Ending Fund Balance - General Fund	$9,434,464	$10,467,111	$11,880,189	$10,574,111	$8,306,815	$6,435,139
Reserve Percentage	37%	39%	44%	36%	26%	20%
Target Reserves (20% of Uses of Funds):	$5,139,619	$5,355,549	$5,391,935	$5,914,416	$6,290,107	$6,429,360
Over (Under)	$4,294,845	$5,111,561	$6,488,254	$4,659,695	$2,016,707	$5,779
Total City Millage Rate:	5.533	6.783	6.984	7.185	7.386	7.587
Total Millage Increase (Decrease)		1.250	0.201	0.201	0.201	0.201
Percent Increase/Decrease		24.3%	3.1%	3.1%	3.0%	2.9%
Maintenance & Operation Millage Rates	5.134	6.384	6.585	6.786	6.987	7.188
M & O Millage Increase/Decrease		1.250	0.201	0.201	0.201	0.201
Percent Increase/Decrease		24.35%	3.15%	3.05%	2.96%	2.88%
Bond Millage Rates	0.399	0.399	0.399	0.399	0.399	0.399
Bond Millage Increase/Decrease		0.000	0.000	0.000	0.000	0.000
Percent Increase/Decrease		0.00%	0.00%	0.00%	0.00%	0.00%

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and City Council**

VIA: **City Manager**

FROM: **Financial Services Director** P.S.

DATE: **August 12, 2010**

SUBJECT: **FY 2011 Budget Resolution**

August 19, 2010 City Council Meeting

Recommendation:
Adopt the attached FY 2011 Budget Resolution, and confirm the supporting budget summaries.

Discussion:
Council has already conducted several budget workshop meetings and held a public hearing on the proposed FY 2011 Budget, pursuant to O.C.G.A. 36-81-5, and is now ready to adopt the budget. The resolution and supporting documents for the FY 2011 budget are consistent with the information presented at the last budget workshop meeting, with the exception that the estimate for property tax collections was decreased by $24,400 based upon receipt of the final digest from the Fayette County Tax Commissioner.

The attached General Fund revenue schedules include ad valorem tax revenues that are based on a combined (Maintenance & Operation and Bond) millage rate of 6.783 mills, which includes an increase of 1.25 mills in the Maintenance & Operation millage rate and no change in the Bond millage rate of .399. It also includes an appropriation of $35,000 to fund the operations of the Development Authority of Peachtree City (DAPC) and $139,624 to fund debt service on the DAPC revenue bond (total .095 mills). The millage rates will be adopted as a separate agenda item.

Budgetary Impact:
Upon adoption of the budget resolution, staff will be authorized to implement the FY 2011 budget on October 1, 2010 based upon the budget summaries attached to the resolution.

BUDGET RESOLUTION

A RESOLUTION ADOPTING A BUDGET FOR THE FISCAL YEAR 2011 FOR EACH FUND OF PEACHTREE CITY, APPROPRIATING THE AMOUNTS SHOWN IN EACH BUDGET AS EXPENDITURES, ADOPTING THE ITEMS OF ANTICIPATED FUNDING SOURCES, PROHIBITING EXPENDITURES TO EXCEED APPROPRIATIONS, AND PROHIBITING EXPENDITURES FROM EXCEEDING ACTUAL FUNDING SOURCES.

WHEREAS, a proposed budget for each of the various funds of the City has been presented to the City Council and,

WHEREAS, appropriate advertised public hearings have been held on the FY 2011 Proposed Budget, as required by Federal, State and Local Laws and Regulations; and,

WHEREAS, the City Council has reviewed the proposed budget and has made certain amendments to funding sources and appropriations; and,

WHEREAS, the budget for each fund includes appropriations for Fiscal Year 2011, incorporates certain levies, assessments, fees and charges to finance these expenditures and fits the anticipated funding sources; and

WHEREAS, each of the funds has a balanced budget, such that anticipated funding sources equal proposed expenditures; and,

WHEREAS, there are adequate funds available in cash reserves to cover any unanticipated revenue shortfall;

NOW, THEREFORE, BE IT RESOLVED that this budget, a summary of which is hereto attached, is hereby adopted specifying the anticipated funding sources for each fund and making appropriations for proposed expenditures to the Divisions named in each fund.

SO RESOLVED, in open session assembled pursuant to law. This ___ day of ________, 2010.

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Mayor

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ATTEST: __________________________
Betsy Tyler, City Clerk

General Fund
FY 2011 Budget Summary

Sources of Funds:

Estimated Revenues		
Taxes	$23,739,552	
Licenses & Permits	$741,063	
Intergovernmental (Grants)	$356,050	
Charges for Services	$1,393,758	
Fines & Forfeitures	$1,151,239	
Investment Income	$64,417	
Miscellaneous	$104,093	
Total Estimated Revenues:		**$27,550,172**
Other Sources (Transfer from Hotel/Motel Tax Fund)		**$260,222**
Surplus Carryover:		**-$1,032,647**
Total Sources of Funds:		**$26,777,747**

Uses of Funds:

Appropriations		
Departmental Operating Expenses		
Administrative Services	$1,533,532	
Financial Services/ I.T.	$1,029,441	
Public Safety	$12,956,885	
Public Works	$3,255,883	
Culture & Recreation	$4,058,709	
Tourism Support Services	$104,891	
Developmental Services	$936,047	
Total Departmental Appropriations:		**$23,875,388**
Salary Vacancy/ Other Savings		**-$358,131**
General Administration		
Council Contingency	$0	
Not-for-Profit Organizations	$23,130	
General Liability Insurance	$95,540	
Development Authority Bond	$139,624	
Miscellaneous Legal Fees/Claims	$25,000	
Other Expenses	$16,318	
Administrative/Technical Contingencies	$45,000	
Total General Administration:		**$344,612**
Transfers to Other Funds/Authorities		
Transfer to PIP	$881,450	
Transfer to Debt Service	$1,999,428	
Development Authority of Peachtree City	$35,000	
Transfer to Amphitheater Fund	$0	
Total Transfers:		**$2,915,878**
Total Uses of Funds		**$26,777,747**

General Fund - Sources of Funds

Account Title	Proposed FY 2011 Budget
Taxes	
Ad Valorem (Real) Property - Current	$11,154,163
Ad Valorem (Real) Property - Prior Yrs.	$50,000
Motor Vehicle	$535,975
Real Estate Transfer Tax	$20,135
Recording Intangible Tax	$115,422
GA Power Franchise Tax	$871,735
Coweta Fayette EMC	$822,414
Atlanta Gas Franchise Tax	$239,834
Comcast	$281,720
NuLink	$6,296
Communications Franchise Tax	$188,508
Local Option Sales Tax	$6,587,035
Alcoholic Beverage Tax	$611,894
Mixed Drink Tax	$79,653
Business/Occupational Tax	$359,681
Insurance Premium Tax	$1,750,894
Financial Institutions	$64,193
Total Taxes:	**$23,739,552**
Licenses & Permits	
Alcoholic Beverage Licenses	$272,743
Alcohol Server Registration Fees	$34,999
Golf Cart Registration	$160,000
Building Permits	$150,000
Plan Review Fees	$25,000
Resubmittal Fees	$1,300
Plumbing Permits	$15,000
Electrical Permits	$22,000
HVAC Permits	$12,302
Temporary Sign/Use	$1,440
Soil Erosion Permits	$2,800
Notice of Intent - EPD	$850
Land Disturbance Fees	$0
Application Fees	$9,116
Zoning/Subdivision Fees	$4,298
Sign Permits	$7,870
Kedron Development Fees	$0
Burn Permits	$294
Blasting Permits	$0
Miscellaneous Fire Permits	$125
Certificates of Occupancy	$3,875
Certificates of Completion	$975
Certificates of Compliance- Fire	$2,600

General Fund - Sources of Funds

08/11/2010

Account Title	Proposed FY 2011 Budget
Site Follow Up - Fire	$475
Site Plan Review Fees	$1,095
Conceptual Plan Fees	$0
Final Site Plan Fees	$423
Reinspection Fee	$50
New Construction Plan Review	$9,111
Fire Sprinkler Plan Review	$1,950
Subdivision- Plan Review Fees	$372
Total Licenses & Permits:	**$741,063**
Intergovernmental	
Matching Grants	$12,000
L.A.R.P Grants - GA DOT	$0
FCBOE Reimb.- Resource Officers	$22,000
Fayette County Recreation Grant	$114,000
Federal Grants	$208,050
Police FAST Grants	$0
Total Intergovernmental:	**$356,050**
Charges for Services	
Development Fee Collected	$6,168
Fire Report Copy Revenue	$0
Sale of Merchandise	$6,014
Donations	$13,914
EMS Revenues (Ambulance Fees)	$513,625
Tower Lease	$162,505
Recycling Revenues	$1,111
Facility Rentals	$22,457
Recreation Program Fees	$514,064
TAG Program Revenues	$480
Tournament Fees	$4,475
Other Charges for Services	$39,823
DAPC/WASA Reimbursements	$4,231
Charges for Services - PCTA	$104,891
Total Charges for Services:	**$1,393,758**
Fines & Forfeitures	
Municipal Court Fines	$1,007,855
Security Forfeitures	$2,861
Court Fees	$36,945
Court Restitution	$9,902
Court Administrative Fees	$48,646
Library Fines	$45,030
Total Fines & Forfeitures:	**$1,151,239**

General Fund - Sources of Funds

08/11/2010

Account Title	Proposed FY 2011 Budget
<u>Investment Income</u>	
Interest Earnings	$64,417
Total Investment Income:	**$64,417**
<u>Miscellaneous</u>	
Other Revenues	$19,352
Tennis Center Lease	$24,000
Insurance Reimbursements	$0
Merchandise Sales - Other	$0
Employee Vehicle Reimbursements	$29,226
Sale of Fixed Assets	$31,515
Total Miscellaneous:	**$104,093**
<u>Other Financing Sources</u>	
Operating transfer from H/M Tax Fund	$260,222
Operating transfer from PIP Fund	$0
Total Other Financing Sources:	**$260,222**
General Fund Totals	**$27,810,394**
Surplus Carryover/ (Reserve Increase)	**-$1,032,647**
Total Sources of Funds	**$26,777,747**

08/11/2010

General Fund Expenditures

	Proposed FY 2011 Budget
Departmental Operating Budgets	
Mayor & Council	$69,384
City Manager	$231,995
Human Resources	$214,743
Public Information	$146,705
City Clerk	$472,703
Municipal Court	$398,002
Total Administrative Services	$1,533,532
Finance Department	$523,446
Purchasing Department	$149,523
Information Technology	$356,472
Total Financial Services/ I.T.	$1,029,441
Police Department/Communications	$6,476,727
Code Enforcement	$171,671
Fire Department	$6,028,839
Emergency Medical Services	$279,648
Total Public Safety	$12,956,885
Public Works	$2,900,246
Mosquito Control	$0
Stormwater Management	$355,637
Total Public Works	$3,255,883
Recreation Administration	$2,097,329
Kedron Fieldhouse	$831,139
Gathering Place Senior Center	$158,077
Library Administration	$972,164
Total Culture & Recreation	$4,058,709
Engineering	$260,314
Planning & Zoning	$303,751
Code Enforcement	
Building Department (Inspections)	$371,982
Total Developmental Services	$936,047
Tourism - Shared Labor	$104,891
Total Departmental Budgets:	$23,875,388

General Fund Expenditures

	Proposed FY 2011 Budget
Total Departmental Budgets:	**$23,875,388**
General Administration Budget	
Liability Insurance (GIRMA)	$95,540
Unemployment Insurance	$15,000
Pooled Vehicle Expenses	$1,318
Development Authority Debt Service	$139,624
Not-for-Profit Organizations	$23,130
Council Contingency	$0
Contingency - Legal Sevices	$25,000
Contingency - Technology	$25,000
Contingency - General Administration	$20,000
Total General Administration:	**$344,612**
Operating Transfers	
Transfer to PIP Fund	$881,450
Transfer to Debt Service Fund	$1,999,428
Transfer to Amphitheater Fund	
Development Authority	$35,000
Total Interfund Transfers:	**$2,915,878**
General Fund Totals:	**$27,135,878**
Salary Vacancy/ Other Savings:	-$358,131
Total Uses of Funds:	**$26,777,747**

Stormwater Utility Fund
Operating & Capital Budget
Fiscal Year 2011

Revenues

Fund 521	Description	Amount	
	Charges for Services	$ 1,325,872	
	Investment Income	5,650	
	Miscellaneous Revenue	4,200	
	Total Stormwater Revenues:		**$ 1,335,722**

Appropriations

Fund 521	Description	Amount	
	Personnel Services & Benefits	$ 638,043	
	Purchased/Contracted Services	266,879	
	Supplies	58,990	
	Capital Outlay	18,000	
	Depreciation & Amortization	-	
	Other Costs (Bad Debt Expense & Contingency)	15,000	
	Debt Service	273,700	
	Other Financing Uses	-	
	Total Stormwater Appropriations:		**$ 1,270,612**
	Available for Renewal & Extension Fund		**$ 65,110**

Amphitheater Fund Summary
FY 2011

Revenues:

Charges For Services	$ 771,003	
Transfer from General Fund	-	
Transfer from Tourism Association	19,404	
Total Revenues:		**$ 790,407**

Expenses:

Personnel Services	$ 109,465	
Contractual Services	155,542	
Supplies	32,500	
Program Expenses	492,900	
Capital Outlay	-	
Reserve Fund Increase	-	
Total Expenses:		**$ 790,407**

Debt Service Funds
FY 2011 Budget Summary

	Fund 410 G.O Bonds	Fund 400 Other Debt	Total
Revenues:			
Ad Valorem Taxes	$730,901		$730,901
Other Taxes/Penalties	$10,000		$10,000
Surplus Carryover	$37,000	80,000	$117,000
Transfer from General Fund		$1,999,428	$1,999,428
Total Revenues	**$777,901**	**$2,079,428**	**$2,857,329**
Appropriations:			
General Obligation Bond Expenses	$777,901		$777,901
GMA Bricks & Mortar Loans		$1,171,035	$1,171,035
Equipment Lease-Purchase Loans		$908,393	$908,393
Total Appropriations	**$777,901**	**$2,079,428**	**$2,857,329**

Public Improvement Program Fund
FY 2011 Budget Summary

Revenues:

Transfer from General Fund	$881,450
Equipment/Lease-Purchase Loans	$0
Bricks & Mortar Loans	$0
State Grants	$0
Interest/Other Revenue	$0
Developer Contributions	$0
Total Revenues:	**$881,450**

Appropriations:

Public Works	$0
Leisure Services	$0
Public Safety	$881,450
Administration	$0
Contingency	$0
Total Appropriations:	**$881,450**

City of Peachtree City
Special Revenue Funds

	FY 2011 Proposed Budget
Hotel/Motel Tax Fund	
Beginning Cash/Fund Balance	$ -
Revenues - Hotel/Motel Taxes	780,667
Operating Transfers Out:	
Peachtree City Tourism Association	(520,445)
City General Fund	(260,222)
Ending Cash/Fund Balance	$ -
Neighborhood Parks Fund	
Beginning Cash/Fund Balance	$ -
Revenues	-
Expenditures	-
Ending Cash/Fund Balance	$ -
D.A.R.E. Program Fund	
Beginning Cash/Fund Balance	$ -
Revenues	-
Expenditures	-
Ending Cash/Fund Balance	$ -
State Seizure Fund	
Beginning Cash/Fund Balance	$ 3,505
Revenues	-
Expenditures	-
Ending Cash/Fund Balance	$ 3,505
HAZMAT Fund	
Beginning Cash/Fund Balance	$ -
Revenues	-
Expenditures	-
Ending Cash/Fund Balance	$ -
Library Sales Tax Fund	
Beginning Cash/Fund Balance	$ -
Revenues	-
Expenditures	-
Ending Cash/Fund Balance	$ -

City of Peachtree City
Special Revenue Funds

	FY 2011 Proposed Budget
Police Department Tuition Fund	
Beginning Cash/Fund Balance	$ 3,769
Revenues	-
Expenditures	-
Ending Cash/Fund Balance	$ 3,769
Youth Council Fund	
Beginning Cash/Fund Balance	$ -
Revenues	-
Expenditures	-
Ending Cash/Fund Balance	$ -
Fire/EMS Grants Fund	
Beginning Cash/Fund Balance	$ -
Revenues	-
Expenditures	-
Ending Cash/Fund Balance	$ -
Police CERT Grants/Donations Fund	
Beginning Cash/Fund Balance	$ -
Revenues	-
Expenditures	-
Equity Transfer Out	-
Ending Cash/Fund Balance	$ -
Police Grants/Donations Fund	
Beginning Cash/Fund Balance	$ -
Revenues	-
Expenditures	-
Ending Cash/Fund Balance	$ -
Explorer Troop Fund	
Beginning Cash/Fund Balance	$ -
Revenues	-
Expenditures	-
Ending Cash/Fund Balance	$ -

City of Peachtree City
Special Revenue Funds

	FY 2011 Proposed Budget
Athletic Association Funds	
Beginning Cash/Fund Balance	$ 40,000
Revenues	-
Expenditures	-
Ending Cash/Fund Balance	$ 40,000
Keep Peachtree City Beautiful Fund	
Beginning Cash/Fund Balance	$ 9,170
Revenues	41,125
Expenditures	(41,125)
Ending Cash/Fund Balance	$ 9,170
Special Events Fund (50th Anniversary)	
Beginning Cash/Fund Balance	$ -
Revenues	-
Operating Transfer Out	-
Ending Cash/Fund Balance	$ -
Federal Seizure Fund	
Beginning Cash/Fund Balance	$ 18,264
Revenues	-
Expenditures	-
Ending Cash/Fund Balance	$ 18,264
Total Special Revenue Funds	
Beginning Cash/Fund Balance	$ 74,708
Revenues	821,792
Expenditures	(41,125)
Operating/Equity Transfers Out	(780,667)
Ending Cash/Fund Balance	$ 74,708

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and City Council**

VIA: **City Manager**

FROM: **Financial Services Director** P.S.

DATE: **August 19, 2010**

SUBJECT: **Adoption of 2010 Millage Rates**

August 19, 2010 City Council Meeting

Recommendation:
Adopt the Bond millage rate at .399 mills and the Maintenance and Operation millage rate at 6.384 mills, with .095 mills of the M&O millage rate dedicated to funding the annual appropriations to the Development Authority of Peachtree City.

Discussion:
Council has held the three public hearings required by state law and may now take action to adopt the Peachtree City millage rates for the 2010 tax levy. As explained at the public hearings, the bond millage rate remains at .399 mills and the M&O millage rate was increased by 1.25 mills. The combined millage rate proposed for Peachtree City is 6.783 mills.

State law permits municipalities to levy up to 3 mills of property tax to fund the operations of a Development Authority. Since the proposed budget includes an appropriation of $35,000 to fund DAPC operations, and $139,624 to fund DAPC debt, 0.095 mills of the 2010 M&O millage rate must be dedicated to fund these obligations.

Budgetary Impact:
Approval of the proposed millage rates will authorize the 2010 tax levy, which is expected to generate a total of $12,421,039 in M&O and Bond tax revenue, if the proposed rates are adopted.

PT-38 (Rev 02/09)
City Millage Rate Certification

CITY AND INDEPENDENT SCHOOL MILLAGE RATE CERTIFICATION FOR TAX YEAR 2010

http://www.etax.dor.ga.gov/ptd/download/index.aspx

Complete this form once the levy is determined, and if zero, report this information in Column 1. Mail a copy to the address below or fax to (404) 968-0778 and distribute a copy to your County Tax Commissioner and Clerk of Court. This form also provides the Local Government Service Division with the millage rates for the distribution of Railroad Equipment Tax and the Homeowner Tax Relief Grant.

Georgia Department of Revenue
Local Government Services Division
4245 International Parkway, Suite A
Hapeville, Georgia 30354-3918
Phone: (404) 968-0707 Fax: (404) 968-0778

CITY NAME	ADDRESS	CITY, STATE, ZIP
City of Peachtree City	151 Willowbend Road	Peachtree City

FEI #	CITY CLERK	PHONE NO.	FAX	EMAIL
58-1079955	Anne (Betsy) Tyler	(770) 487-7657	(770) 631-2505	psalvatore@peachtree-city.org

OFFICE DAYS / HOURS	ARE TAXES BILLED AND COLLECTED BY THE ( ) CITY OR ( ) COUNTY TAX COMMISSIONER? LIST VENDOR, CONTACT PERSON AND PHONE NO.

List below the amount & qualifications for each LOCAL homestead exemption granted by the City and Independent School System.

CITY		INDEPENDENT SCHOOL	
Exemption Amount	Qualifications	Exemption Amount	Qualifications
5,000	Age 65 or older and Federal AGI <$30,000		

If City and School assessment is other than 40%, enter percentage millage is based on ____________%. Please list below the millage rate in terms of mills.
EXAMPLE: 7 mills (or .007) is shown as 7.000. PLEASE SHOW MILLAGE FOR EACH TAXDING JURISDICTION EVEN IF THERE IS NO LEVY.

CITY DISTRICTS	DISTRICT NO.	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
List Special Districts if different from City District below such as CID's, BID's, or DA's	List District Numbers	Gross Millage for Maintenance & Operations	**Less Rollback for Local Option Sales Tax	Net Millage for Maintenance & Operation Purposes (Column 1 less Column 2)	Bond Millage (If Applicable)	Total Millage Column 3 + Column 4
City Millage Rate		9.893	3.509	6.384	0.399	6.783
Independent School System						
Special Districts						

****Local Option Sales Tax Proceeds must be shown as a mill rate rollback if applicable to Independent School.**

Name of County(s) in which your city is located: Fayette County

I hereby certify that the rates listed above are the official rates for the Districts indicated for Tax Year 2010

______________ Date

______________ Mayor

PT32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2010

COUNTY	Fayette	TAXING JURISDICTION	City of Peachtree City (#5)

INFORMATION FOR THE SHADED PORTIONS OF THIS SECTION MUST BE ENTERED

This information will be the actual values and millage rates certified to the Department of Revenue for the applicable tax years.

DESCRIPTION	2009 DIGEST	REASSESSMENT OF EXISTING REAL PROP	OTHER CHANGES TO TAXABLE DIGEST	2010 DIGEST
REAL	1,673,821,522	-80,471,240	27,093,843	1,620,444,125
PERSONAL	224,314,037		-27,843,492	196,470,545
MOTOR VEHICLES	124,736,000		-23,169,110	101,566,890
MOBILE HOMES	0		0	0
TIMBER -100%	41,866		0	41,866
HEAVY DUTY EQUIP	30,970		-30,970	0
GROSS DIGEST	2,022,944,395	-80,471,240	-23,949,729	1,918,523,426
EXEMPTIONS	97,594,956	0	-10,233,575	87,361,381
NET DIGEST	1,925,349,439	-80,471,240	-13,716,154	1,831,162,045
FLPA Reimbursement Value	0		0	
Adjusted NET DIGEST	1,925,349,439	-80,471,240	-13,716,154	1,831,162,045
	(PYD)	(RVA)	(NAG)	(CYD)
2009 MILLAGE RATE >>>	5.134	2010 PROPOSED MILLAGE RATE >>>		

THIS SECTION WILL CALCULATE AUTOMATICALLY UPON ENTRY OF INFORMATION ABOVE

DESCRIPTION	ABBREVIATION	AMOUNT	FORMULA
2009 Net Digest	PYD	1,925,349,439	
Net Value Added-Reassessment of Existing Real Property	RVA	-80,471,240	
Other Net Changes to Taxable Digest	NAG	-13,716,154	
2010 Net Digest	CYD	1,831,162,045	(PYD+RVA+NAG)
2009 Millage Rate	PYM	5.134	
Millage Equivalent of Reassessed Value Added	ME	-0.226	(RVA/CYD) * PYM
Rollback Millage Rate for 2010	RR	5.360	PYM - ME

COMPUTATION OF PERCENTAGE INCREASE IN PROPERTY TAXES

If the 2010 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate	Rollback Millage Rate	5.360
computed above, this section will automatically calculate the amount of increase in property	2010 Millage Rate	6.384
taxes that is part of the notice required in O.C.G.A. Section 48-5-32.1(c) (2)	Percentage Increase	19.10%

CERTIFICATIONS

I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.

Chairman, Board of Tax Assessors ____________ Date ____________

I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.

Tax Collector or Tax Commissioner ____________ Date ____________

I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. Section 48-5-32.1 for the taxing jurisdiction for tax year 2010 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2010 is ____________

CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION

____ If the final millage rate set by the authority of the taxing jurisdiction for tax year 2010 exceeds the rollback rate, I further certify that the required advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. Sections 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published five year history and current digest advertisement, the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.

____ If the final millage rate set by the authority of the taxing jurisdiction for tax year 2010 does not exceed the rollback rate, I further certify that the required five year history and current digest advertisement have been published in accordance with O.C.G.A. Section 48-5-32 as evidenced by the attached copy of such advertised report.

Signature of Responsible Party ____________ Title ____________ Date ____________

PT32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2010

COUNTY	Fayette	TAXING JURISDICTION	City of Peachtree City Bond (#5)

INFORMATION FOR THE SHADED PORTIONS OF THIS SECTION MUST BE ENTERED

This information will be the actual values and millage rates certified to the Department of Revenue for the applicable tax years.

DESCRIPTION	2009 DIGEST	REASSESSMENT OF EXISTING REAL PROP	OTHER CHANGES TO TAXABLE DIGEST	2010 DIGEST
REAL	1,673,821,522	-80,471,240	27,093,843	1,620,444,125
PERSONAL	224,314,037		-27,843,492	196,470,545
MOTOR VEHICLES	124,736,000		-23,169,110	101,566,890
MOBILE HOMES	0		0	0
TIMBER -100%	41,866		0	41,866
HEAVY DUTY EQUIP	30,970		-30,970	0
GROSS DIGEST	2,022,944,395	-80,471,240	-29,949,729	1,918,523,426
EXEMPTIONS	96,854,956	0	-10,163,575	86,691,381
NET DIGEST	1,926,089,439	-80,471,240	-13,786,154	1,831,832,045
FLPA Reimbursement Value	0		0	
Adjusted NET DIGEST	1,926,089,439	-80,471,240	-13,786,154	1,831,832,045
	(PYD)	(RVA)	(NAG)	(CYD)
2009 MILLAGE RATE >>>	0.399	2010 PROPOSED MILLAGE RATE >>>		

THIS SECTION WILL CALCULATE AUTOMATICALLY UPON ENTRY OF INFORMATION ABOVE

DESCRIPTION	ABBREVIATION	AMOUNT	FORMULA
2009 Net Digest	PYD	1,926,089,439	
Net Value Added-Reassessment of Existing Real Property	RVA	-80,471,240	
Other Net Changes to Taxable Digest	NAG	-13,786,154	
2010 Net Digest	CYD	1,831,832,045	(PYD+RVA+NAG)
2009 Millage Rate	PYM	0.399	
Millage Equivalent of Reassessed Value Added	ME	-0.018	(RVA/CYD) * PYM
Rollback Millage Rate for 2010	RR	0.417	PYM - ME

COMPUTATION OF PERCENTAGE INCREASE IN PROPERTY TAXES

If the 2010 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate	Rollback Millage Rate	0.417
computed above, this section will automatically calculate the amount of increase in property	2010 Millage Rate	0.399
taxes that is part of the notice required in O.C.G.A. Section 48-5-32.1(c) (2)	Percentage Increase	-4.32%

CERTIFICATIONS

I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.

Chairman, Board of Tax Assessors — Date

I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.

Tax Collector or Tax Commissioner — Date

I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. Section 48-5-32.1 for the taxing jurisdiction for tax year 2010 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2010 is ____________

CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION

____ If the final millage rate set by the authority of the taxing jurisdiction for tax year 2010 exceeds the rollback rate, I further certify that the required advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. Sections 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published five year history and current digest advertisement, the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.

____ If the final millage rate set by the authority of the taxing jurisdiction for tax year 2010 does not exceed the rollback rate, I further certify that the required five year history and current digest advertisement have been published in accordance with O.C.G.A. Section 48-5-32 as evidenced by the attached copy of such advertised report.

Signature of Responsible Party — Title — Date

City Council of Peachtree City
REVISED AGENDA
August 19, 2010
7:00 p.m.

I. **Call to Order**

II. **Pledge of Allegiance**

III. **Announcements, Awards, Special Recognition**
Recognize District 4 Big League All-Star Baseball Team
Presentation by Tri-PTC
Honor Flight Fayette Proclamation
Recognize Darrell Neese for 10 Years of Service

IV. **Citizen Comment**
Any member of the public attending the meeting may comment on any issue or item that is not included on tonight's agenda. The time limit is two (2) minutes.

V. **Agenda Changes**

VI. **Minutes**
August 5, 2010, Special Called Meeting
August 5, 2010, Regular Meeting

VII. **Consent Agenda**
1. **Consider Alcohol License – NEW – TJ's Bistro, 1200 N. Peachtree Parkway**
All new licenses must be approved by Council. Applicant has met the requirements
2. **Consider Budget Amendments – FY 2010**
Consider amendments to FY 2010 budget for Stormwater Utility Fund, transfer of funds within Leisure Services Department, and transfer of funds for general legal costs.
3. **Consider Bid for Recreation Administration Building Re-roofing – A&W Contracting**
Recommendation to accept bid for re-roofing for the cost of $14,968

VIII. **Old Agenda Items**
07-10-05 Consider Ordinance Amendment – Telecommunications Towers and Antennas Ordinance or Extend Moratorium on Requests for New Applications
Staff will present the amended Wireless Telecommunications Facilities Ordinance for adoption
08-10-01 Public Hearing – 2010 Millage Rate
Final public hearing of the three required for the millage rate

IX. **New Agenda Items**
08-10-06 Consider Changes to Budget Policy Guidance & Adoption of Fund Balance Resolution
Consider updates to financial policy and adopt resolution for commitment of fund balance in the General Fund
08-10-07 Consider Adoption of FY 2011 Budget Resolution
Consider adoption of budget resolution and confirmation of supporting budget summaries
08-10-08 Consider Adoption of 2010 Millage Rate
Approval of proposed millage rate authorizes the 2010 tax levy

X. **Council/Staff Topics**
Hot Topics Update

XI. **Executive Session**

This agenda is subject to change at any time up to 24 hours prior to the scheduled meeting.

City Council of Peachtree City
Minutes of Meeting
August 5, 2010
7:00 p.m.

The City Council of Peachtree City met Thursday, August 5, 2010, in the City Hall Council Chambers. Mayor Don Haddix called the meeting to order at 7:43 p.m. Council Members present: Vanessa Fleisch, Erik Imker, Kim Learnard, and Doug Sturbaum.

Announcements, Awards, Special Recognition

Mayor Haddix and Debbie Lemay, an adult volunteer with the Peachtree City Youth Council, recognized Cynthia and Erika Mims, who both graduated this year, for their service on the board while they were in high school. Jason McKinnon of the Police Department was recognized for 15 years of service.

Minutes

Haddix noted there was an additional document on the dais – suggested changes to the July 15, 2010, regular meeting minutes. Learnard moved to approve the June 15, 2010, budget workshop minutes as written; July 8, 2010, budget workshop minutes as written; and the July 15, 2010, regular meeting minutes as amended. Imker seconded. The motion carried unanimously.

Monthly Reports

Imker said he had several questions. Referring to the Financial Services report, Imker noted the budget progress and asked if there would be a revised estimated projection for the end of the fiscal year. Financial Services Director Paul Salvatore said the projection currently showed the use of $113,000 in cash reserves. Imker asked what the original estimate was on the use of cash reserves. City Manager Bernard McMullen said the original projection had been a little over $400,000. Imker said the trend was very favorable

Imker referred to the Fire and EMS report, noting that there had been 1,323 rescue/EMS assists year-to-date 2009 compared to 1,479 year-to-date in 2010. Assistant Fire Chief-Operations Joe O'Conor confirmed the Department had been busier. Imker also asked about residential fires, noting there had been 20 year-to-date to date for 2010. McMullen said the data was right at the average compared to 2009.

Imker referred to the number of false alarms, noting there had been 199 year-to-date 2009 compared to 232 year-to-date in 2010 and asking if something could be done. City Attorney Ted Meeker said staff was working on an ordinance to try to combat the increase in false alarms.

Imker referred the revenue from recreation fees, asking how they were doing with the new estimate of $514,820. Leisure Services Director Randy Gaddo said the revenues at Kedron Fieldhouse were 35% ahead of projections, while the total for the division was 15% ahead. They were well ahead, but he was not sure of the exact amount. McMullen said staff would get those numbers to Council.

Imker referred to the Police Department report, noting that there were 10 motor vehicle thefts in June and 30 year-to-date, so one-third of the thefts thus far had been in June. Police Chief H.C. "Skip" Clark said there was actually a decrease compared to the 38 motor vehicle thefts year-to-date in 2009, but did not have information on the high number in June. Imker said he would still like to know why there was a spike during June, and there might be a pattern staff was missing. He continued that there had been 3,077 citations issued year-to-date in 2009 compared to 4,993 year-to-date for 2010. He asked if enforcement was more aggressive. Clark said enforcement was more aggressive, noting there was a direct correlation between traffic and the crime rate. The higher police visibility, the lower the crime rate. Clark added that twice as many warnings were also being issued.

Imker asked when the Code Enforcement data would be included on the Police Department report. McMullen said he had reviewed the July report/format that day, and the July report would be provided to Council in September.

<u>Consent Agenda</u>

1. **Consider Amendment to Lease Agreement with Canongate for Tennis Center Buildings**
2. **Consider Accepting Donation of Batting Cage from Baseball Association**
3. **Consider Approval of Agreement – Southern Crescent Aquatic Team (SCAT)**
4. **Consider Approval of Agreement – Pirates Swim Organization**
5. **Consider Approval of Agreement – Masters Swim Organization**
6. **Consider Ordinance Amendment – Library Commission and PCTA**

Learnard moved to approve the Consent Agenda. Sturbaum seconded. The motion carried unanimously.

<u>New Agenda Items</u>

08-10-02 Public Hearing – Consider Street Name Change, Victor Road to Echo Court

Community Development Director/City Planner David Rast said the request to change the street name was from the Peachtree City Airport Authority (PCAA). They had followed the protocol in the ordinances. There were two properties that had frontage on the existing street, but the addresses were not Victor Road. Rast showed the location on an aerial photo (a copy is included in the meeting file). If the name change was approved, then Echo Court would come all the way to Falcon Drive.

The public hearing opened.

Bob Grove addressed Council, adding that he was the operations officer for the Dixie Wing of the Commemorative Air Force, which was located in the cul-de-sac at the end of Echo Court. The organization supported the change. He pointed out that, when they had events, people often could not find their facility, especially when using navigational systems. He said changing the road name would alleviate a lot of issues, and it would not affect any addresses.

No one else spoke. The public hearing closed.

Learnard moved to change the name of the public street named Victor Road to Echo Court. Fleisch seconded. The motion carried unanimously.

08-10-03 Consider Amendment to Traffic Ordinance, Article III, Section 78-92

Haddix noted there was an additional document on the dais – additional comments from the online survey. Public Information Officer Betsy Tyler addressed Council regarding the proposed ban on the registration of additional gas golf carts, adding that the provisions of the proposed amendment would eliminate all gas carts in 10 years. Tyler continued that the draft ordinance would establish a cut-off date for registering new gas carts and for operation of gas carts on the cart path, and requested that

Council select specific dates for those requirements. Additional language in the proposed ordinance would allow the transfer of gasoline carts that were already registered during the 10-year time frame; would exempt government maintenance, inspection, and safety vehicles; would exempt carts on local golf courses; and would waive the requirement for approved tourism events, such as the July 4th festivities.

Tyler discussed the input received from the public. Canongate (the owner of the golf courses) wanted the ability to choose the types of carts used on its property. The golf cart dealers were concerned about the resale value of gas golf carts, customers' desire for range and larger carts, and the lack of access to charging stations for their rental fleets. Dolce and Wyndham were the only hotels to respond and supported the proposed ban on gas carts.

Tyler said there had been 1,723 responses to the online survey, and 5.2% of those responding did not own golf carts while 94.8% were golf cart owners. Six percent said they owned gas carts, and 94% owned electric carts. Seventy-nine percent supported the proposed ban, 14.6% opposed the proposed ban, and 6.4% were neutral.

Tyler continued that 19 of the people participating in the survey chose a gas cart because electric ones could not handle the hills or distances. Sixteen cited safety reasons; they were not stranded with dead batteries or no lights at night. Fifteen said gas carts were cheaper to operate and maintain, while 11 said it was easier to refill than to recharge the carts. Nine said their frequency of cart use required gas, while six said they got a good price when they bought the carts. Six said gas carts were less polluting than electric carts, had a lower carbon footprint than replacing lead batteries, and there was no pollution due to electricity generation. Four bought gas carts so they could carry more people. Three were concerned about the safety of chargers, and three had no access to a charging station.

Tyler said several survey respondents had suggested requiring emissions inspections for gas carts or charging a higher registration fee for that type of cart. She noted that state law, OCGA 40-6-333, said a city could not require motorized carts to meet any requirements of general law as to registration, inspection, or licensing, and that the licensing of carts operated within the city boundaries should not exceed $15.

Mayor Haddix opened the floor for discussion.

Bob Grove said the Great Georgia Airshow used 80 – 100 gas carts every show that did not leave Atlanta Regional Airport-Falcon Field property. He asked if there would be an exemption for that event. Tyler said there was not a specific exemption for the Air Show, but, the proposed ordinance only addressed public streets and paths.

Connie Haynes said the proposed ban was a long-time coming. Electric carts polluted less, and she liked that the City had taken the lead in banning gas carts. She suggested putting charging stations throughout the City to help support the model.

Al Yougel of Keep Peachtree City Beautiful (KPTCB) noted there was an exemption for government maintenance, asking if KPTCB would be covered under that since they spent a lot of time on the paths with their truck. He asked for clarification on whether KTPCB was considered government or non-government. Meeker said KPTCB had a contract with the City to perform the service and were acting on behalf of the City.

Jonathan Hooper with Bulldog Supply said he would like to get more information from the gas golf cart makers before Council made a decision on the proposed ban. He said his business had many requests for gas carts, and they preferred to use gas carts for rentals, noting they covered 30 to 40 miles on a single tank. An electric cart covered about half that distance on a charge. He noted that the paths were also expanding outside the City. He urged Council to hold off on making a decision.

Angela Newton said she lived on the north side of the City and bought a gas cart eight years ago. She had never been stranded and had helped push electric carts several times, often after dark. She said if 90% of the gas carts belonged to seniors, many used the carts as primary transportation, they could not risk getting stuck or they might not have access to chargers. Reliability translated to a safety issue. Gas carts cost more upfront, but required less maintenance. The carts averaged 30 – 50 miles per gallon. If being greener was truly a concern that was hard to compete with. Although they were louder than electric carts, approximately 40,000 – 60,000 batteries were replaced every four to six years with proper maintenance, and there were no reliable statistics on battery recycling. Many were probably going into the landfills.

Cliff Stern said that normally when things were banned they were unsafe or dangerous. He asked what precedent would be set for golf cart manufacturers if gas carts were banned in the City. There were ways to cut down on noise and emissions other than physically taking someone's property.

Brian Toussaint asked about charging stations, noting that people could not use the one at the Library anymore. The market should dictate whether gas carts were used or not. He said the smell from a local restaurant near one cart path was worse than the smell from a gas cart, adding a ban was one more step toward socialism.

Paul Fisher challenged the range issues. He could use his electric cart to get from his home in Braelinn Village to Flat Creek Golf Course, play 18 holes, then get home again on one charge. As a pedestrian on the path system, he said gas carts had more power, were faster, and came too close to walkers. All cart drivers needed to be more considerate of pedestrians.

Connie Haynes said that she worked for the Environmental Protection Division (EPD), specifically in Air Protection, saying it was not good to compare a gas cart's engine to a car's. The motors for gas carts were more akin to the motors of leaf blowers and lawnmowers. The EPD had new rules on pollution from smaller motors, and it was illegal for batteries to go into a landfill per state law.

Rick Schultz said 95% of the carts in the City were electric, and they were managing to get by. The concern was pollution from a gas golf cart, and there was no constitutional right to a gas golf cart. Hopefully, the majority would rule.

David Cohen said he was an electrician, and he would never own another electric golf cart. His charger/golf cart caught on fire in the garage with his family in the house. He bought gas over electric for safety reasons.

Dick Allis said that, when he first moved to the City, gas carts were not allowed on the paths, and that had changed about 20 years ago. They smelled bad and were noisy. The only benefit to gas carts was that walkers could hear them.

Juan Matute said he bought a gas cart 23 years ago, and it had just been refurbished. The main reason he had a gas cart was because of the replacement cost for the batteries. He intended to keep the cart, adding that it had a governor on it just like an electric cart. He did not speed. It could become his main mode of transportation one day, and he asked Council to consider an exemption for senior citizens. A home in his neighborhood had also caught on fire because of a golf cart charger. He asked Council to table the proposed ordinance and to get as much information as they could before making a decision. He had voted yes on the online survey, but had changed his mind. If Council wanted to address the stink and pollution, then they needed to get rid of all but one of the garbage companies and their trucks.

Beth Pullias said she hated gas carts. She cautioned Council to be careful in banning something for 5% of the residents and to think about their decision. She continued that everyone had different needs. If only 5% had stinky carts, she said everyone else could put up with that.

Ronald Ruff said he had had four electric carts over his 29 years in the City, and he would trade all four for the gas cart he bought six months ago. He could go 200 miles on a tank of gas. The realistic mileage for an electric cart was 12 – 18 miles. He lived on a corner and someone was always asking to plug their cart into an outlet in his garage. It was not the City's business to provide charging stations. Ruff said it was a falsehood that the gas carts went faster, adding that any cart can be made to go twice as fast.

Caren Russell suggested that the shopping centers be asked and encouraged to put in charging stations so residents could go from one area of the City to the other. Haddix said that Braelinn planned to put in a charging station, and the DAPC was working with all the centers about it.
Mary Giles said she was using her second cart in the 16 years she had lived in the City. She lived in Braelinn Village and could go to Kedron and back in an electric cart. Carts that were properly maintained could get everywhere in the City and get home. The paths were unique, and gas carts interfered with the enjoyment of them.

Haddix closed public comment.

Fleisch said she also disliked the gas carts. They were loud, smelly, and put out puffs of smoke that surely polluted the air. She had chosen to buy an electric cart, but there were only 488 gas carts on 90 miles of paths. It was their choice. Only one of the 58 golf cart accidents last year involved a gas cart. She concluded that Council was ready to ban gas carts because they were not liked. Only a handful of complaints brought the issue to the forefront. She had to look at the ramifications of what else could be banned because people did not like them. She wanted to spare unwarranted government intrusion into people's lives.

Haddix said that he had heard the complaint about gas carts over and over. It was a long-standing complaint.

Learnard said she received more complaints after the Fourth of July. She noted that auto makers had found that electric/hybrid vehicles were twice as likely to be in an accident with a pedestrian as regular vehicles because they were so quiet, and the were moving forward with artificial sounds for the vehicles. She ran her own electric cart all the time, as well as the time she spent running on the paths. She agreed the gas carts did not smell good. Learnard continued that a shop owner told her that it would kill the cart rental business if the ban was passed, which was very important to her. In her research, she found that the gas carts emitted fewer pollutants than the Police Department's all-terrain vehicles. In the future, there might be opportunities for paths to connect to Senoia and Tyrone. She would hate to take away people's choice.

Imker asked if gas carts were not allowed 20 years ago and whether it was an ordinance change that permitted them. Tyler said she would have to research the ordinance history.

Imker asked Meeker if there were any legal consequences to banning gas carts. Meeker said he was not aware of any legal consequences. The ordinance addressed City-owned paths, so the decision was ultimately up to Council.

Imker said he had created a checklist to take the emotion and concerns for the environment out of his decision. The favorable points on elimination of gas carts included removing the smell from the cart paths, removing noise from the cart paths, and removing local pollution from the cart paths.

The unfavorable points included hurting dealers by removing the sales and rental business option, hurting current gas cart owners in 10 years by leaving them with no option for using their carts in the City, and hurting visitors who did not always have access to outlets for charging. Imker also acknowledged the following as unfavorable points – higher driving range would be eliminated, higher gear ratio for driving up hills would be eliminated, and the ability to handle extra load "larger" carts would be eliminated.

Imker said that "non-issue" points included the following – "green" initiative in total environment (generating electricity compared to use of gas), excessive speed issues existed with both gas and electric carts, safety issues existed with both gas and electric carts, enforcement rules applied to both gas and electric carts, proper maintenance of gas carts was similar to battery replacement costs for electric carts, no emission testing was required for gas carts, and state law prohibited different fees/registration rates for electric and gas carts.

Imker said he understood the rental issues for businesses and owners that had gas carts. Dealers who rented gas carts would have 10 years to transition their fleets. They could provide customers with maps. He agreed there could be many changes in technology in the next 10 years, and no one knew what it would be like. There would be plenty of opportunity to transition to something other than a gas cart.

Sturbaum agreed. He said he was concerned about the gas carts used by the Great Georgia Airshow, but agreed that 10 years for the transition was plenty of time. Meeker clarified that the airshow was held on private property. Council could only make an exemption for use on the City-owned paths for special tourism events.

Learnard asked where the gas carts people brought in for special events would come from, adding that the City's dealers would be at a disadvantage. Learnard said she would like to learn more about that and get all the information she could before making a decision, noting that things had not changed much in the last 10 years. Haddix said the rental fleets would be grandfathered for 10 years, adding that battery technology was changing and no one knew what the technology would be at that time. Sturbaum agreed there was a lot of research and development. Learnard said she would like some information on that before making a decision and disadvantaging citizens and business owners.

Haddix said the premise was that Council was giving the owners and the businesses the 10-year transition period. Gas carts would not last forever.

Fleisch asked how the ban would affect Tyrone and the City's reciprocal agreement regarding cart registration. Tyler said she did not know the ramifications; however, the City did recognize golf carts that were lawfully registered in Tyrone. Tyrone cart owners did not have to register with the City to use its paths, and City cart owners with lawfully registered carts could use the paths in Tyrone. She said they would have to make the Tyrone residents aware of the rules. Fleisch asked if they would be part of the grandfathering. Meeker said it could still be done under the reciprocal agreement. They were looking at generally a 10-year window.

Hooper said his company registered 30 gas carts per year with the City, and the gas carts were rotated every year. They would have to keep the most current ones for 10 years. He asked if there could be an exemption for the dealers, adding that the carts would be nasty to keep for 10 years.

Imker said that was a good point and suggested the ordinance include language for dealers allowing them to buy 30 registrations annually to allow for the rotation of the carts. Fleisch said that number could vary from dealer to dealer, and the more exemptions there were in an ordinance, the less point there was in having an ordinance. Learnard said they wanted an exemption for businesses. There was a waiver for July 4th, which was when there was an onslaught of e-mails, adding they would still get those complaints. She asked if they were going to include an exemption for seniors and heavier people. Imker said the dealers would not need an exemption. Haddix suggested the registration not be tied to a specific cart, asking Meeker if that was feasible. Tyler said the registration permits were the decals affixed to the sides of the carts. They did not come off; rentals were registered so they could be used on the paths. The language would have to be modified in the ordinance.

Meeker said staff could add exemptions and exceptions to the proposed amendment, but they needed to know what Council wanted. The wording would be challenging, but the ordinance would be even more challenging for enforcement. Imker said he wanted to be fair, but he still believed 10 years was plenty of time. The language as currently proposed was not acceptable, and he would like to continue the discussion.

Haddix asked for consensus on staff guidance – a special set of rules for existing businesses. Haddix said any new shops that might open should not be included. Meeker said the ordinance should also encompass what would happen if a business was sold or transferred. Haddix said that was a transfer of an existing business. An existing owner could sell a cart to someone else during the 10 years. Imker suggested the deadline for registration of gas carts should be prior to October 1, making September 30, 2020, the drop-dead date for a total ban.

Meeker said penalties for violations would be the same for any ordinance violation subject to the penalty imposed by the Municipal Court Judge.

Learnard said when businesses told Council that Council's decision would kill their business, they needed to listen. The trade-off for electric carts was increased maintenance cost. They could be imposing vehicles on people who could not afford them. They needed to be careful in proceeding. Imker said he had more faith in business's ability to be able to adjust. While it might kill rentals of gas carts, it would not kill the rental of electric carts. Haddix agreed.

Fleisch said the proposed ban would also de-value the gas carts people owned now, and they would be limited in what they could do with them. A lot of people would be affected. Haddix disagreed, adding that values usually went up when the stock was limited. Imker said the carts could be sold on internet sites to people in other communities.

Imker moved to continue the agenda item. Fleisch seconded. The motion carried unanimously.

08-10-04 Consider Amendment to Intergovernmental Agreement with Keep Peachtree City Beautiful (KPTCB)

Keep Peachtree City Beautiful Executive Director Al Yougel said the change had been recommended by staff between the City and KPTCB. He explained that, currently, KPTCB requested the expenditure of funds from the City. The funding for KPTCB came from the franchise fees paid quarterly by the trash companies. Their spending was based on the budget approved by Council. The change in the agreement would require KPTCB to keep the financial records and provide audited reports at the end of the year.

Learnard asked Yougel what would be different. Yougel said the fees were placed in a special holding fund, and KPTCB requested the funds be dispersed through the Financial Services Division. The process was the same as any other City department that requested funds. The City kept the records of what was expended from what account. The change would be that KPTCB would receive the fees and spend the funds without going through the City.

Yougel continued that the concern KPTCB had, other than keeping the books, was the cost for the audit was 8.75% to 11% of the annual budget, which seemed high. The quotes had ranged from $3,500 to $5,000 for an audited financial report, and their income was only $38,000 – $40,000. He suggested partnering with the City's auditor might help keep that cost down; however, the change would be positive for day-to-day operations.

Imker asked if the current City budget included the KPTCB audit. Assistant Finance Director Janet Camburn said that the costs for the audit were currently paid by the City. If the agreement was approved, then KPTCB would be subject to an audit as a separate legal entity. Imker asked if the City's audit costs would go down equivalently. Camburn said they would not. Salvatore added that KPTCB was essentially receiving free bookkeeping services from the City. Approval of the agreement would mean KPTCB would be set up like any other component unit of the City such as the Water and Sewerage Authority (WASA) and the Convention and Visitors Bureau (CVB), both of which did their own bookkeeping and auditing.

Imker said he did not like the idea of spending $3,000 for an audit for the convenience of having KPTCB handle their funds. He asked Yougel how many transactions KPTCB had per month. Yougel said there were less than 10 per month. Imker said he did not like giving up control of the funding and wasting $3,000 on an additional audit when that money could be used for additional KPTCB needs.

Haddix asked if there was a way to set up it up so the additional cost of an audit for the City could be deducted from KPTCB instead. Yougel said that would be part of the budget. Haddix asked if it would be lower than $3,000. Yougel said the fees went into a special fund, and KPTCB made requests to expend the funds. Whether KPTCB requested to spend $3,500 on an audit or not, the costs came out of that fund. Salvatore added they had only received one quote for an audit for KPTCB. There might be others that were cheaper. There would still be some money coming out that was not coming out now.

Meeker said that, in terms of financial services, the City had agreements in place where the City was reimbursed for time spent. He did not know if the same could be done for an audit for KPTCB. Haddix said his question had been answered. The cost for staff time had been deducted. Meeker said that was not part of the current agreement with KPTCB. Haddix said it would probably be cheaper to do that rather than pay for another complete audit.

Imker said the number of transactions was essentially insignificant in the total workload of the City's Purchasing Department, and there was no need to change how the finances were handled.

Learnard asked what the justification was for the recommendation. McMullen said he was told that was what Yougel wanted to do. There appeared to be a communication problem. He asked Council to continue the agenda item, and staff would bring it back later.

Sturbaum moved to continue the intergovernmental agreement with KPTCB until further notice. Imker seconded. The motion carried.

08-10-05 Consider Ordinance Amendment – Lake Peachtree Usage
Gaddo said this was a housekeeping item that would bring the ordinance in line with the practice already approved by Council, through which Council would approve requests for lake use other than what was specified in the ordinance.

Sturbaum moved to approve the ordinance amendment on Lake Peachtree usage as stated by staff. Learnard seconded. The motion carried unanimously.

<u>Council/Staff Topics</u>
Hot Topics Update
McMullen reported that the Paschall tunnel paths were basically finished despite the rain. They should be able to move forward on the retaining walls, which was the majority of the work left. They should finish by the end of August. The proposed ordinance changes on cell towers would be on the August 19 agenda. There was nothing more specific with the contractor regarding the Rockaway Road realignment. They had not been able to speak with the contractor, but McMullen said he visited the area that day, and they were still grading. They expected to finish by October. The

drawings for the MacDuff tunnel had been sent to the Camden Apartments' legal section, and a meeting was scheduled the next week to send the survey information.

Imker asked why a section of cart path from Shakerag to Braelinn Shopping Center had not been finished yet. McMullen said he would find out and get back to Council. Imker said it was a long stretch of cart path that was difficult to travel now.

Learnard moved to enter executive session to discuss threatened or pending litigation and a personnel matter at 9:37 p.m. Imker seconded. Motion carried unanimously.

Sturbaum moved to reconvene into regular session at 10:06 p.m. Learnard seconded. Motion carried unanimously.

Imker moved to authorize payment in the amount of $450.00 to resolve the claim raised by Grady and Joanne Boyce. Sturbaum seconded. The motion carried unanimously.

There being no further business to discuss, Sturbaum moved to adjourn. Learnard seconded. The motion carried unanimously. The meeting adjourned at 10:07 p.m.

Pamela Dufresne, Deputy City Clerk

Don Haddix, Mayor

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council**

VIA: **City Manager**
Financial Services Director P.S.
Assistant Financial Services Director
Purchasing Agent

FROM: **Leisure Services Director**

DATE: **August 17, 2010**

SUBJECT: **Recreation Administration Building Re-roofing**
August 19, 2010 Council Agenda

Recommendation: Staff recommends that the City Council award the Recreation Administration building re-roofing project to the A&W Contracting Company for the cost of $14,968.

Discussion: The roof at the Recreation Admin building is approximately twelve (12) years old. After a recent severe weather event, including extremely strong winds, the roof began to leak. Three roofing companies evaluated the roof and all determined that patching the roof was not the best solution. All recommended re-roofing.

For bidding purposes, the City specified Owens Corning with (City staff approved) equivalents allowed. Equivalent bids were required to include complete product information on the alternative brand.

An invitation for bids was issued and a mandatory pre-bid meeting was held Friday, August 6, 2010; ten (10) firms were represented. Five sealed bids were opened August 16, 2010, for the re-roofing project. Two of these were immediately rejected due to non-conformance with bid requirements. The low bid was submitted by Ben Hill Roofing at $14,755.00. When asked to supply a copy of their preferred contractor status with Owens Corning, this vendor confirmed they did not have the required documentation. Nor did they submit any required documentation on the alternative product they offered. Therefore, the remaining bid results are:

$14,968	A&W Contracting
$15,232	Beluk Construction

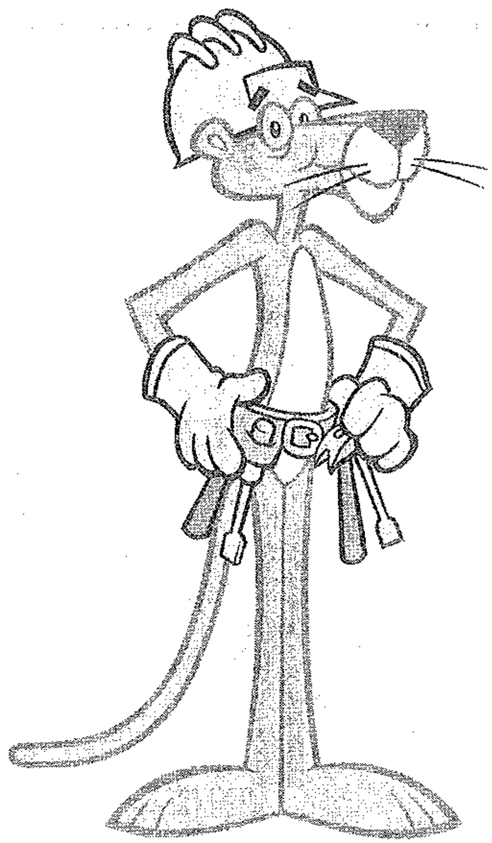
A&W Contracting most diligently met the requirements set forth in the bid requirements and their references gave them high marks for quality control and for addressing long and short-term warranty issues. The Owens Corning roofing material has a 30-year manufacturer's warrantee and this cost also includes a 5-year installation warrantee. A&W Contracting is an authorized and certified contractor for Owens Corning roofing systems, the type which was offered by this bidder.

Budget: This is not a budgeted item but is being handled on an emergency basis. Staff recommends line item transfers to Recreation Repairs/Maintenance Building in the amounts of $10,000 from Recreation Operating Supplies and $5,000 from Recreation Small Tools and Equipment to pay for the repairs.

OWENS CORNING®

INNOVATIONS FOR LIVING™

PREFERRED CONTRACTOR



- Met the standards set forth by Owens Corning
- Licensing and insurance as required by state and local laws
- Provide highest-quality products and customer service
- In business three years under current business name

A & W Contracting, Inc.
Company

3225 Heritage Drive, Kennesaw, GA 30144
Address

April 1999
Member Since

100700
ID Number

Bo Jackson
Owens Corning

1/10/10
Contractor

08-10-06

RESOLUTION TO COMMIT FUND BALANCE

A RESOLUTION TO COMMIT FUND BALANCE OF THE GENERAL FUND OF THE CITY OF PEACHTREE CITY (THE CITY) AND PROHIBIT OTHER USE OF SUCH COMMITTED FUNDS UNLESS AUTHORIZED BY FUTURE RESOLUTION OR ORDINANCE ADOPTED BY THE CITY COUNCIL

WHEREAS, there exists a category of fund balance established under GASB 54 that allows for the formal commitment of fund balance, and

WHEREAS, such commitments must be made for specific purposes, by adoption of a resolution or ordinance, and

WHEREAS, such commitments can only be changed by a future resolution or ordinance passed by the City Council, and

WHEREAS, such commitments may be used for rate stabilization, and

WHEREAS, the CITY anticipates that the General Fund will need to appropriate approximately $1,500,000 per year for road and path resurfacing, beginning in FY 2013 due to the depletion of remaining 2005 – 2010 Special Purpose Local Option Sales Tax (SPLOST) funds, and

WHEREAS, the CITY anticipates a decrease in Local Option Sales Tax Revenue (LOST) of approximately $1,000,000 per year, beginning in FY 2013, due to renegotiation of the LOST distribution formula based on the 2010 U.S. Census data, and

WHEREAS, the CITY currently anticipates fund balance levels at the end of FY 2010 in excess of the 20% minimum required to be maintained in *Unassigned* fund balance, and in excess of other fund balance amounts categorized as *Unspendable, Restricted* or *Assigned*

NOW, THEREFORE, BE IT RESOLVED that any available fund balance in the General Fund that is not needed to maintain the 20% minimum required in *Unassigned* fund balance, and that is not categorized as *Unspendable, Restricted* or *Assigned*, be *Committed* and used to offset the anticipated revenue losses in SPLOST and LOST described above, and to stabilize future millage rate increases for fiscal years 2012, 2013, 2014 and 2015, as evidenced by the 5-Year Financial Model associated with the final adopted FY 2011 Budget.

LET IT BE FURTHER RESOLVED that use of the Committed reserves other than as described above is expressly prohibited unless specifically authorized by future resolution or ordinance of the City Council.

08-10-06

SO RESOLVED, in open session assembled pursuant to law. This ___ day of ________, 2010.

____
Mayor

____

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____

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ATTEST: ______________________________
Betsy Tyler, City Clerk