City Council of Peachtree City
Agenda
August 4, 2011
7:00 p.m.

I. **Call to Order**

II. **Pledge of Allegiance**

III. **Announcements, Awards, Special Recognition**
Teen CERT Graduation
Adult CERT Graduation
Update on History Time Line Project

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

V. **Agenda Changes**

VI. **Minutes**
June 20, 2011, Workshop Minutes
July 11, 2011, Workshop Minutes
July 21, 2011, Regular Meeting Minutes

VII. **Consent Agenda**
1. Consider Alcohol License – Judy's Nails, 244 Commerce Drive
New applications for alcohol licenses must be approved by Council

VIII. **Old Agenda Items**
07-11-08 Reconsider Intergovernmental Agreement with FCBOC for E-911
Based on changes to the agreement, the City Attorney indicates Council must reapprove the agreement
07-11-11 Consider Resolution to Censure Mayor Haddix
Consider resolution to censure Mayor Don Haddix and call for corrective action in order to protect and better serve the citizens of Peachtree City

IX. **New Agenda Items**
08-11-01 Consider Dissolution of the Development Authority of Peachtree City

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
Workshop Meeting Minutes
June 20, 2011

The Mayor and Council of the City of Peachtree City met in a workshop session on Monday, June 20, 2011. Mayor Haddix called the workshop to order at 6:30 p.m. Other Council Members present: Vanessa Fleisch, Eric Imker, and Doug Sturbaum. Kim Learnard attended via Skype. Staff present: City Manager Jim Pennington, Financial Services Director Paul Salvatore, Administrative Services Director Nikki Vrana, Amphitheater Manager/CVB Executive Director Nancy Price, Fire Chief Ed Eiswerth, Police Chief Skip Clark, Public Services Director/Stormwater Manager Mark Caspar, Assistant Finance Director Janet Camburn, and IT Administrator Matt Robinson.

The purpose of the workshop was to review the proposed budget for FY 2012

Pennington said Salvatore would present the budget, which they felt was designed to continue the current service levels in the City in a fiscally responsible method.

Salvatore said FY 2012 was the fourth consecutive fiscal year of managing the budget during a severe economic turndown. The full-time employee count had gone from 268 in FY 2008 to 238 in FY 2011. Deteriorating revenue streams had caused the need for corrective actions on the expense side since late FY 2008.

Salvatore continued the property tax digest had declined by almost 5% since FY 2009 ($92.4 million); the 1.5% decrease expected for FY 2012 was mostly due to appeals. Local Option Sales Tax (LOST) revenues were down approximately $200,000 from FY 2008 levels and were due to be renegotiated in 2012. Interest earnings were down over $330,000 from FY 2008 levels. Deteriorating revenue streams continued to be a major factor in development of the FY 2012 budget and the five-year model. Based on the preliminary figures on the tax digest from the County Tax Commissioner, the tax digest would decrease by 1.5% in FY 2012, or more than $183,000. Salvatore pointed out that the proposed 0.213 millage rate increase in previous five-year models had been removed, and the impact of that change was another $207,000. The elimination of the "roll-up" millage was another $176,000, bringing a total impact $567,758 on property taxes. He noted that a 0% projection had been used in preparing the proposed budget. Salvatore added that the City and Fayette County were still doing better than most jurisdictions.

Salvatore said a "roll-up" of 0.98 mills was not a tax increase by definition of state law; no additional tax revenue would be collected. It did not require three public hearings on the millage rate, or advertisements on notice of tax increase. It was only enough to offset the revenue lost due to the declining value of existing property. It would recover approximately $176,000 of property tax revenue lost due to the decline in the tax digest.

Salvatore noted that the estimated LOST collections in the FY 2012 budget was $330,516 less than projected in last year's model, with the cumulative impact on LOST revenue through FY 2016 projected to be $3,586,866 less than originally projected. Salvatore said a 2% increase in LOST had been projected for FY 2011, but there had been a 1% decrease. A 4% increase had been projected in FY 2012, but no increase had been estimated for the FY 2012 budget.

The changes Council made to the committed reserves during FY 2011 included the Kedron Bubble, $250,000; economic development, $75,294; landscaping services, $40,175; tree service,

$28,000; and the Tennis Center courts, $29,290. The net impact to the expense side of this year's budget was $172,759, not including the Kedron Bubble.

The highlights of the proposed FY 2012 budget included a major reorganization of personnel, including the net reduction of two full-time employees; a one-time 2% employee incentive; emphasis on maintenance and revitalization of the City's infrastructure, with an assessment pending; a tentative $2 million Facilities Authority bond for capital improvements; equipment lease-purchase loans; roll-up millage rate of 0.098 mills; and a fund balance increase of $831,385.

Pennington said the assessment of the infrastructure was needed as well as the reassessment of the City's organization. The infrastructure was aging, and there were early aspects of deterioration. There had been a number of construction activities involving the facilities, and more work was needed at others. The big emphasis for the next few years needed to be on the City infrastructure.

Salvatore said there were questions about the reorganization of the City's departments, and the financial impact. Pennington said the City's organization was still under evaluation, and there would be future changes in the organization, but he did not want to put a dollar figure with those changes yet. New positions included the Community Services Director, an office administrator in Recreation, and an accounting supervisor in Financial Services, as well as several projected lateral moves.

Salvatore continued there had been no employee cost of living allowance (COLA) or merit increases for the past two fiscal years. A one-time payment to employees equal to 2% of their annual salary was proposed at a cost of $236,000. There would be no increase in the employees' base pay, but it still provided some incentive. It was a method used by other jurisdictions in lieu of COLA/merit raises to keep year-over-year costs down.

Salvatore addressed infrastructure revitalization and a Facilities Authority bond, noting certain infrastructure needs had been identified in the five-year Capital Improvement Plan. Staff would work with a consultant to identify additional needs and refine cost estimates. The annual debt service on a bond was estimated at approximately $283,000 for 10 years.

Equipment leases included vehicle replacements, heavy equipment replacement, Rescue 8 replacement as opposed to the medic remount, technology replacements for approximately $1.4 million in total loan proceeds. All were for critical needs that had been deferred for the past two to three years.

Pennington said staff had conducted an exercise to determine which needs were most critical to help in the decision-making process, and the budget addressed those needs.

Salvatore added that computer replacement had been on a three-year cycle, and the City was currently working to get to a five-year cycle. The City would lose support on Windows XP soon, as well as other programs, and those changes needed to be made.

Salvatore went over the budget summary, noting that the plan had been to increase the cash reserves in FY 2011 and FY 2012, so there would be additional funds in FY 2013 when paving had to be added back into the General Fund and there would be an additional loss in LOST funds due to the renegotiations and the increase in population in other areas of the County.

Salvatore continued that the LOST was based strictly on a pro rata share, so the projections for the LOST in FY 2014 included a $500,000 impact due to the LOST renegotiations and further decline of the sales tax.

The expenses were also adjusted to show the pension expense as zero since the contribution for FY 2012 was paid last year.

Salvatore referred to the Public Improvement Program (PIP) budget, saying staff still needed firm numbers regarding what would be in the Facilities Authority bond. The southside and westside fire stations had been removed from the PIP until it was better known if the City should forecast for growth and what happened with the economy. He added that, if the Facilities Authority bond came though, the projects listed in the bond would start regardless of the year it was scheduled in the PIP.

Salvatore briefly reviewed the five-year model, noting the cash reserves should increase to $10,501,102 barring any other economic disaster. In FY 2013, a one mill increase was projected in the millage rate due to the unknowns surrounding the LOST renegotiations and paving costs, and did not include any other reorganization. He continued that the proposed FY 2012 budget accomplished the goal of maintaining what the City had, still adding to the fund balance as was projected due to the millage rate increase last year.

There was a brief discussion on cutting services vs. increasing taxes and what the core services were and the residents' expectations regarding what were core services.

Lynda Wojcik addressed Council, saying she did not mind paying higher taxes if the net amount was equal to what she paid a few years ago. She did not use all the services offered by the City, but those services added value to the community and her property.

Sturbaum asked what would become the new norm for the country, noting it could be 9% unemployment. The City had weathered the storm pretty well, but there were challenges. Council needed to look at everything as a whole and make some tough decisions, working together.

Pennington said economists were forecasting another dip, and that the country was not out of the recession yet. Local government used to be able to have great linear projections, which was much more difficult to project due to all the variables. The estimates were good, and a five-year model was needed to help guide the City.

Imker said staff had done an excellent job of putting forth a budget with no tax increase, but pointed out some items to look at. He referred to the 0.098 mill "roll-up" in tax rate, which Salvatore stated was technically not a tax increase. Imker said it was, adding that if the value of the home went down, the objective of the "roll-up" was to keep a homeowner paying the same amount of taxes as the previous year. He wanted to look at "zeroing out" the "roll-up."

Imker continued that his concern in FY 2012 was the projected revenue had increased by $1 million ($27,838,029 in FY 2011 and $28,828,563 in FY 2012), asking Salvatore where the increase had come from. Salvatore explained $176,000 was from the roll-up millage rate, $400,000 in loan proceeds for technology equipment, and $250,000 paid back to the General Fund from the Kedron bubble loan. The remaining funds were from small increases in other areas.

Imker referred to the five-year model, noting that the projection for departmental operating expenses in FY 2011 had been $22,687,977, jumping to $25,379,136 in FY 2012. The projections jumped again in the out years.

Imker noted that the 1.25 mill increase in FY 2011 had brought in an additional $2.3 million in revenue, adding $1,592,443 to the cash reserves. Another $831,385 would be added to the cash reserves in FY 2012.

Imker continued that the one mill increase projected in FY 2013 would turn into a $7 million problem. He said the increase would generate $1.8 million in revenue and was a solution to get back what the City would lose in the LOST negotiations. The City currently received 34.5% of every LOST dollar collected. At worst, the City would still get 32.5% of every dollar after the renegotiations with the County, approximately $150,000 -- $200,000 less in revenue. The City's population had changed to 32.5% of the County. He also wanted staff to look at the increase in Public Works from $1.5 million to $2 million, saying the City currently spent $1.8 million in maintenance repairs for roads and cart paths. He agreed the City workers needed a cost of living bonus at 1% across the board rather than the recommended 2%, or $130,000, to be distributed evenly across the board as all were being hit equally by the economy.

Imker referred to the Special Purpose Local Option Sales Tax (SPLOST), noting that the City was spending $720,000, this year on streets, as well as $254,000 on paths. In FY 2012, the plan was to spend $800,000 on streets and $400,000 on paths. He noted there was $546,000 in an unassigned contingency fund, not dedicated to anything. He suggested putting the contingency funds into the General Fund for a one-time $500,000 revenue, adding that SPLOST money could be used for those purposes. The funds would help eliminate the proposed one mill increase in next year's ad valorem tax.

Imker also suggested changing the projected millage rates in the five-year model, using an increase of 0.25 mills in FY 2015 and 0.21 mills in FY 2016, and eliminating the projected one mill increase in FY 2013. When money was saved, it was saved rolling forward. Imker continued that the City needed the work on the infrastructure and the updates in technology. He added he was very optimistic about the budget.

Haddix stressed the only thing Council would be voting on would be the budget and millage rate for FY 2012. Anything beyond that would be up to the next Council. Haddix said he did not disagree.

Salvatore asked for direction on the proposed "rollup" millage rate of 0.098 mill. Imker said it should be left in until there was uproar from the citizens. The actual cost would be the same for most residents, with the exception of those who appealed and got a lower assessment. Haddix said it truly was a tax increase because people would pay a greater percentage of their home's value. Council needed to be very cautious in making statements. He looked at a tax as percentage of value, and when looking at it that way, the overall percentage would go up even if the homeowner was actually paying less money. He had not seen anything to make him think revenues would go up. Sales tax was based on disposable income, and if people did not have disposable income, the City would not get any LOST money.

Sturbaum said the process had just started, and he believed there were opportunities to identify cuts to manage out the 0.098 mills.

Fleisch asked if the increase would be left in or taken out. Salvatore clarified that the "roll-up" rate of 0.098 mills should be left in proposed budget for further discussion and input. Council's consensus was to leave it in for now.

Salvatore asked what to do with the proposed 2% COLA bonus for employees. Council's consensus was to leave it in for now.

Salvatore said only a 2% growth rate in expenses had been figured in the out years, with the exception of FY 2013 and the many variables for that budget. He continued that, during normal times, the growth rate in expenses would have been 5% or 6%. Staff tried to be as conservative as possible so things could be taken out if necessary.

Pennington added that the question was reality and the "new normal," which included not being able to project what would happen in five years.

Salvatore said the Stormwater Fund budget was designed to comply with the bond covenants of 1.15 debt service coverage, with 1.39 service coverage included in the proposed budget. Proposed changes included the elimination of street sweeping contract service as of December 31 and the purchase of street sweeper with Renewal & Extension funds. Salvatore pointed out that staff was looking at a smaller piece of the equipment, and the purchase would save money. Caspar said the purchase price was approximately $153,000, and the current contract was $65,000 annually. The life expectancy of the equipment was 10 years plus. Caspar said the budget also included a new employee for some of the stormwater permit administration, public information, site inspections, and other programs (assistant program manager). Salvatore said the remaining bond funds would be allocated for design and engineering of projects scheduled for the future, with the construction to be included in a future bond.

Current hotel/motel tax collections were 5.6% ahead of projections for this time of year (more than $43,000 by year end if the trend continued $14,000 for City's General Fund). The FY 2012 budget assumed a 2% increase – Convention & Visitors Bureau (CVB), $530,853; City General Fund, $265,427. The CVB contract with the Peachtree City Airport Authority was for 20% of the CBV share of the hotel/motel tax, or $106,170.

There were no major changes at the Amphitheater. Price said the part-time facilities coordinator would be moving to Public Works. Plans were to continue with the six-concert series and to continue to offer spotlight concerts and community events. Rental opportunities provided diverse programming. Staff would research additional sales "packages" for the series.

Lynda Wojcik suggested using more motorcycles when possible, saying there could be a savings in the cost of the vehicles and the maintenance. Clark said the cars were kept for many years before they were surplused, making the costs about the same. The maintenance costs were about the same, and there were some savings in the fuel costs. Wojcik noted that it appeared the big fire trucks, which cost the most to run, answered calls where a fire truck was not needed. Eiswerth said that a truck responded with a medic unit on many calls due to the personnel requirements, specifically advanced life support or cardiac arrest calls. On other calls, only the medic unit responded unless the engine was closer. If medic units were on other calls, an engine would respond. Sometimes when the engines were seen in shopping center parking lots, they were doing inspections and had to have the truck available in the event of a call.

Kurt Boehringer thanked staff and Council for the budget preparation. He was president-elect of Peachtree City Little League and had concerns regarding what would happen with the recreation programs. His organization did a great amount of work on the facilities it used. He agreed that, while he might not use all the City's facilities, they added value to his property. The City had very nice fields, among the best, but the bathrooms at the fields were not that great. Caspar said part of the re-organization and bringing the Recreation crews into Public Works was to streamline maintenance of the City's facilities, fixing the backlog. The upcoming assessment included the fields and lavatories. Caspar said they should not see less service, but more service. Imker asked Boehringer to have his organization come up with a list of work that needed to be done and communicate it with Caspar and him. Sturbaum, a past president of the organization, asked Boehringer to contact him to go over the projects included in the budget, adding he would report back to Council and staff.

There being no further discussion, Haddix adjourned the meeting at 8:56 p.m.

Nikki Vrana, Recording Secretary

Don Haddix, Mayor

City Council of Peachtree City
Workshop Meeting Minutes
July 11, 2011

The Mayor and Council of the City of Peachtree City met in a workshop session on Monday, July 11, 2011. Mayor Haddix called the workshop to order at 6:30 p.m. Other Council Members present: Vanessa Fleisch, Eric Imker, Kim Learnard, and Doug Sturbaum. Staff present: City Manager Jim Pennington, Financial Services Director Paul Salvatore, Administrative Services Director Nikki Vrana, Amphitheater Manager/CVB Executive Director Nancy Price, Fire Chief Ed Eiswerth, Police Chief Skip Clark, Public Services Director/Stormwater Manager Mark Caspar, Assistant Finance Director Janet Camburn, and IT Administrator Matt Robinson.

The purpose of the workshop was to review the proposed budget for FY 2012. Pennington said the Council consensus following the June 20 budget workshop had been to remove the proposed millage roll-up, which had been done.

Salvatore reviewed the revisions made to the City Manager's proposed budget, which included a Fund Balance increase of $831,385 in the Cash Reserves, which was by design due to the challenges expected for FY 2013. Additional staff proposals included replacing Rescue 8 instead of an ambulance remount for ($11,194) [numbers in parentheses indicate a negative effect on the budget], the difference in the annual lease payments and the higher priority. Staff proposed an increase in the annual debt service for the Kedron bubble of ($13,998) to reflect the cost increase of the bubble due to structural issues from $250,000 to $454,255. The increase to the General Fund for the bubble was $204,255, which to be reimbursed to the General Fund from the loan proceeds. Legal Contingency could be reduced from $150,000 to $100,000 (currently budgeted at $25,000) based on the FY 2011 projection. Three part-time Customer Service Representatives were added for Kedron Fieldhouse, based on the reorganization and using part-time rather than full-time employees. The savings factor was increased from 1.5% to 2.5% in anticipation of additional reorganization. The 0.098 mill roll-up in the ad valorem tax revenue was eliminated. The City collected less tax revenue in 2011 and would do so in 2012. The net impact on the FY 2012 fund balance would be $216,183, and the increase in the fund balance with the proposed revisions would be $1,092,568. In addition, Salvatore said staff proposed changing the projected millage rate increase for FY 2013 from one mill to 1.1 mills due to the elimination of the roll-up in FY 2012, which could be spread out over several years rather than increased at one time.

Salvatore added that the increase in the cash reserves was by design with FY 2013 in mind. Local Option Sales Tax (LOST) negotiations would be held in 2013, and they would be based on the 2010 census. The Special Purpose Local Option Sales Tax (SPLOST) funds would also be depleted.

Vrana clarified that the request for three part-time Customer Service Representatives was based on the assumption that Recreation Administration would also be housed at Kedron. Pennington verified Vrana's statement.

Salvatore went over the budget summary for the General Fund, noting the projected revenues and total uses of funds were $27,763,524. The estimated revenues included taxes – $23,860,406, licenses & permits – $641,637, intergovernmental (grants) – $300,000, charges for services – $1,456,738, fines & forfeitures – $1,252,070, investment income – $76,974, and miscellaneous – $131,448 for an estimated total of $27,719,293. An additional $1,136,799 was projected from other sources with a surplus carryover expected of ($1,092,568).

The uses of the funds included $25,425,234 in appropriations for Departmental operating expenses. Those expenses include executive services, $392,394; economic development, $85,148; Administrative Services, $2,257,591; Financial Services/IT, $1,166,805; Public Safety, $13,796,753; Public Works, $4,426,090; Recreation & special events, $2,421,036; tourism support services, $182,777; and Community Services, $696,640. The projected salary vacancy/other savings were ($635,631). He added it was up to management to identify the savings.

General Administration costs were projected at $449,161, with the appropriations including Council Contingency, $0; not-for-profit organizations, $26,757; general liability insurance, $89,243; Development Authority bond, $138,843; miscellaneous legal fees/claims, $100,000; other expenses, $49,318; and administrative/technical contingencies, $45,000.

Transfers to other funds/authorities were projected at $2,524,760 and included a transfer to the Public Improvement Program (PIP), $47,275; transfer to debt service, $2,469,985; Development Authority of Peachtree City, $7,500; and transfer to the Amphitheater Fund, $0.

Salvatore said the appropriations for FY 2012 included 25.6% for Police, 23.9% for Fire/EMS, 15.9% for Public Works, 9.1% for non-divisional & transfers, 8.7% for Recreation & Special Events, 4.5% for Administrative Services, 4.2% for Financial Services/IT, 3.7% for the Library, 2.5% for Planning & Zoning, 1.4% for City Council & City Manager, and 0.3% for Economic Development. Imker pointed out citizens could ask to see the employee payroll at any time.

Salvatore reviewed the five-year financial projections, which included increases each year in the model budgets. He continued that the Public Works budget would increase by $2 million in each of the out years to replace the SPLOST funds, although that amount might not be spent each year. He added that the City's pro rata share of LOST funds would also shrink due to the 2010 Census figures and the 2013 LOST renegotiations, as well as any further decline due to economic conditions, so there would be a $500,000 in LOST revenues beginning in FY 2013. The model showed the use of cash reserves in FY 2013 of $718,322, FY 2014 of $1,308,484, FY 2015 of $1,029,353, and FY 2016 of $1,006,452. Millage rate increases of 0.008 were included for FY 2014 and FY 2015, with a rollback of 0.096 mills projected in FY 2016.

Salvatore explained a 1.1 mill increase was shown for FY 2013 that could be spread out. It was shown in FY 2013, but they would need to wait to see what happened with the LOST negotiation and the regional transportation SPLOST.

Council briefly discussed whether the five-year projections should have any effect on the decision for the FY 2012 budget. Salvatore explained that Council had a budget policy that 20% be kept in reserve. There were many ways to get there, and the five-year model was a guide to aid in complying with the policy guidelines. The model would change 1,000 times before FY 2016.

Imker asked Council for recommendations to reduce the projected 1.1 mill increase in FY 2013. Haddix asked what was Council's goal – to preserve all services and fee structures exactly as they were or increase fees for optional services so they paid for themselves, relieving the tax burden on the residents. Haddix said everything else rode on those fundamental questions. Sturbaum said he had $92,000 in possible cuts, which were not a lot of cuts, but was a first pass. He said he would forward his spreadsheet to the other members.

Imker presented his recommendations for the proposed FY 2012 budget. His cuts included a further $50,000 reduction in litigation services, reducing the line item to $50,000, and a reduction of one police vehicle, saving $11,000.

Other changes proposed by Imker included an additional $162,000 in revenue from the savings from the Public Facilities Authority Renegotiation Bond and $125,000 from the sale of a portion of Newgate Road to the developer of the senior apartment complex. He recommended reducing the PIP Contingency by $35,000, reducing Dues & Fees by $8,000, reducing Books & Periodicals by $4,000, reducing Small Tools/Equipment by $24,000, reducing Department Contingencies by $81,000, as well as a $100,000 reduction in the $240,000 recommended in the proposed budget for 2% pay in lieu of salary increase line item. The proposed changes totaled $539,000.

Imker's alternate proposal impact on the five-year budget projections included $5 million in cuts – removing $500,000 from Public Works contingencies beginning in FY 2013, removing $250,000 from LOST contingencies beginning in FY 2013, $800,000 for the out year rollup impact of department savings beginning in FY 2012, saving $400,000 by revamping the evaluation system (merit pay), reducing the Public Improvement Program (PIP) contingencies from FY 2013 to FY 2016, changing to a single personal leave policy, and keeping the 457 pension program, but adjusting the 401A program.

Imker also discussed possible projects for the Public Facilities Authority bond proposal, which he estimated would cost approximately $3,039,255, with debt service of $393,594 annually spread out over 10 years at 5% interest. He noted that the City would probably get a better interest rate, but there was no cost estimate on the dredging needed of the Lake Peachtree lagoon. He estimated the City could save $162,000 by renegotiating three existing bonds.

Imker said taking $200,000 out of this budget had an impact of $800,000 on the five-year model.

Revamping the evaluation system (merit pay) could save $405,000 over a five-year period, according to Imker's alternative proposal. Currently, a one-step pay increase averaged $782, a two-step increase average $1,506, and a three-step increase averaged $2,181. The current average employee earned a two-step increase per year of approximately $1,490. A new system to move towards matrix and less subjective evaluations was needed where only one and two-step increases could be given. The new average step increase might be 1.5 steps at approximately $1,144. Imker said, when applied over 236 employees, the savings could be $81,000 annually, and $405,000 over a five-year long-term plan. He asked the City Manager to look at moving toward a matrix evaluation system with only one and two-step increases.

Imker addressed a change to a single personal leave policy, saying that a first-year employee was able to earn 31 days time off via holiday time, birthday time, vacation time, sick time, safety time, perfect attendance time, snow time, catastrophic sick time, and employee comp time. If a new single personal leave police was established to save three days, as an example, the impact over 236 employees was approximately $50,000 annually, $250,000 over a five-year long-term plan.

Imker's alternate five-year model showed no millage rate increases for FY 2012 or 2013, but included proposed millage increases of 0.197 mills in FY 2014, 2015, an 2016. He also projected the use of at $1,169,422 from cash reserves in FY 2013, $1,588,974 in FY 2014, $797,036 in FY 2015, and $148,101 in FY 2016.

Imker referred to the employee pension plan, saying he wanted to keep the 457 plan because it allowed employees to save their own money for retirement. He wanted to adjust the 401A program, which the City matched employee contributions up to 2%. Imker proposed either eliminating the 401A plan, the City's contribution, and returning $600 of the City's request for employees to contribute to health insurance costs, or to have everyone go to 2% contributions, adding that some got 5%. Stopping the City's contribution could save the City $250,000.

Imker said that, if all his proposals were adopted, the City would only need to use $150,000 in cash reserves in FY 2016 compared to $1 million in FY 2016 in the current proposed budget. The City would be able to manage out any projected small millage rate increases.

There was a heated discussion between Imker and Haddix regarding Imker's proposed cuts, with Haddix saying he wanted to understand what the actual physical impact of the proposals to cut programs would be on the City.

Fleisch said that, after the re-organization, staff started looking at the Human Resources policies, and more personnel were needed in Human Resources to do that. She also wanted to look at different software for payroll that could save the City money in the long run.

Learnard said she would rather see Council enumerate the tasks at hand so they would know what needed to be done, including items from Retreat such as the necessary Human Resources training, consolidated leave policies, and pre-employment drug testing. Haddix said he was leery about cutting back on education because any problems that might result could cost more than the training. Fleisch said the additional employee requested for Human Resources had been cut from the original budget, adding that one more person to help could affect the money spent on litigation.

Imker asked Pennington to evaluate the needs of Human Resources as far as additional personnel, keeping in mind policy changes in the next six months. After that job was done, staff needed to evaluate whether the employee was still needed, possibly leading to the addition of a full-time or contract employee. Haddix added that all of Imker's suggestions regarding merit pay and holiday hours merited examination. He said there should also be a reasonable look taken at any areas that would benefit from a private-public partnership, which had proven to be cost effective. Sturbaum agreed, saying Council would be remiss if all the opportunities were not examined.

Learnard asked if the City could live with not increasing taxes, not cutting services, and working smarter.

Haddix opened the floor to the public.

Tim Lydell said taking the Lizzie Borden approach to the budget could leave everyone with bad morale. His employees did not get 30 days off the first year, and he agreed that should be reviewed. Council should have a strategic look at where they wanted the City to go. He recommended getting citizens involved in the process with a citizen committee that looked at the budget on an ongoing basis.

Steve Allen said Council needed to focus on revenue, adding that if as much time was spent on revenue creation the City might not be in this situation.

Learnard read a letter from Caren Russell, who was unable to attend the workshop. Russell said it was important to maintain services and the look of the City even if an increase in taxes was needed.

John McGregor said the City's issues resembled some of the federal government's issues. There were City services that were discretionary, but Public Safety was always off-limits in budget discussions. The City needed to look at the efficiency of how those services were delivered.

Salvatore said the public hearing for the budget was on the July 21 agenda.

Imker asked if there would be a new proposal based on the potential budget cuts. Salvatore said his presentation for the public hearing would include any changes from the workshop, and there would be communication between Council and the City Manager so Council would have an idea on the changes that would be made.

There being no further discussion, the meeting adjourned at 8:25 p.m.

Pam Dufresne, Deputy City Clerk

Don Haddix, Mayor

City Council of Peachtree City
Minutes of Meeting
July 21, 2011

The Mayor and Council of the City of Peachtree City met on Thursday, July 21, 2011, in City Hall Council Chambers. Mayor Don Haddix called the meeting to order at 7:00 p.m. Council Members present were: Vanessa Fleisch, Kim Learnard, and Eric Imker. Doug Sturbaum was unable to attend.

Announcements, Awards, Special Recognition
Mayor Haddix recognized the winning entries for the 2011 4th of July Parade and swore in Police Officer Stephen Stoyell. Haddix recognized the June Employee of the Month, Firefighter Robbie Shelton; recognized Police Sergeant Sam Smith for 20 years of service; and recognized Kedron Manager Scott McCord for 15 years of service.

Citizen Comment
Jim Ryan of 401 Vardon Way expressed concern about the recent reorganization and the newspaper headlines incorrectly indicating that Leisure Services Director Randy Gaddo had been fired.

Randy Boyett of 1000 Pleasance Grove expressed concern about recent headlines that were inappropriate and distorted facts, saying this was not the way government should operate.

Ralph (Bill) Hall of 220 Felspar Ridge expressed displeasure over the Stormwater Utility Fee and staff's lack of response to clogged drains in the Morallion Hills area.

At the request of an audience member, Haddix allowed additional citizen comment. Brian Dingivan spoke about the proposed E-911 agreement and was advised that item was later on the agenda and public comment would be allowed. Scott Austensen addressed Haddix's recent letter in the newspaper that criticized Council Member Imker's proposed budget cuts, noting many of those had been citizen suggestions.

Agenda Changes
Imker moved to consider item 07-11-09, Consider Name Brand Purchase of Elgin Street Sweeper, after item 07-11-03, Public Hearing – Consider Amendment to Section 908 Accessory Uses – Donation Drop Off Boxes. Learnard seconded. Motion carried unanimously.

Fleisch moved to consider items 7-11-04, Consider Reallocation of SPLOST Funds, and 07-11-05, Consider Full Redemption of 2006 Development Authority Revenue Bond, after 07-11-10, Consider Amendment to Alcohol License – Change in Distance Requirements. Imker seconded. Motion carried unanimously.

Haddix asked Council to consider continuing item 07-11-11, Consider Resolution to Censure Mayor Haddix, until August 4 due to Councilmember Sturbaum's absence.

Minutes
Learnard moved to approve the June 16, 2011, regular meeting minutes as submitted. Fleisch seconded. Motion carried unanimously.

Monthly Reports
Imker highlighted several elements of the Monthly Reports. The City's revenues were at 88% through June and expenditures were just under 75% at 75% of the fiscal year. He felt the budget

would come very close to the projections. Imker also thanked the Peachtree City Optimist Club for their donation to the Police Department's K-9 unit. The Recreation Department was on track to exceed projected revenue for the year. The top five accident locations had changed in June, and the intersection of SR 54/SR 74 was not even on the list. There had been 142 tree removal permits in June, and Imker found the loss of over 700 trees to be staggering. He said the current rules were unenforceable and asked staff to reprioritize the ordinance revision.

Consent Agenda

1. **Consider Agreement with Youth Football Association**
2. **Consider Budget Adjustments for FY 2011**
3. **Consider Reimbursement Resolution – Kedron Bubble**
4. **Consider PCAA Water Line Easement**

Learnard moved to approve the Consent Agenda. Fleisch seconded. Motion carried unanimously.

Old Agenda Items

06-11-CA1 Discuss and Consider Surplus of Dive Team Equipment

Haddix asked if the costs had changed significantly for the Dive Team. Fire Chief Ed Eiswerth said no and that $18,000 would still be needed for FY 2011. Eiswerth said staff had removed the needed $50,000 from the FY 2012 proposed budget. Fleisch moved to approve the surplus of the dive team equipment. Imker seconded. Motion carried 3-1 (Haddix).

New Agenda Items

07-11-01 Public Hearing – FY 2011-2012 Budget

Financial Services Director Paul Salvatore gave a brief presentation on the proposed FY 2012 Budget, noting this would be the fourth consecutive fiscal year of managing the budget during a severe economic downturn. Salvatore also reported that the City had gone from 268 full-time employees in 2008 to a projected 236 at the start of FY 2012.

The proposed budget included a major reorganization of personnel, a one-time 2% employee incentive, and emphasized maintaining and revitalizing the City's infrastructure. The proposed budget included no change in the millage rate from FY 2011 and a Fund Balance increase of $1,092,568.

Hearing no comment from the public on the budget, Haddix closed the public hearing.

Imker said staff's proposal was very conservative to help minimize expenses, and made several suggestions to further reduce costs for 2012 and in the five-year model.

1. FY 2012 departmental operating expenses reduced by $100,000
2. FY 2012 and all future years Public Improvement Program (PIP) Contingency reduced to $15,000 per year ($35,000 reduction in FY 2012)
3. FY 2012 and all future years PIP Police vehicle replacements reduced by one vehicle in each year (10 reduced to nine in FY 2012)
4. General Fund debt service reduced in FY's 2012-16 to reflect refinancing of existing debts ($24,500 in FY 2012)
5. FY 2011 Development Authority of Peachtree City (DAPC) bond debt service expense projection increased by $784,139 to reflect pay off of DAPC revenue bond
6. FY 2012 and all future years debt service on DAPC revenue bonds eliminated ($138,843 for FY 2012- total debt service savings of $53,841 thru 1/1/2017)

7. FY 2013 Public Works expense projection reduced by an additional $705,232 to reflect reallocation of remaining SPLOST funds to resurfacing
8. FY 2013 and all future years Public Works expense increases for Street & Cart Path resurfacing reduced from $2 million to $1.5 million
9. $500,000 reduction of LOST revenue projected for FY 2013 reduced to $250,000, impacting future years projections accordingly
10. Departmental expense increase assumptions reduced from 2% to 1.5% for FY's 2013 - 2016
11. FY 2013 millage rate increase of 1.1 mils removed and replaced with 0.213 mil increases in FYs 2013, 2014 & 2015 as shown in last years five-year model
12. FY 2016 still shows no millage rate increase, but use of cash reserves reduced to $696,970 (was $1,006,452 in staff's model)

For Item #1, Imker noted several places in the Mayor and Council departmental budget as a place to start. He suggested reducing the Council training line item from $18,000 to $12,000, and reducing the $16,400 for council chamber furniture and new microphones to $11,400 to achieve $17,400 of the $100,000. He also suggested that Council consider reducing their own salaries ($1.00 per year) to demonstrate good faith with the rest of the City's employees and to achieve an additional $33,000 savings.

Imker said the current proposed budget included 2% pay in lieu of salary, and he favored making it equal for each employee, but did not have the necessary support on Council. However, he suggested adding the conditions that the payment only be given to full-time employees and that the bonuses be issued on the payroll date closest to December 1. He said there should be a six-month employment requirement to receive half of the distribution, with a corresponding proportional payment for service up to one year.

Haddix said, for #1, he could only support the proposed cuts to operating expenses if they did not impact the actual departmental operations. He felt waiting until the City had concrete numbers on debt service savings from the effects of the Facilities Authority before making projections was more appropriate. He opposed #3, noting that the Police vehicle life spans had already been pushed to the maximum without resulting in undependable vehicles. He said Items #4 and #5 were up for consideration later in that night's agenda, and #7 could be adjusted mid-year once the City knew the final impact of the Special Purpose Local Option Sales Tax (SPLOST) renegotiation. He felt there was no crisis to change the numbers now and that it could be done in December or January. Making assumptions now due to the varying projections in sales tax and housing projections was impossible. Haddix said he was fine with #5, but clarified for #9 that Local Option Sales Tax (LOST) was not based exclusively on population, so projections were not possible. He said he would consider any reasonable cuts, but wanted staff's input.

Learnard said that waiting until they were certain on projections would delay the budget indefinitely. The budgeting process required some level of estimating and planning, and she felt that a plan should be in place for five years, even though they only voted on one year.

Learnard asked Police Chief H.C. "Skip" Clark about impact of reducing police vehicles from 10 to nine. Clark said there was a methodology based on years of service and mileage in rotating the vehicles, and he did not know how to pull one from the mix if that methodology dictated it was time to be removed from service. Clark noted that, if there was any life left in the vehicles after their use by the Police Department, they were assigned to other departments in the City.
Imker asked if the majority of Council supported the direction he had given for the budget presentation at the August 4 meeting, with the understanding that some things could be put

back in at that time. Haddix said he did not support #3. Fleisch noted that #1, the reduction of $100,000, should not be a cut across the board, noting that some departments had much larger budgets in which to find the savings. Council also noted that Council Member Sturbaum had proposed some savings, and would ask him to forward those to Pennington.

Pennington said Council was asking staff to go back and look at the budget. He said that staff had put forward a rock solid budget that they felt was best in terms of what the City needed to operate. They would look at the additional cuts, but would present the corresponding negative impact along with those cuts.

Imker said that, following the budget workshop, no changes were made because staff said there was not direction from the majority of Council. Learnard and Fleisch supported bringing back the budget with the changes on August 4. Haddix said he had concerns about some of the proposed cuts, but felt Council would make adjustments as issues arose.

07-11-02 Public Hearing – Consider Variance, Rear Building Setback, 643 N. Fairfield Dr.
Rast said that several of the homes on North Fairfield Drive backed up to City-owned greenbelt, with the cluster homes built on the rear setback. The applicant wanted to construct a deck that would encroach 12 feet into the setback.

Staff findings in review of the request included Fairfield's cluster development style, with smaller lots and many of the homes constructed at either the front or rear building setback line, meaning there was little room for expansion of the homes. Additionally, most of the lots along the north side of North Fairfield Drive sloped from the street to the greenbelt, meaning many of the homes were constructed on partial or full basements. Rast noted that the City had granted variances to two of the existing homes on North Fairfield Drive for decks that encroached into the rear building setback, and this proposed deck would not impact the homes on the adjoining properties.

Staff recommended approval subject to the following conditions:

1. *The variance shall be limited to an encroachment of no more than 12 feet into the rear building setback. There shall be no additional encroachments permitted without first securing additional variances.*
2. *A Foundation Survey shall be provided as apart of the Building Permit process.*
3. *Following completion of construction and prior to issuance of the Certificate of Occupancy the Applicant shall provide a revised foundation survey to the City identifying the location of the new deck. The purpose of this survey will be to ensure the new construction does not encroach any further into the building setback than permitted by this variance.*

No one spoke at the public hearing

Imker moved to approve the variance for 643 North Fairfield Drive. Fleisch seconded. Motion carried unanimously.

07-11-03 Public Hearing – Consider Amendment to Section 908 Accessory Uses – Donation Drop Off Boxes
Rast said staff was proposing the ordinance amendment to address some issues that were occurring around town with a variety of donation drop off boxes. Most of the donation boxes had been installed before coming to the City for approval. Many were located in parking lots, some in setbacks and some blocking emergency access. There were boxes with either no

contact information or displaying disconnected numbers. Rast said Planner Tony Bernard had reviewed ordinances from other jurisdictions that regulated these types of boxes to make them look compatible with the centers they were in and required permitting. Rast noted the ordinance did not ban these boxes.

Rast said the Planning Commission had reviewed the proposed ordinance, provided input, and unanimously recommended approval.

No one spoke in favor of the ordinance amendment. Al Yougel of Keep Peachtree City Beautiful (KPTCB) said he was not necessarily opposed to the ordinance, but noted that KPTCB had a donation box at the McIntosh Trail drop-off station, and wanted determine how the ordinance would affect their operations.

Rast addressed Yougel's concerns, saying the recycling bins did not involve salvageable personal property as defined in the ordinance, and the donation box would not fall under the limitations. The ordinance was primarily to address boxes in commercial and office areas.

Learnard moved to approve the ordinance amendment as presented. Fleisch seconded. Motion carried unanimously.

07-11-09 Consider Name Brand Purchase of Elgin Street Sweeper

City Engineer Dave Borkowski addressed Council, saying a representative from Elgin was present. The City was looking at buying a street sweeper versus contracting for sweeping services to achieve greater efficiency and responsiveness, and to save nearly $20,000 per year with the option for greater use.

Learnard asked about the driver's license requirement for the vehicle, and staff indicated a Commercial Driver's License (CDL) would be required. Imker said any sole source purchase was a big decision, and he wanted to confirm the reason for going with the company over their competitors.

Borkowski said this product had only one engine to maintain, compared to the other brands' two-engine model. No other design matched this model, the hopper was better suited for dumping into a pilot vehicle, and the competitors do not have the same features to meet the department's needs. Imker said he was satisfied

Learnard said Dividend Drive by Café Pig and the pedestrian bridge by Public Works had problems with sand in the roadway, and Borkowski said owning the equipment meant those areas could be addressed more easily than modifying the regular service by an outside contractor.

Learnard asked what happened to the sand after it was cleaned up. Borkowski said that, because it was from the street, it was considered trash and had to be disposed of.
Imker moved to approve the brand name purchase of the Elgin Street Sweeper in an amount not to exceed $153,052. Learnard seconded. Motion carried unanimously.

Imker clarified that this was coming from the Stormwater Utility. Pennington said that staff's evaluation of the current contract versus bringing the operation in-house included the volume of citizen calls and complaints, and they had looked carefully at the machinery options available.

07-11-06 Consider Community Garden Agreement

Tricia Sterns of Fresh South Market, a 501(c)(3) company operating as the Peachtree City Farmers Market, addressed Council, saying they had started the farmers market last year and began researching options for a community garden. The request was for an 80-plot community garden, with 20% of the plots ADA accessible raised beds. Their design was modeled after the Suwannee community garden, with 8x10 and 10x20 plots. Phase one of the project including securing the site, completing the design, and establishing community partnerships and a local board. Phase one would be ready for April 2012 planting.

Imker asked for clarification on the location, and staff confirmed this was the former County Water Department site on Kelly Drive, just west of the Lake Peachtree spillway. Imker asked about user fees for participants, and Sterns said the fees would help cover the pavilion and restrooms planned for the site.

Ken Martin, of Sweetgum Road, asked how the proposal would impact the adjacent neighborhood. Sterns said the existing buffer would be maintained, and Rast noted that no additional clearing of the site would be needed. Sterns said the Suwannee park had only had one or two people in it when she visited. Learnard said she understood Martin's concerns but felt the area that might draw more people for picnicking was located further away from the neighbors. Rast suggested that Sterns' organization meet with neighbors as the project progressed.

Fleisch moved to approve the Community Garden agreement as presented. Learnard seconded. Motion carried unanimously.

07-11-07 Consider Request to Abandon Easement, 108 Nettlecure

Rast said that some lots platted several years previously off Nettlecure Court and Postwood Turn had a 50-foot easement that contained the path and sewer lines. Rast noted the City typically required a 20-foot easement for these uses. In the intervening years, the City had accepted ownership of several unbuildable lots off Postwood that were set behind the existing homes with driveway access ("flag" lots). Currently, there was no real reason or need for the 50-foot easement, and the City retained access to the remaining easement via the additional property.

The applicant's home was set further back from the road than the adjacent neighbor due to the cul-de-sac, leaving inadequate space to add a new swimming pool. Staff recommended approval of the request.

Meeker said approval should be conditioned on the property owner bearing the cost of preparing the plat and legal description for the conveyance. Imker moved to approve abandonment of the easement behind 108 Nettlecure, subject to the conditions stipulated by the City Attorney. Learnard seconded. Motion carried unanimously.

07-11-08 Consider Intergovernmental Agreement with FCBOC for E-911

Pennington said Peachtree City had for several years participated with the County and other municipalities in a consolidated 911 center. Over the past year, the City had been negotiating with the entities to develop a new agreement. During the talks, there has always been the discussion of double taxation and how the municipalities contributed, whether by call volume or by population.

The proposed agreement provided for a consolidated E911 system and Communications Board, setting the parameters for that board. The agreement was contingent on the County establishing an E911 Tax District that covered the County. The municipalities would no longer contribute additional funding.

Pennington said the City would be foolish to consider taking on the expense of establishing its own 911 System. This was a service that benefitted from regional cooperation. The employees would continue to be employees of the county. The municipalities did not have a say in hiring and firing of those employees. The agreement was not perfect and would never be so, but it provided for the service to continue operation.

Brian Dingivan addressed Council, asking about the federal and state taxes for 911 service, noting that now they were going to charge at the County level as well. He said Georgia had repurposed $30 million in E911 funds and asked what guarantee existed that the County would not do the same thing. There was nothing in the governmental agreement on funding. Peachtree City had been paying $250,000 from the General Fund, and what happened to that money when the new tax district was enacted.

Haddix said that he also had some concerns about not having a say since Peachtree City was such a major contributor. The Board of Commissioners had ultimate control of the funding.

County Administrator Jack Krakeel said the agreement vested significant power in the eight-member Communications Board, on which Peachtree City would have two representatives (five of the eight representatives were municipal representatives). The Communications Board would establish the operating procedures and policies. The Board of Commissioners' duties lay with funding approval. Krakeel continued that the agreement provided for input from the Communications Board to the Board of Commissioners for the annual budget.

Krakeel then addressed Dingivan's concern about state funding, explaining that the state E911 Fund had been set up to establish E911 in Georgia communities that did not yet have the ability to identify the location of the caller. In contrast, the County was required by state law to maintain a separate dedicated fund for E911 funds collected that was audited annually.

Haddix said the Communications Board was good, but asked, if a future Board of Commissioners and a future City Council disagreed, how the decision would play out on satisfactory levels of service.

Meeker noted that Tyrone had made a couple of modifications to the agreement prior to approving it that night. Krakeel addressed these, saying the first issue was the penalty clause for withdrawal from the agreement. The original wording said that, if the City withdrew, they were still subject to the tax for a period of two years. Tyrone had expressed concern about legality o f taxing citizen without receiving service. Tyrone accepted modified language that the penalty would be equivalent to the taxes that would have been collected over the two2-year period.

Krakeel said the second issue reduced the per-capita contribution based on the residual balance from the prior prior year (two years previous). That contribution would stay in the fund (after establishment of the tax district). At that point, a rollback of tax rate could be implemented countywide.

Krakeel also noted that the modification of the overall agreement had been requested by the municipalities in Fayette County. The Board of Commissioners would consider establishing the tax district at their meeting the following week, prior to establishing the millage rate.

Randy Boyett asked how the E911 Service was currently being funded for Peachtree City. Administrative Services Director Nikki Vrana said the City had paid as much as $270,000 a year, and was currently paying $160,000 to the County. The new tax district would eliminate that payment.

Dingivan asked how the taxpayers benefitted from the change. Krakeel said the County's general fund received 60% of its revenue from property taxes. The Board of Commissioners was willing to establish the new district because the 1992 agreement put the burden for all capital expenses on the County. The proposed tax district would create a funding source that was equivalent Countywide for all taxpayers, whether for operating or capital funds. The current budget for the 911 Center was $2.9 million per year. Of that, $2 million came from user fees (on phone bills). The remaining $900,000 was the balance that used to be covered by municipal and County contributions but would now be levelized through a more predictable approach to funding the service.

Boyett asked if the millage rate would be adjusted appropriately for the FY 2013 budget, but that was a decision those on Council would have to make in 2012.

Imker noted the start date for the agreement was July 1 and said the payment was already in budget. He asked staff if the equivalent rollback was reflected in the FY 2013 projections. Salvatore said no, and that, by not enacting the millage rollup in FY 2012 (to counter the decrease in the digest), the City was basically enacting the decrease in FY 2012.

Imker moved to approve the agreement subject to legal review based on the changes approved by the Town of Tyrone. Fleisch seconded. Motion carried unanimously.

07-11-10 Consider Amendment to Alcohol License – Change in Distance Requirements
Public Information Officer/City Clerk Betsy Tyler presented an amendment to the Alcohol Ordinance requirements for distance from schools and churches that licensed establishments were required to meet. Staff recommended that the City modify its distance requirements to mirror state law to avoid confusion.

At the request of Learnard, Tyler clarified that there was no change in distance requirements for establishments serving distilled spirits. The change allowed establishments serving beer and wine to be located closer to churches and school grounds. The issue had become more important recently because two colleges had opened satellite campuses near Westpark Shopping Center, which had always had several establishments with alcohol licenses. However, two new businesses were requesting licenses and could not now qualify due to the distance requirement from schools. Another issue had come up in discussing the rental of The Gathering Place. City Ordinance prohibited alcohol at that location due to its proximity to Huddleston Elementary School, where state law would allow it.

Meeker confirmed that the proposed amendment cleared up a discrepancy between City and state law.

Imker moved to adopt the amendment. Learnard seconded. Motion carried unanimously.

07-11-04 Consider Reallocation of SPLOST Funds
Salvatore said that, as of June 30, the City's 2005 SPLOST Fund had slightly over $3 million of unspent/unencumbered funds available. The majority of the funds were for 2011 and 2012 street resurfacing and multi-use path system upgrades. However, $159,000 was also included for the

SR 54 West Gateway multi-use bridge project, which had been cancelled, and an additional $546,000 in unallocated SPLOST funds and interest earnings.

Salvatore said that, between the bridge and unallocated funds, a total of $705,232 could be reallocated to FY 2013 for street resurfacing ($505,000) and path system upgrades ($200,232), which would allow that amount to be deducted from the 2013 Public Works project budget in the five-year model, as proposed by Council Member Imker.

Haddix said there were still some questions floating, but if that funding were needed in the future, the funds could be moved back.

Imker moved to approve the SPLOST fund reallocation. Learnard seconded. Motion carried unanimously.

07-11-05 Consider Full Redemption of 2006 Development Authority Revenue Bond

Salvatore said staff had reviewed the outstanding debt in looking for potential savings. Staff was seeking direction for several opportunities for savings by refinancing three debt issuances, the 2004 Library General Obligation Bond, the 2007 Bricks and Mortar note with BB&T, and the 2006 Energy Performance equipment lease. Council directed staff to bring these items back for official consideration.

Salvatore continued that staff had also looked at the possibility of paying off some debt, and the two loans with highest interest rates were the SR 54 West land purchase, which had a prepayment penalty, and the revenue bond for the DAPC. On the latter, the City would see a reduction of $58,444 in debt service payments if it were paid by August 15.

Imker moved to pay off the 2006 DAPC Bond in the amount of $779,536.23 by August 15 and that the funds come from General Fund fund balance. Fleisch seconded. Motion carried unanimously.

07-11-11 Consider Resolution to Censure Mayor Haddix

Haddix requested a continuance of the item due to the late addition to the agenda and the fact that there was a revision on dais, which gave him no time to respond, and due to Council Member Sturbaum's absence.

Learnard asked the City Attorney if Council could legally proceed with the item. Meeker said yes. Learnard said she felt they needed to move forward with the item. Haddix said, if Council refused to continue the item, he would recuse himself, leave, and end the meeting before the scheduled Executive Session. He asked them to reconsider continuance.

Learnard clarified that Haddix was saying, if Council moved forward, then the Mayor would recuse himself and leave the room. Haddix said that was correct and was legal for him to do. Meeker confirmed that was legal. Imker said he would take over the meeting as Mayor Pro Tem. Haddix said he could not do that because there would not be a quorum. Imker argued that there would be a quorum for discussion, just not for a vote. Meeker confirmed that the discussion could proceed. Learnard asked if the discussion occurred, would they be able to vote at the next meeting. Meeker said, if no action was taken, the item would be alive for action at a subsequent meeting.

Haddix noted that continuing the item allowed for Council/Staff Topics and Executive Session, but if he departed, the meeting ended. Meeker clarified that the meeting could continue, but there could be no further action taken, including a motion to convene in Executive Session.

Imker asked about the items for Executive Session, and Meeker said there were some time sensitive items. Imker asked if he could make a motion to go into Executive Session at that time, and Learnard noted Council had broken mid-meeting for an Executive Session before. Meeker noted that was for items under discussion, and felt the Executive Session needed to remain at the end of the meeting as advertised.

Imker accused the Mayor of maneuvering the meeting into the position of saying he was prepared to disrupt what was going on and the potential impact of the Executive Session so that Council could not execute item 07-11-11. Haddix said his intent was to exercise what had been requested by other Council Members at several times, to continue a non-critical matter for one Council Meeting. This had been granted repeatedly in the past.

Imker asked if the Mayor would consider recusing himself and returning in 15 minutes. Haddix said he would not and that, if he left, he was gone for the evening. Learnard said there was nothing to stop the Mayor from the same action at the next meeting. Haddix said that, if there were five members present and he had a respectful amount of time to prepare a response, rather than having a subject dumped on him at the close of business Wednesday when it was common knowledge that he had a transportation meeting, and then walking in to find a revision on the dais. This gave him no reasonable amount of time to prepare a response.

Fleisch asked what the proposed amendments were. Meeker noted that names of specific employees had been removed. Fleisch said she did not see that as a major revision and did not have a problem continuing. Haddix reiterated that he had less than eight hours to prepare for the item.

Learnard asked what the Executive Session items pertained to. Meeker said the items included real estate acquisition, personnel, and pending or threatened litigation. Learnard said that, given that the Mayor had made it clear he was less concerned about City business and dealing with an item legally placed on the agenda, she would consider moving to continue the item. Haddix disputed that categorization. Imker asked Learnard if she would agree the need for continuing was one of the reasons for the agenda item, and Learnard said yes.

Haddix said what was occurring from the majority was one of the reasons that this Council was having such problems. Learnard said she was not sure why Haddix felt his response was any part of the item, asking if Haddix understood what censure was. Haddix said he understood and would respond to the censure. He asked Learnard to decide whether she wanted to shut down Executive Session by refusing to continue the project. Learnard said, for the record, it was not her refusal.

Learnard clarified that she had not actually made a motion to continue the item, but that she would consider doing so. Imker said the agenda item was added to do one specific thing and was not seeking a response. He had a hard time understanding the argument of the need to prepare a counter argument. Haddix said that illustrated his point.

Haddix said Council was engaging the agenda item and moved to continue the item to August 4. The motion died for lack of a second. Haddix recused himself and left the meeting at 10:29 p.m.

Imker asked Meeker if it was proper for him to take over the meeting. Meeker said Imker was the Mayor Pro Tem, but Council could not take any action. Imker opened the subject for discussion among Council.

Learnard said Peachtree City had what other communities could only dream of – cart paths, sports, special events, and all the other positive elements. She moved here because she wanted to live here, and did not understand why there was so much negativity. Learnard continued that Mayor Haddix had engaged in an 18-month pattern of negativity that was inappropriate for Peachtree City and did a disservice to the citizens.

Learnard then referenced several recent newspaper headlines: "Lawsuit alleging Peachtree City apartment ban racist," with the Mayor's picture on the front page, "Mayor in hot water for wife's remark," "PTC out of business," and "Minutes correction gets testy in Peachtree City."

Learnard said those types of headlines did not belong here and said the City had to do better. She did not understand how someone could live in this wonderful place and be so negative in blogs, emails, comments, conversations, and editorials. She said every one of those negatives took something away from Peachtree City and everyone in it.

Learnard continued that everyone outside Peachtree City recognized the problem with the negativity. The County officials knew the negativity was not an accurate portrayal of community, as did the Fayette County Development Authority (FCDA). Learnard said that, under gold dome, they referred to "that delicate situation" in Peachtree City. The Atlanta Regional Commission (ARC), the Department of Transportation (DOT), and the Georgia Economic Development Commission (GEDC) were all watching.

Learnard said that, last October, all the local elected officials had participated in workshop on economic development with the County in October and had learned that Georgia Power and EMC were the big industrial recruiters in conjunction with GEDC. When quality companies were looking at coming to Georgia, and all 159 companies competed for those companies. If they visited, the prospects might have an hour to visit. So they read local newspapers and went online when they were considering relocation.

Learnard said these prospects were seeing the headlines she had noted, thanks to Mayor Haddix. She continued that six of the eight highest-level economic development officials in Georgia lived in Peachtree City. Learnard said she and Council Members Fleisch and Imker worked very hard to promote the positives in Peachtree City for economic development, but the negativity made it difficult to portray what a wonderful community this was. Learnard said this resolution was not about one incident or one editorial, but was about the 18-month pattern of negativity that needed to stop. She said Peachtree City had to stop being its own worst enemy. A censure meant a public rebuke.

Imker then spoke, saying one of the issues had been economic development. The City hired the best Economic Development Coordinator that could be found in entire country, from a city ranked higher than Peachtree City as a best place to live. That employee had left the City, twice. The first time, Council talked him into staying because they felt his potential contribution was so important. He ultimately left again and was back in Texas before Imker could reach him to ask why he left. Imker read the reply he received, with the former employee's permission:

Hey Erik,

> *I left because of Don Haddix and the unstable nature of the position, as well as being away from my family. You, Vanessa, and Kim were the reason that I stayed the first time I thought about leaving. You three were great and gave me tremendous support - cannot say that for others who are more focused on ego development rather than economic development.*
> *Good luck!!*

Imker said that employee joined the City in January and noticed the problem immediately.

Imker said he wanted to point out one of the most irresponsible letters to the editor, dated June 29, in which Haddix wrote that the "Fayette County Development Authority (FCDA) did not proactively pursue good employers." Imker said he asked the FCDA for list of businesses they had worked to bring to Peachtree City, and it included Sany, Aventure Aviation, Hoshizaki, Shinsei, Cooper Lighting, Cooper Wiring, AIM Aircraft Spares, Rinnai, and more. The FCDA still had millions in outstanding bonds for these and other companies that have located and expanded here.

Imker said that 90% of the industry that came to Fayette County came to Peachtree City, and he did not know where the Mayor got the idea that they did not pursue good employers. Imker said he sent an email to the FCDA Chairman, Randy Hayes, apologizing for the Mayor's comment, and received the following response:

> *Thanks Eric.*
> *It is very unfortunate that the Mayor takes this tactical approach to Community building. These are the types of instances that our competitors seize upon to denigrate our great County and especially PTC. I recoil at the thought that the Sany, NCR, and Cooper employees and management read such statements and think that they are lumped into the category of "not good employers" . . . These companies, and many others, recruited to PTC, are wonderful corporate citizens and provide tremendous volunteers to our community and support many of the smaller local businesses, restaurants, and sponsor many of our local efforts such as the Fred, the Fayetteville amphitheatre, blood drives , cancer walks, Chamber of Commerce, Rotary Clubs, etc. The FCDA is not going to change our mission of recruiting quality companies and employers to come to PTC because of this. Eric we appreciate your comments and assure you that the FCDA Board and Brandt will continue to work with you.*
> *Randy*

Imker said there should be no need for him to have to apologize to the FCDA for something written by the Mayor. He said they would be giving notice at the next Council meeting that something had to change.

Fleisch then spoke, saying she had held off, waiting for critical mass - the point at which, if Council did not take action, the citizens would lose faith. She said the last article was, which again mentioned the former Economic Development Director even though he had been gone for months, was an example of beating a dead horse. She said she had also been on an apology tour with the FCDA, as well as the DOT, and felt the community should be very proud that County Commissioner Herb Frady and Fayetteville Mayor Ken Steele were now representing the County in an excellent manner.

Fleisch continued that representatives from the City had gone to the DOT to ask for a traffic signal at the Baseball Soccer Complex, but knowing the City would not prevail. She said the

DOT listened to the City's concerns and granted a blinking light, which was better than had been granted in the past. At the following meeting, the Mayor denigrated the DOT, and Fleisch said Council could not develop working relationships if they were constantly making apology tour s.

Fleisch then noted a portion of the resolution that addressed the Mayor's public belittling of current and former elected officials, appointed officials, and employees. She said she felt empathy for staff because some of the meetings were less than professional, and part of being Mayor was running a meeting with decorum.

Learnard said she wanted citizens to understand that Peachtree City had a Code of Ethics that was sacrosanct, and it stipulated that the elected officials create environment of honesty, openness, and integrity. Learnard said only the citizens could evaluate whether that was happening.

Learnard said the Code also called upon Council to ensure that citizens have confidence in the integrity of their government and that the City's officials use the power of their position for the wellbeing of their constituents.

Learnard concluded by saying the City's Mission statement called upon Council to create a healthy environment to live, work, and enjoy leisure time and to promote a sense of community, saying she wanted Council to get back to the positives because no one was benefitting from the negativity.

Imker said that one item of the resolution, the statement that if Mayor Haddix could not or would not take corrective action, then Council asked for him to resign, would be read at the next meeting.

<u>Council staff topics</u>
Pennington said the City had received a lot of comments and emails about the repairs needed at the Library. City Engineer Dave Borkowski reported that the design drawings for repairs of the stairway tower were completed. The structure consisted of a steel skeleton and concrete block with veneer. The veneer block was not supported, which had led to the crack. The final design to repair the problem would screw the veneer to the block and tie it to the steel frame. The rough estimate for the cost was under $30,000. Meeker reported that the statute of repose had passed on requiring the contractor for that phase to contribute to the repairs.

Pennington congratulated Salvatore for receiving a Government Finance Officers Association scholarship to the Advanced Government Finance Institute at the University of Wisconsin the following week.

Imker asked if a Special Called Meeting could be set up for the following Monday to address the Executive Session items. Meeker said, under the City Charter, only the Mayor could call a Special Called Meeting. Imker said he would approach the Mayor about doing so.

There being no further business to discuss, the meeting ended at 10:55 p.m.

Betsy Tyler, City Clerk

Don Haddix, Mayor

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council**

VIA: **City Manager**

FROM: **Deputy City Clerk** PD

DATE: **July 26, 2011**

SUBJECT: Alcohol License – NEW – Judy's Nails
August 4, 2011, Regular Meeting

Recommendation:
Staff recommends that Council approve the alcohol license for Judy's Nails.

Discussion:
Judy's Nails, a salon/spa located at 244 Commerce Drive, has submitted a request for a new alcohol license. Mr. Quang Van Doan has requested he be appointed as the Licensee and License Representative. The business would like to offer special packages that include a glass of wine.

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 consumption sale of wine, which is $575.

Attachment

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

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:

Quang Van Doan

124 Ardenlee Drive Peachtree City, GA 30269
Address

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.

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

7/20/11
Date

Major R.M. [illegible]
Witness

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

AMT

Business Name: Judy's Nails, Inc., d/b/a Judy's Nails	**Business Location:** 244 Commerce Drive Peachtree City, GA 30269	770-631-~~0099~~ 3099 ~~3047~~
Nature of Business: Salon / Spa (nails/pedicures)	**Mailing Address:** Same as above.	**Business Phone Number:** Same as above.
Name of Licensee: Quang Van Doan	**Home Address:** 124 Ardenlee Dr. Peachtree City, GA 30269	**Home Phone Number:** 678-519-4149
Name of License Representative: Same as above.	**Home Address:**	**Home Phone Number:**

Please indicate type of licenses applying for:

Retail Consumption Dealer		Retail Package Dealer		Wholesale Dealer	
	Malt Beverage		Malt Beverage		Malt Beverage
AMT X	Wine	~~X~~	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:
Judy's Nails, Inc., d/b/a		
Judy's Nails,		
Quang Van Doan, President	124 Ardenlee Dr.	678-519-4149 home
	Peachtree City, GA 30269	404-918-1211 cell
		770-631-~~0~~3099 salon AMT

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: none

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Attorney

FROM: Public Information Officer/City Clerk

DATE: July 29, 2011

SUBJECT: Consider Amended Intergovernmental Agreement with Fayette County Board of Commissioners for E-911 Service
August 4, 2011, City Council Meeting

The Mayor and Council unanimously approved the Intergovernmental Agreement with the Fayette County Board of Commissioners on July 21, 2011, pending legal review of changes proposed by the Town of Tyrone as presented by County Administrator Jack Krakeel.

On Thursday, July 28, the Board of Commissioners adopted an agreement with an additional revision establishing the overall term of the agreement as fifty years.

The City Attorney has reviewed the change and feels it is fine from a legal standpoint. Due to the nature of the changes, the City Attorney believes it is necessary for Council to consider this Agreement again as the changes went beyond the approval given by the Council at the last meeting. The agreement retains the option for participants to terminate the agreement upon any of the decennial anniversaries within the 50-year term, under the same conditions (providing a termination fee equal to the tax collected from the jurisdiction for the two calendar years following withdrawal.

INTERGOVERNMENTAL AGREEMENT FOR THE FUNDING AND OPERATION OF THE E-911 COMMUNICATIONS CENTER AND PARTICIPATION IN THE COUNTYWIDE 800 MHZ TRUNKED RADIO COMMUNICATIONS SYSTEM

THIS AGREEMENT, effective the 1st day of July, 2011, between FAYETTE COUNTY, hereinafter referred to as the "County", the City of Peachtree City, the City of Fayetteville, the Town of Tyrone and the Fayette County Board of Education, hereinafter referred to as the "Agreement". This Agreement supersedes the Intergovernmental Agreement for the Establishment of a Consolidated 911 Communications Board dated December 13, 1994.

W I T N E S S E T H:

WHEREAS, public safety communications and enhanced 911 service affect all the citizens of Fayette County, hereinafter sometimes referred to as the "County"; and

WHEREAS, the County and municipalities in the County recognize the need for providing the most efficient and effective service to the citizens without undue cost; and

WHEREAS, there exists an enhanced consolidated 911 communication service within the County; and

WHEREAS, the E-911 Communications Center, hereinafter sometimes referred to as the "Center", shall serve as the Primary Public Safety Answering Point for all emergency calls within Fayette County. In addition, the Center shall provide public safety dispatching services and will maintain and operate a comprehensive communications network to all participating agencies that serves the needs of the public safety community as well as non-emergency communication service provision to other governmental non-public safety participating agencies residing within Fayette County; and

WHEREAS, all local governments support the Special E-911 Tax District as the most equitable method for funding the E-911 Communications Center operations, capital and Countywide radio system; and

WHEREAS, all local governments support the Countywide 800 MHz Trunked Radio Communications System; and

WHEREAS, all local governments within the County support the continuation of the 911 Communications Board, hereinafter sometimes referred to as the "Board", to oversee the operations of the E-911 communication service as defined in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants provided herein, the governing bodies of the County, the cities of Peachtree City and Fayetteville, the Town of Tyrone and the Fayette County Board of Education, hereby agree to support the continuation of the 911 Communications Board to approve all administrative, operational policies and rules and to approve the Communication's Director's recommended annual departmental budget.

1.0 **PURPOSE:** This Agreement shall address the funding and operation of the Fayette County, Georgia E-911 Communications Center and participation in the Countywide 800 MHz Trunked Radio Communications System with the following organizational goals:

1.1 To promote the health, safety and general welfare of the citizens throughout Fayette County, Georgia. To that end, the parties wish to continually improve procedural efficiency and technical capabilities of emergency call-taking, emergency call processing, and all emergency response communications;

1.2 To save lives by improved call processing time which reduces response times to emergency incidents;

1.3 To improve safety to emergency responders;

1.4 To effectively receive calls for routine and emergency assistance, based on structured call intake protocols, and coordinate response resources to those calls for service based on the needs of the caller and the direction of field response agencies;

1.5 To provide all participating agencies with a single contact point for the notification of emergencies and receipt of emergency assistance requests, and for the control of coordinated dispatch for law enforcement, fire and EMS;

1.6 To bring about increased efficiencies and coordination of communications and emergency response services;

1.7 To provide the public and field response agencies with highly trained, certified and/or credentialed 911 employees who strive to provide the best service possible to all parties involved;

1.8 To set the goals of operating according to applicable guidelines and standards established by the Commission on Accreditation for Law Enforcement Agencies, Insurance Services Office, National Fire Protection Association, the Commission on Fire Accreditation International, the Association of Public Safety Communications Officials (APCO) and the National Emergency Number Association (NENA);

1.9 To provide funding to ensure the appropriate level of service to all parties involved as defined by user agencies by establishing funding mechanisms and defining the budget process for the Center;

1.10 To provide for operational oversight from a "911 Communications Board" of emergency response professionals;

1.11 To ensure that each party has access to the Countywide 800 MHz Trunked Radio Communications System; and

1.12 To provide a mechanism for the withdrawal of parties to the Agreement.

2.0 DEFINITIONS: As used in this Agreement the following words and phrases shall have the meanings indicated unless the context clearly requires otherwise.

2.1 "PSAP" (Public Safety Answering Point) shall mean the facility housing the equipment and personnel that provide 9-1-1 call answering, processing and dispatching services.

2.2 "9-1-1 Services" shall mean those services and equipment to answer emergency 9-1-1 calls on a 24-hours-per-day basis.

2.3 "County" shall mean Fayette County, Georgia.

2.4 "E-911" (Enhanced 9-1-1) shall mean the emergency communications system which connects the public to emergency response.

2.5 "Participants" shall mean the parties to this Agreement and such other entities as become parties in the future.

2.6 "Fayette County E-911 Communications Center" shall mean the system of providing such services or the facility housing the E-911 Communications operations.

2.7 "911 Communications Board" shall mean the multi-jurisdictional Board of Law Enforcement, Fire and EMS professionals established to guide the operations of the Center as established in Fayette County Code of Ordinances, Article VI. Boards and Commissions, Division 1. 911 Communications Board as adopted on January 12, 1995. .

2.8 "Countywide 800 MHz Trunked Radio Communications System" shall mean the countywide communications system including towers, receivers, transmitters, radio frequencies and other equipment necessary for an efficient and effective communications system, hereinafter sometimes referred to as the "System". The System shall not include the equipment in the Public Safety Answering Point (PSAP) or radios and communication equipment purchased and maintained by each agency.

3.0 TERM OF AGREEMENT/WITHDRAWAL:

3.1 The term of this Agreement shall be for an initial period of Ten (10) years beginning July 1, 2011 and expiring on June 30, 2021, hereinafter referred to as the "Initial Term". Unless otherwise amended or terminated as provided herein, this Agreement shall be automatically renewed for additional periods of Ten (10) years, hereinafter referred to as the "Renewal Term" or "Renewal Terms", without further action of the parties.

3.2 The term of this Agreement shall be for a period of Fifty (50) years beginning July 1, 2011 and expiring on June 30, 2061, hereinafter referred to as the "Term".

3.3 Any party hereto may terminate its participation in this Agreement by providing the other parties notice of its intent to terminate at least Twelve (12) months but no sooner than Eighteen (18) months prior to the expiration of decennial anniversaries of this Agreement and payment of a "termination fee." Any such notice must be approved by the governing authority of the party wishing to terminate their participation in the Agreement. The "termination fee" shall be an amount equal to the Special E-911 Tax collected in the withdrawing district(s) for the two (2) calendar years immediately following termination. The withdrawing jurisdiction(s) shall remit this termination fee in two (2) annual payments. The first payment shall be paid within 15 months of the effective date of termination and the second payment shall be made within 27 months of the effective date of termination Additionally, any party terminating this Agreement pursuant to this section shall retain all E-911 fees under the authority granted to it by the Georgia Emergency Telephone Number "911" Service Act of 1977 from the date of termination of this Agreement.

3.4 Parties wishing to withdraw from this Agreement and continue to utilize the Countywide 800 MHz Trunked Radio Communications System shall be billed on a pro rata share of the total annual system maintenance, operations, capitol, and depreciation costs based upon the entity's air time utilization as a percentage of total air time utilization.

3.5 Any party withdrawing and establishing its own 911 Communications Center shall provide preferential hiring to any Fayette County E-911 Communications Center staff based on qualifications and job performance that may be eliminated due to the withdrawal and subsequent reduction in force.

4.0 911 COMMUNICATIONS BOARD: The Fayette County 911 Communications Board is established as follows:

4.1 The 911 Communications Board formulates the policies and oversees the operations of the E-911 Communications Center, exclusive of personnel matters. The Board is empowered with sufficient authority to ensure the efficient operations of the Center. The Board shall be organized and empowered as set forth herein. The Board shall be constituted and operate pursuant to the provisions of the Fayette County Code of Ordinances, Article VI. Boards and Commissions, Division 1. 911 Communications Board, as adopted on January 12, 1995.

4.1 Organization:

4.1.1 Membership. The Board shall consist of eight (8) members. The membership shall be comprised of the chiefs, or their designee(s), of: the Fire Department and Police Department of Peachtree City; the Fire Department and Police Department of Fayetteville; the Police Department of Tyrone; and the Department of Fire and Emergency Services for the County. The final two (2) members of the Board shall be the head of the County Marshal's Department, hereinafter referred to as the "Marshall", and the Sheriff of the County, or their designee(s).

4.1.2 Terms. The terms of all members shall begin on the first day of the month following the month in which the Board is activated and shall terminate upon dissolution of the Board.

4.1.3 Vacancies. A vacancy in membership shall be filled by the governing authority of the public safety entity from which there is a vacancy. A vacancy in membership occurs when there is a change in personnel with respect to the chiefs, or the Sheriff or Marshal. The board position allocated to the respective chief, Sheriff or Marshal shall be filled by the person assuming the position of chief, Sheriff or Marshal, or his/her designee. Where a member of the Board is a designee of a chief, Sheriff or Marshal, such member's departure from the Board, for whatever reason, does not create a vacancy. The chief, Sheriff or Marshal that designated the person originally, shall fill the position with either himself/herself or his/her designee.

4.1.4 Compensation. All members shall serve without compensation, but may be reimbursed for actual expenses incurred in connection with their official duties if such expenses are approved by the Board of Commissioners of the County.

4.1.5 Quorum. Five (5) members of the Board shall constitute a quorum. A vacancy on the Board shall not impair the right of the quorum to exercise all the rights and perform all of the duties of the Board. A minimum of five (5) affirmative votes is necessary before any motion can be passed.

4.1.6 Chairman/Board Responsibility/Authority: The Board is established by County Ordinance, and shall be accountable to the Board of Commissioners of Fayette County. The Board shall have the following responsibilities and authority:

4.1.6.1 Chairman Responsibilities: At its initial organizational meeting the Board shall elect a chairman from among its members and shall further establish a fair and equitable method for rotating the chairmanship annually among each member of the Board. The term of the chairman shall be for one (1) year and shall rotate annually and subsequently to each Board member in the manner prescribed during the original organizational meeting.

4.1.6.2 To preside over Board Meetings;

4.1.6.3 To call special meetings as appropriate;

4.1.6.4 To represent the Board or appoint another member to represent the Board;

4.1.6.5 To represent the Board upon the presentation of the annual budget to the County Administrator and Board of Commissioners; and

4.1.6.6 To provide input to the County Administrator along with the Communications Board, regarding the annual performance appraisal of the Director;

4.1.7 Board Responsibilities:

4.1.7.1 Shall have the authority to establish policies necessary to oversee the efficient and effective operation of the E-911 Communications Center, exclusive of personnel matters;

4.1.7.2 The Board shall meet at least quarterly in order to assess the policies as they relate to the operations of the 911 Communications Service;

4.1.7.3 The Board shall ensure that the 911 Communications Center shall operate according to applicable guidelines and standards established by the Commission on Accreditation for Law Enforcement Agencies, Insurance Services Office, National Fire Protection Association, the Commission on Fire Accreditation International, the Association of Public Safety Communications Officials (APCO) and the National Emergency Number Association (NENA). The implementation of all guidelines and standards shall be based on feasibility and cost evaluation as determined by the Board. These standards are nationally recognized and accepted as the appropriate means of achieving professionalism in service to the community;

4.1.7.4 Provide advocacy for both capital and operational needs of the Center;

4.1.7.5 Review all applicants for the position of Director of Communications, hereinafter referred to as the "Director", and may recommend employment of same to the County Administrator;

4.1.7.6 Establish operational protocols, policies and procedures for the Center with the assistance of the Director;

4.1.7.7 Establish county-wide definitions and standards for reportable calls for service for statistical consistency;

4.1.7.8 Consider and resolve questions, issues and disputes presented to the Board or parties to this Agreement; and

4.1.7.9 Work with the Director to submit to the County Administrator a recommended budget for the Center.

5 **DIRECTOR:** The Fayette County E-911 Communications Center will be managed, operated and supervised by a Director, who will be a Fayette County employee subject to the County's personnel policies, chain of command, and other employee regulations. The Responsibility and Authority of the Director are:

5.1 The Director shall be the administrative head of the Fayette County E-911 Communications Center and will be responsible for handling administration and personnel matters within the framework of Fayette County regulations and personnel policies.

5.2 The Director shall be responsible for following operational policies and protocols established by the Board.

5.3 The Director will prepare a proposed budget for Board approval and will assist the Board in submitting to the County Administrator a recommended budget for the E-911 Communications Center.

5.4 The Director shall be responsible for providing administrative support to the Board in conducting meetings, publishing notices and recording and maintaining minutes of meetings.

5.5 The Director will be responsible for managing the Center within the approved annual budget and shall provide reports to the Board as requested.

5.6 The Director will be responsible for all activities of the Center, including but not limited to oversight of call- taking, dispatching, records (custodian), recording, staffing, training, and security.

5.7 The Director shall establish and utilize performance standards for employees. The Director shall actively and continually consider and evaluate all means and opportunities toward the enhancement of operational effectiveness of emergency communications for the benefit of the public and emergency response agencies.

5.8 The Director shall review and evaluate service levels, performance standards, and/or operational procedures and provide reports to the Board as requested. Final decisions will be made by the Board on all changes in service levels, performance standards and operational procedures, contingent upon available funding for implementation. However, in order to meet the need for procedural changes in a dynamic deployment situation, the Director will be given authority to alter the procedures during critical circumstances.

5.9 The Director will participate in a non-voting capacity in meetings of the Board. Should it be necessary for the Director to miss a meeting, he/she will have a designee present.

5.10 The Director will develop appropriate long-range plans, including strategic capital improvements, staffing, technology, and other matters. A comprehensive long-range plan will be developed and updated yearly. This plan will be presented to the Board on a yearly basis at a date and time determined by the Board. Each year the Board and Director will reach consensus on the plan, and the Board will take action to adopt the plan.

6 FUNDING:

6.1 Funding for the operational, maintenance, capital and debt service expenses associated with the E-911 Communications Service and Countywide 800 MHz Trunked Radio Communications System shall be provided through an E-911 Special Service Tax District with an effective date of July 1, 2011. In addition, all signatories shall pledge the proceeds of any E-911 fees imposed by it to , under the authority granted to it by the Georgia Emergency Telephone Number "911" Service Act of 1977, as amended, to Fayette County throughout their participation in this Agreement.

6.2 Each party agrees to adopt an ordinance pursuant to O.C.G.A. § 46-5-134.2 (which will be effective January 1, 2012) to impose a prepaid wireless 9-1-1 charge in the amount of 75 cents per retail transaction to be effective January 1, 2012. All signatories shall pledge the proceeds of any prepaid wireless E-911 fees imposed by it, under the authority granted to it by O.C.G.A. § 46-5-134.2, as amended, to Fayette County throughout their participation in this Agreement.

6.3 In order to transition to the E-911 Special Service Tax District, the parties agree to pay to the County, for a term of Two (2) years beginning on October 1, 2011 and ending on September 30, 2013, the pro-rata allocation of net operations not covered by 911 user fees and undesignated fund balance. The pro-rata allocation is based on the 2010 census population. The County shall invoice all parties for their respective pro-rata allocation on a quarterly basis. Undesignated fund balance from the previous fiscal year shall be applied as a credit to the pro-rata allocation prior to December 31st of each year.

7 LIABILITY:

7.1 To the extent allowed by law, the County agrees to hold the City of Fayetteville, the City of Peachtree City, the Town of Tyrone and the Fayette County Board of Education, their employees, agents, and officials harmless from any suit or claim which arises from or is related to the County's performance of this Agreement.

This Agreement entered into, and to become effective, as of the first day of July 1, 2011 by

BOARD OF COMMISSIONERS OF FAYETTE COUNTY

By: ______________________________
Chairman, Board of Commissioners

Date of adoption :____________________

Attest: ___________________________
County Clerk

CITY OF FAYETTEVILLE

By: ______________________________
Mayor, City of Fayetteville

Date of Adoption: ____________________

Attest: ___________________________
City Clerk

CITY OF PEACHTREE CITY

By: ______________________________
Mayor, City of Peachtree City

Date of adoption: ____________________

Attest: ___________________________
City Clerk

TOWN OF TYRONE

By: ______________________________
Mayor, Town of Tyrone

Date of adoption: ____________________

Attest: ___________________________
Town Clerk

BOARD OF EDUCATION

By: ______________________________
Chairman, Board of Education

Date of adoption:____________________

Attest: ___________________________

EXHIBIT "A"

Fayette County E-911 Communication Center
Allotment of Budget Expenditures Among Participants
FY 2012 Recommended Budget

		FY 2012		Variance
		Budget Request	Actual	
Expenditures		$ 2,671,297		
Transfer to Capital Projects		-		
Sub-Total		$ 2,671,297	$ -	$ 2,671,297
Less: Estimated Telephone Surcharge		$ 850,000		
Estimated Wireless Surcharge		1,035,000		
		$ 1,885,000	$ -	$ (1,885,000)
Operating Expenditures over <Revenue>		$ (786,297)	$ -	
EXCESS fund balance from 6/30/10		-		
Allocations COSTS		$ (786,297)	$ -	$ 786,297
Allocation Amount Participants				
	Population			
Tyrone	6,879	$ (50,756)		$ 50,756
Peachtree City	34,364	(253,552)		253,552
Fayetteville	15,945	(117,649)		117,649
Fayette County	49,379	(364,339)		364,339
	106,567			
Allocations COSTS		$ (786,297)	$ -	$ 786,297

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

FROM: City Manager

DATE: July 27, 2011

SUBJECT: Consider Resolution to Censure Mayor Haddix
August 4, 2011, City Council Meeting

This item was rescheduled from the July 21, 2011, regular meeting.

CITY OF PEACHTREE CITY
STATE OF GEORGIA

RESOLUTION NO. ____________________

A RESOLUTION TO CENSURE MAYOR DONNIE OWEN HADDIX AND TO CALL FOR CORRECTIVE ACTION IN ORDER TO BETTER PROTECT AND SERVE THE CITIZENS OF PEACHTREE CITY, GEORGIA.

WHEREAS, the Peachtree City Code of Ethics states as a declaration of policy that its officials are to, "Create an environment of honesty, openness and integrity"; and

WHEREAS, the Peachtree City Code of Ethics states as a declaration of policy that, "The citizens of the City have confidence in the integrity of their government"; and

WHEREAS, the Peachtree City Code of Ethics states as a declaration of policy that, "The proper government and administration of the City requires that its officials use the power of their position for the well being of their constituents"; and

WHEREAS, the Peachtree City Mission Statement compels the elected leaders of Peachtree City to ensure residents a "healthy environment in which to live, work, and enjoy leisure time"; and

WHEREAS, the Peachtree City Mission Statement compels the elected leaders of Peachtree City to "promote a sense of community"; and

WHEREAS, Peachtree City Mayor Donnie Owen Haddix has created an untenable work environment by publicly belittling and criticizing current and former city employees, elected officials, and appointed officials, resulting in at least one lawsuit with related costs to the City; and

WHEREAS, Mayor Haddix has publicly criticized the Fayette County Development Authority, the Atlanta Regional Commission, and other agencies in a manner that has damaged Peachtree City's relationship with those and other agencies; and

WHEREAS, the Mayor's criticism of the Fayette County Development Authority ignores the fact that such entity has assisted in bringing the following businesses to Peachtree City: Sany, Cooper Lighting, Panasonic, Aventure Aviation, Hoshizaki, Shinsei, AIM Aircraft Spares, Rinnai, NCR, and more; and

WHEREAS, the citizens of Peachtree City and the City Council expect a return to civility, respect, integrity, and trust.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Peachtree City, Georgia, that:

Section 1: The City Council has lost confidence in Mayor Donnie Owen Haddix.

Section 2: The City Council hereby censures Mayor Haddix for comments and actions that put the City of Peachtree City at financial risk, create an untenable work environment, and damage the City's relationships with other governmental agencies.

Section 3: The City Council admonishes Mayor Haddix for comments and actions directed toward former appointed and elected officials, and former employees of the City.

Section 4: The City Council asks that Mayor Haddix correctly carry out the duties of Mayor, adhere to the City Charter, Council Rules, and common courtesy, work effectively as a member of the City Council, and work effectively in his capacity of Mayor with other state and local government agencies.

Section 5: If Mayor Donnie Owen Haddix cannot or will not take corrective action to carry out the duties of Mayor, function as a member of City Council, and adequately represent the citizens of Peachtree City, the City Council asks that Mayor Haddix resign from office.

Section 6: This resolution is effective upon passage.

IT IS SO RESOLVED this _____ day of ____________________ 2011 by the City Council of the City of Peachtree City.

ATTEST:

Don Haddix, Mayor

Betsy Tyler, City Clerk

Eric Imker, Council Post 1
Mayor Pro-Tem

Doug Sturbaum, Council Post 2

Kim Learnard, Council Post 3

Vanessa Fleisch, Council Post 4

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council**

FROM: **City Manager**

DATE: **July 12, 2011**

SUBJECT: **Dissolution of the Development Authority of Peachtree City**
Aug 4, 2011 City Council Meeting

At the request of Council Member Imker, this item is being added to agenda for Council to have an open discussion on the dissolution of the Development Authority of Peachtree City.