



**City of Tucker, GA**  
CITY COUNCIL

Frank Auman, Mayor

**Honey Van De Kreke**

District 1, Post 1

**Bill Rosenfeld**

District 1, Post 2

**Matt Robbins**

District 2, Post 1

**Noelle Monferdini**

District 2, Post 2

**Michelle Penkava**

District 3, Post 1

**Anne Lerner**

District 3, Post 2

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**October 10, 2016**

**CITY COUNCIL AGENDA**  
**Tucker-Reid H. Cofer Library**  
**5234 Lavista Rd**  
**Tucker GA 30084**

**6:30 PM**

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**A) CALL TO ORDER**

**B) ROLL CALL**

**C) PLEDGE OF ALLEGIANCE** – led by Girl Scouts Troop 12721

**D) PUBLIC COMMENTS**

**E) MAYOR'S OPENING REMARKS**

**F) MINUTES**

1. Special Called Council Meeting Minutes – September 12, 2016
2. Council Meeting Minutes – September 12, 2016

**G) APPROVAL OF MEETING AGENDA**

**H) PRESENTATIONS AND REPORTS**

1. Presentation Stone Mountain CID
2. Presentation Tucker Historical Preservation
3. Recognition New Businesses

**I) OLD BUSINESS**

1. **O2016-09-32** John McHenry **Second Read** and Consideration to adopt the Noise Ordinance

2. **O2016-09-33**  
Tami Hanlin                      **Second Read** and Consideration to amend the purchasing policy

**J) NEW BUSINESS**

1. **R2016-10-22**  
John McHenry                      A Resolution to appoint members of the Zoning Board of Appeals for the City of Tucker, Georgia.
2. **O2016-10-34**  
Tami Hanlin                      **First Read** and Consideration of an Ordinance to establish a fiscal year for 2017.
3. **O2016-10-35**  
Tami Hanlin                      **First Read** and Consideration of an Ordinance to adopt the amended fiscal year 2016 budget.
4. **O2016-10-36**  
Tami Hanlin                      **Public Hearing & First Read** and Consideration of an Ordinance to adopt the fiscal year 2017 budget.
5. **Action Item**  
John McHenry                      Consideration to approve the 2017 Meeting Calendar
6. **Action Item**  
Brian Anderson                      Presentation of applications for annexation

**K) EXECUTIVE SESSION (If required)**

**L) MAYOR AND COUNCIL COMMENTS**

**M) ADJOURNMENT**

**Special Called Council  
Meeting Minutes  
September 12, 2016**



**CITY OF TUCKER  
SPECIAL CALLED COUNCIL MEETING MINUTES  
September 12, 2016 at 6:00 PM**

The Mayor and Council of the City of Tucker held a Special Called Council Meeting at Tucker-Reid H. Cofer Library, 5234 Lavista Rd, Tucker, GA 30084. The following were in attendance:

- |                      |  |
|----------------------|--|
| Mayor                | Frank Auman                                      |
| Council Member       | Honey Van De Kreke – District 1, Post 1 - Absent |
| Council Member       | Bill Rosenfeld – District 1, Post 2              |
| Council Member       | Matt Robbins – District 2, Post 1                |
| Council Member       | Noelle Monferdini – District 2, Post 2           |
| Council Member       | Michelle Penkava – District 3, Post 1            |
| Council Member       | Anne Lerner – District 3, Post 2                 |
| Interim City Manager | Tami Hanlin                                      |
| City Clerk           | Jennifer Davis                                   |
| City Attorney        | Brian Anderson                                   |

**CALL TO ORDER:** Mayor Frank Auman called the meeting to order at 6:00 pm.

**EXECUTIVE SESSION:**

**MOTION TO GO INTO EXECUTIVE SESSION.**

**By: Council Member Penkava**

**Seconded by: Council Member Rosenfeld**

**Vote: (6-0) (Penkava, Rosenfeld, Auman, Robbins, Monferdini, Lerner)**

**MOTION TO COME OUT OF EXECUTIVE SESSION.**

**By: Council Member Lerner**

**Seconded by: Council Member Rosenfeld**

**Vote: (6-0) (Lerner, Rosenfeld Auman, Robbins, Monferdini, Penkava)**

**ADJOURNMENT:** The City Council Meeting adjourned at approximately 6:26 pm.

Approved,

Attest:

\_\_\_\_\_  
Frank Auman, Mayor

\_\_\_\_\_  
Jennifer Davis, City Clerk

(Seal)

**COUNCIL MEETING  
MINUTES**

**September 12, 2016**



**CITY OF TUCKER  
COUNCIL MEETING MINUTES  
September 12, 2016 at 6:30 PM**

The Mayor and Council of the City of Tucker held a Council Meeting at Tucker-Reid H. Cofer Library, 5234 Lavista Rd, Tucker, GA 30084. The following were in attendance:

Mayor	Frank Auman
Council Member	Honey Van De Kreke – District 1, Post 1 - Absent
Council Member	Bill Rosenfeld – District 1, Post 2
Council Member	Matt Robbins – District 2, Post 1
Council Member	Noelle Monferdini – District 2, Post 2
Council Member	Michelle Penkava – District 3, Post 1
Council Member	Anne Lerner – District 3, Post 2
Interim City Manager	Tami Hanlin
City Clerk	Jennifer Davis
City Attorney	Brian Anderson

**CALL TO ORDER:** Mayor Frank Auman called the meeting to order at 6:30 pm.

**PLEDGE OF ALLEGIANCE:** Boy Scouts Troop 876 (Bryce Brechin and James Gibbs) led the Pledge of Allegiance.

**PUBLIC COMMENT:**

Ashaki Nantambu stated she is the captain of the neighborhood watch for her apartment community, the Park at East Ponce. She mentioned they had a community cleanup event this past weekend. Deborah Ross stated she would like there to be a community calendar posted on the website. Laurel Jackson stated the public hearing was canceled. She mentioned that there should be more opportunities for citizen input. Edward Patton is a candidate for Board of Commissioners District 7. He mentioned that he wants to make positive changes, bring economic development, and good schools into DeKalb County. Ernest Slaughter mentioned he is new to Tucker and he would like to get involved with the city. Ray Ganga mentioned the Job Fair for Veterans on November 3<sup>rd</sup> at Rehoboth Baptist Church. Nefi Castaneda stated he would like to bring disc golf course to Henderson Park. Jennifer Clark stated she the First Vice Regent of the Roswell King Chapter of the DAR. She stated she would like to be become more involved with the city.

**MAYOR'S OPENING REMARKS:**

Mayor Frank Auman mentioned the recent crime that happened in Tucker on Saturday. Mayor

introduced Assistant Chief Yarbro to provide more details on the case.

**MINUTES:**

**MOTION TO APPROVE THE SPECIAL CALLED MEETING MINUTES FROM THE SEPTEMBER 1, 2016 COUNCIL MEETING**

**By: Council Member Robbins**

**Seconded by: Council Member Penkava**

**Vote: (6-0) (Robbins, Penkava, Auman, Rosenfeld, Monferdini, Lerner)**

**MOTION TO APPROVE THE SPECIAL CALLED MEETING MINUTES FROM THE SEPTEMBER 6, 2016 COUNCIL MEETING**

**By: Council Member Lerner**

**Seconded by: Council Member Robbins**

**Vote: (6-0) (Lerner, Robbins, Auman, Rosenfeld, Monferdini, Penkava)**

**APPROVAL OF THE MEETING AGENDA:**

**MOTION TO APPROVE THE COUNCIL MEETING AGENDA**

**By: Council Member Penkava**

**Seconded by: Council Member Monferdini**

**Vote: (6-0) (Penkava, Monferdini, Auman, Rosenfeld, Robbins, Lerner)**

**PRESENTATION AND REPORTS:**

1. Proclamation 16-01 – Constitution Week September 17<sup>th</sup> – 23<sup>rd</sup>

Mayor Frank Auman presented a proclamation declaring September 17<sup>th</sup> – September 23<sup>rd</sup> as Constitution Week.

2. Proclamation 16-01 – Sonja Szubski

Mayor Frank Auman presented a proclamation to Sonja Szubski recognizing her volunteer efforts for the City Hall open house.

3. Recognition – New Businesses

Mayor Frank Auman mentioned the city has received 52 new business license applications including Carter Fiber, Pollo Tropical, and Zaxby's, just to name a few.

**OLD BUSINESS:**

**O2016-08-26**

**Second Read** and Consideration of an Ordinance to Amend Chapter 16 – Licenses, Permits, and Business Regulations.

**MOTION TO ADOPT O2016-08-26**

**By: Council Member Robbins**  
**Seconded by: Council Member Rosenfeld**  
**Vote: (6-0) (Robbins, Rosenfeld, Auman, Monferdini, Penkava, Lerner)**

**O2016-08-27**

**Second Read** and Consideration of an Ordinance granting franchise to Walton EMC.

**MOTION TO ADOPT O2016-08-27**

**By: Council Member Penkava**  
**Seconded by: Council Member Lerner**  
**Vote: (6-0) (Penkava, Lerner, Auman, Rosenfeld, Robbins, Monferdini)**

**O2016-08-28**

**Second Read** and Consideration of an Ordinance granting franchise to Comcast.

**MOTION TO ADOPT O2016-08-28**

**By: Council Member Penkava**  
**Seconded by: Council Member Monferdini**  
**Vote: (6-0) (Penkava, Monferdini, Auman, Rosenfeld, Robbins, Lerner)**

**O2016-09-30**

**Second Read** and Consideration of an Ordinance to Amend Chapter 4 – Alcoholic Beverages to address transition issues.

**MOTION TO ADOPT O2016-09-30**

**By: Council Member Monferdini**  
**Seconded by: Council Member Rosenfeld**  
**Vote: (6-0) (Monferdini, Rosenfeld, Auman, Robbins, Penkava, Lerner)**

**O2016-09-31**

**Public Hearing & Second Read** of Ordinance to approve a **Special Land Use Permit (SLUP16-001)** for a cultural facility in an existing 4,752 square foot building zoned C-1 at 4315 Cowan Road, Parcel 18-214-04-060, for Eritrean Community Center.

John McHenry, Community Development Director, gave a brief overview of the application and proposed conditions for the Special Land Use Permit. Mayor Frank Auman opened the public hearing to anyone wanting to speak in favor or opposition. Benjamin Kweskin, Ernest Slaughter, and Marsha Ashby spoke in favor. Ernest Slaughter and Sharon Curtis spoke in opposition. Public comment closed. The applicant gave a brief overview and answered questions about the application.

**MOTION TO ADOPT O2016-09-31**

**By: Council Member Robbins**  
**Seconded by: Council Member Penkava**

**MOTION TO AMEND: HOURS OF OPERATIONS ARE LIMITED TO 10:00 AM TO 11:00 PM SUNDAY THROUGH THURSDAY AND 10:00 AM TO 12:00 AM FRIDAY AND SATURDAY.**

**By: Council Member Penkava**

**Seconded by: Council Member Rosenfeld**

**Vote: (5-1) (Penkava, Rosenfeld, Auman, Monferdini, Lerner)**

**(Robbins opposed)**

**MOTION TO ADOPT O2016-09-31 AS AMENDED**

**By: Council Member Robbins**

**Seconded by: Council Member Penkava**

**Vote: (6-0) (Robbins, Penkava, Auman, Rosenfeld, Monferdini, Lerner)**

**NEW BUSINESS:**

**Action Item**

Consideration of approval for IGA with DeKalb County for Sanitation Services.

**MOTION TO APPROVE IGA WITH DEKALB COUNTY FOR SANITATION SERVICES**

**By: Council Member Monferdini**

**Seconded by: Council Member Robbins**

**Vote: (6-0) (Monferdini, Robbins, Auman, Rosenfeld, Penkava Lerner)**

**O2016-09-32**

**First Read** and Consideration to adopt the Noise Ordinance.

**O2016-09-33**

**First Read** and Consideration to amend the purchasing policy.

**Action Item**

Consideration of approval for Master Agreement with Tucker-Northlake CID.

Council Member Rosenfeld recused himself from this item.

**MOTION TO APPROVE MASTER AGREEMENT WITH TUCKER-NORTHLAKE CID**

**By: Council Member Robbins**

**Seconded by: Council Member Lerner**

**Vote: (5-0) (Robbins, Lerner, Auman, Monferdini, Penkava)**

**Action Item**

Consideration of approval of the lease for meeting space.

**MOTION TO APPROVE THE LEASE FOR MEETING SPACE AS PRESENTED BY BILL ROSENFELD AT THIS MEETING**

**By: Council Member Penkava**

**Seconded by: Council Member Robbins**

**Vote: (5-1) (Penkava, Robbins, Auman, Rosenfeld, Lerner)  
(Monferdini opposed)**

**Action Item**

Consideration of approval to expand CH2M contract to include additional staff.

**MOTION TO APPROVE CH2M CONTRACT TO INCLUDE ADDITIONAL STAFF**

**By: Council Member Lerner**

**Seconded by: Council Member Penkava**

**Vote: (6-0) (Lerner, Penkava, Auman, Rosenfeld, Robbins, Monferdini)**

**Action Item**

Consideration of awarding the Comprehensive Plan contract.

**MOTION TO AWARD THE COMPREHENSIVE PLAN CONTRACT TO THE  
COLLABORATIVE**

**By: Council Member Rosenfeld**

**Seconded by: Council Member Robbins**

**Vote: (6-0) (Rosenfeld, Robbins, Auman, Monferdini, Penkava, Lerner)**

**Action Item**

Presentation of applications for annexation.

No applications were presented for annexation.

**EXECUTIVE SESSION:** None

**MAYOR AND COUNCIL COMMENTS:**

Council Member Matt Robbins thanked everyone for coming. He mentioned Tucker Lifelong Community Committee is meeting tomorrow, Second Samuel is at the Tucker theater starting October 7<sup>th</sup> through 16<sup>th</sup>, and Rivers Alive is on October 15<sup>th</sup>.

Council Member Michelle Penkava thanked everyone and staff. She expressed her excitement for the first approved zoning case.

Council Member Bill Rosenfeld thanked everyone for coming and staff.

Council Member Noelle Monferdini thanked everyone for coming and volunteer groups. She mentioned she is proud of the council for coming together and for staff's hard work. She expressed her excitement for The Collaborative being chosen to complete the Comprehensive Plan.

Council Member Anne Lerner expressed her excitement for neighborhood watch groups and different volunteer groups that come to the meetings. She expressed her excitement for the first approved zoning case.

Mayor Frank Auman mentioned there will be many opportunities for public involvement with the Comprehensive Plan.

**ADJOURNMENT**: The City Council Meeting adjourned at approximately 8:30 pm.

Approved,

Attest:

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Frank Auman, Mayor

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Jennifer Davis, City Clerk

(Seal)

**02016-09-32**

NOISE ORDINANCE

AN ORDINANCE TO PREVENT AUDIBLE SOUNDS FROM DISTURBING THE CITY'S  
RESIDENTS AND BUSINESSES; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Council seek to prevent plainly audible sound from disturbing the City's residents in their homes during typical sleeping hours, as such sound jeopardizes the public health, welfare, and safety of the city's residents and degrades the quality of life in the City.

WHEREAS, the Mayor and Council seek to regulate disruptive sounds within a commercial area, industrial area, or a mixed-use development disturbing the businesses as such sound jeopardizes the public health, welfare, and safety within the city and degrades the quality of life in the City

WHEREAS the Mayor and City Council desire to facilitate the creation of a convenient, attractive and harmonious community.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF TUCKER HEREBY ENACTS AND ORDAINS** that Chapter \_\_\_\_ NOISE, as attached hereto, is hereby adopted and approved as part of the Code of Ordinances for the City of Tucker, Georgia effective on \_\_\_\_ day of \_\_\_\_\_, 2016.

SO ORDAINED this \_\_\_\_ day of \_\_\_\_\_, 2016.

Approved:

\_\_\_\_\_  
Frank Auman, MAYOR

Attest:

\_\_\_\_\_  
Jennifer Davis, City Clerk (Seal)

ARTICLE ~~VII~~ \_\_\_\_ . - NOISE ORDINANCE

Sec. ~~16~~ \_\_-301. - Purpose.

- (a) ~~DeKalb County~~The City of Tucker seeks to prevent plainly audible sound from disturbing the ~~county's~~city's residents in their homes during typical sleeping hours, as such sound jeopardizes the public health, welfare, and safety of the ~~county's-city's~~ residents and degrades the quality of life in the ~~city~~county. ~~This article applies to the unincorporated areas of the county.~~
- (b) This article applies to any sound projected, emitted or transmitted between 11:00 p.m. and 7:00 a.m., such that the sound is plainly audible anywhere within the interior of a single-family detached sealed dwelling in a residential area. This article further applies to any sound projected, emitted or transmitted between 11:00 p.m. and 7:00 a.m., such that the sound is plainly audible in a common area of a multifamily dwelling in a residential area.
- (c) Most sound within a commercial area, industrial area, or a mixed-use development shall be regulated in division 2 of this article.

~~(Ord. No. 10-20, Pt. I, 11-16-10)~~

Sec. ~~16~~ \_\_-302. - Definitions.

For purposes of this article, certain phrases and words are defined below. Words or phrases not defined in this article, but defined in applicable state law or the Code of ~~DeKalb County~~the City of Tucker, Georgia, shall be given that meaning. All other words or phrases shall be given their common ordinary meaning unless the context requires otherwise. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them below except where the text clearly indicates a different meaning:

*"A" weighted sound level* means the sound level reported in units of dB(A) approximating the response of human hearing when measuring sounds of low to moderate intensity as measured using the "A" weighting network with a sound level meter meeting the standards set forth in ANSI S1.4-1983 or its successors.

*ANSI* means the American National Standards Institute.

*"C" weighted sound level* means the sound level reported in units of dB(C) as measured using the "C" weighting network with a sound level meter meeting the standards set forth in ANSI S1.4-1983 or its successors.

*Commercial area* means any parcel of land which is zoned for any commercial use, including regional commercial centers, neighborhood and community-oriented stores, shopping centers and other developed centers where commercial land uses predominate. Such area includes property zoned O-I, O-I-T, C-2, O-D, NS, C-1 and any property zoned OCR, excluding property used for residential use.

*Common area* means any portion of residential property that is either commonly used or owned by its residents, is intended for the common enjoyment of its residents, or is accessible to residents of more than one (1) dwelling located on the property and includes, but is not limited to, closed and open hallways, stairwells, stairways, elevators, lobbies, parking lots, parking garages, indoor and outdoor recreational areas within the development, laundry rooms, mailbox areas, yards, and open space that is the central organizing feature of a development.

*Decibel (dB)* means the unit for the measurement of sound pressure based upon a reference pressure of twenty (20) micropascals (zero (0) decibels), i.e., the average threshold of hearing for a person with very good hearing.

*Dwelling* means one (1) or more rooms, designed, occupied or intended for occupancy as separate living quarters for humans.

*Industrial area* means any parcel of land which is zoned for industrial use, including property used for light and heavy distribution, warehouses, assembly, manufacturing, quarrying, truck terminals and landfills. Such area includes property zoned M-1 and M-2 and includes any commercial land uses allowed in M-2.

*Mixed-use development* means a development which incorporates a variety of two (2) or more different land uses, buildings or structures that include both primary residential uses and primary nonresidential uses as part of the same development. Such uses may include, but not be limited to, residential, office, commercial, institutional, recreational, or public open space in a compact urban setting that encourages pedestrian-oriented development that can result in measurable reductions in traffic impacts. Such a development would have interconnecting pedestrian and vehicular access and circulation.

*Multifamily dwelling* means a building designed for and containing more than one (1) dwelling, and shall include single-family attached dwellings, multifamily dwelling units, apartments, duplexes, triplexes, condominiums and attached townhomes.

*Plainly audible* means any sound which can be heard or detected by the unaided and unimpaired human ear. Words and phrases need not be discernable in order for them to be considered plainly audible.

*Residential area* means any parcel of land which is zoned for any residential use, including single-family detached or attached dwellings, multifamily dwellings, or mobile home parks. Such area includes any property zoned O-1 or OCR which is used for multifamily dwellings, and any property zoned C-1 which is used for multifamily dwellings.

*Sealed dwelling* means any dwelling that has all of its windows and doors closed.

*Single-family detached dwelling* means a dwelling on an individual lot unattached to another dwelling.

*Sound* means any oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces that causes compression and rarefaction of that medium. The description of sound may include any characteristic of such sound, including duration, intensity and frequency. Bass reverberations constitute sound. Sound includes, but is not limited to:

- (1) Mechanical sound-making devices such as radios, stereos, boom boxes, televisions, musical instruments, horns, whistles, bells, chimes or carillons, phonographs, sound amplifiers or other machines or devices for the producing, reproducing or amplifying of sound;
- (2) Human-produced sounds such as yelling, shouting, hooting, whistling, singing, speaking or arguing;
- (3) Commercial advertising sounds;
- (4) Party noise;
- (5) Sound coming from motorized landscape maintenance devices such as lawn mowers, weed-whackers, leaf blowers, and chain saws;
- (6) Animal vocalizations from pets or nondomesticated animals;
- (7) Testing of burglar, fire or car alarms; and
- (8) Sound coming from construction and demolition activities such as hammering, nailing, drilling, sawing, and paving.

*Sound level meter* means an instrument that conforms to ANSI S1.4-1983 or its successors.

~~(Ord. No. 10-20, Pt. I, 11-16-10)~~

## DIVISION 1. - NOISE IN RESIDENTIAL AREAS

Sec. ~~16~~\_\_\_-303. - Sound between the hours of 11:00 p.m. and 7:00 a.m.

- (a) *Single-family detached dwellings.* It is unlawful for any person, between the hours of 11:00 p.m. and 7:00 a.m., to make, cause, or allow any sound from a source within his ownership or control that projects, emits or transmits into any single-family detached dwelling in a residential area owned or occupied by another, such that the sound is plainly audible anywhere within the interior of a sealed dwelling.
- (b) *Multifamily dwellings.* It is unlawful for any person, between the hours of 11:00 p.m. and 7:00 a.m., to make, cause, or allow any plainly audible sound from a source within his ownership or control that projects, emits or transmits within the common area of a multifamily dwelling in a residential area.
- (c) *Exclusions.* The prohibitions of this section shall not apply to the following sounds:
  - (1) Sound by public safety vehicles, emergency signaling devices, or authorized public safety personnel for the purpose of alerting persons to the existence of an emergency;
  - (2) Sound from an exterior burglar or fire alarm of any building, provided such burglar or fire alarm shall terminate its operation within five (5) minutes of its activation if the sound is uninterrupted, or ten (10) minutes, if intermittent, but the testing of burglar and fire alarms shall not be allowed between the hours of 8:00 p.m. and 7:00 a.m.;
  - (3) Sound from any automobile alarm, provided such alarm shall terminate its operation within five (5) minutes of its activation if the sound is uninterrupted, or ten (10) minutes, if the sound is intermittent;
  - (4) The generation of sound in situations within the jurisdiction of the federal Occupational Safety and Health Administration;
  - (5) National Warning System (NAWAS) sounds used to warn the community of attack or imminent public danger such as flooding, explosion or hurricane;
  - (6) Sound of aircraft operations, where federal regulations preempt the local regulation of such specific operations;
  - (7) Protests, marches, parades, or an event sanctioned by the federal, state or county government(s);
  - (8) Surface carriers engaged in commerce by railroad;
  - (9) Any other activity solely controlled and within the jurisdiction of federal or state law;
  - (10) Sound projected, emitted or transmitted from motor vehicles, as such sound is regulated by O.C.G.A. § 40-6-14(a);
  - (11) An emergency which is a serious urgent situation or occurrence that happens unexpectedly and requires immediate attention;
  - (12) Sound from agricultural activities;
  - (13) Sound from the travel of properly muffled motor vehicles on a public right-of-way;
  - (14) Sound from residential air conditioner units;
  - (15) Sound from swimming pool filtering systems; and
  - (16) Sound resulting from activities for which a special administrative permit has been issued pursuant to the terms of this article.

~~(Ord. No. 10-20, Pt. I, 11-16-10)~~

Sec. ~~16~~\_\_\_-304. - Animal vocalizations, construction and landscaping activities, and the testing of burglar and fire alarms.

- (a) *[Residential areas.]* Instead of the limitations set forth in section ~~46~~\_\_-303, the sound limitations set forth in this section ~~46~~\_\_-304 apply to the following activities in all residential areas.
- (b) *Animal vocalizations.* Animal vocalizations in a residential area during the hours from 7:01 a.m. until 10:59 p.m. shall be regulated as follows. Pets and nondomesticated animals may not make any vocalizations for more than fifteen (15) minutes without interruption or more than thirty (30) minutes if intermittent. The limitations in subsections 16-303(a) and (b) apply to animal vocalizations between 11:00 p.m. and 7:00 a.m. The limitations in this subsection and in section 16-303 do not apply if the vocalizations are given as a warning to the presence of an intruder.
- (c) *Landscaping.* Power tools used for landscaping or yard maintenance shall only be operated between the hours of 7:01 a.m. and 9:00 p.m. on weekdays, or between the hours of 9:01 a.m. and 9:00 p.m. on weekends. Power tools used for landscaping or yard maintenance shall not be operated between the hours of 9:01 p.m. and 7:00 a.m. on weekdays, or between the hours of 9:01 p.m. and 9:00 a.m. on weekends. All motorized equipment used in these activities shall be operated with a muffler.
- (d) *Construction and demolition activity.* Construction and demolition activity or deliveries shall only be performed between the hours of 7:00 a.m. and 7:00 p.m. on weekdays, or between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays. There shall be no construction or demolition activity or deliveries on Sundays or New Year's Day, Thanksgiving Day, Christmas Day, Memorial Day, July 4, or Labor Day unless such activity arises from an emergency which puts the site or neighboring property owners and their property at risk of harm or loss.
- (e) *Testing burglar and fire alarms.* The testing of burglar or fire alarms shall not exceed five (5) minutes in duration, and shall not occur between the hours of 8:00 p.m. and 7:00 a.m. Fire drills may be conducted outside of these hours no more than once a month, and with prior notification to all properties within two hundred fifty (250) feet of the property line where the testing will take place.

~~(Ord. No. 10-20, Pt. I, 11-16-10)~~

DIVISION 2. - NOISE IN COMMERCIAL AND INDUSTRIAL AREAS AND IN MIXED-USE DEVELOPMENTS.

Sec. ~~16~~\_\_-305. - Maximum permissible sound levels and sound during certain hours.

- (a) This division applies to all sound emitting from property in all commercial and industrial areas and all mixed-use developments within the unincorporated limits of the county.
- (b) No person shall cause, suffer, allow, or permit the operation of any source of sound on any property within commercial areas, industrial areas, mixed-use developments that exceeds seventy (70) dB(A) in commercial areas; eighty (80) dB(A) in industrial areas; and seventy (70) dB(A) or seventy-three (73) dB(C) in mixed-use developments from the hours of 7:01 a.m. until 10:59 p.m. or sixty (60) dB(A) or sixty-three (63) dB(C) from the hours of 11:00 p.m. until 7:00 a.m. Sound shall be measured at any location at or within the property line of the affected property, and sound levels in excess of those established in this section shall constitute prima facie evidence that such sound is in violation of this article.
- (c) It is unlawful for any person between the hours of 11:00 p.m. and 7:00 a.m. to make, cause or allow any sound from a source within his ownership or control that projects, emits or transmits from a commercial area, industrial area, or a mixed-use development if such sound is plainly audible within the interior of a single-family detached sealed dwelling in a residential area or in a common area of a multifamily dwelling in a residential area.
- (d) The exclusions listed in subsection ~~46~~\_\_-303(c) apply as exclusions in all commercial and industrial areas and all mixed-use developments as if fully set forth in this section.

~~(Ord. No. 10-20, Pt. I, 11-16-10)~~

Sec. ~~16~~\_\_-306. - Animal vocalizations, construction and landscaping activities, and the testing of burglar and fire alarms.

- (a) *[Time limitations.]* Instead of the limitations set forth in section ~~46~~\_\_-305, the time limitations set forth in this section ~~46~~\_\_-306 apply as specified in this section.
- (b) *Animal vocalizations in commercial and industrial areas and mixed-use developments.* Animal vocalizations in commercial and industrial areas and in mixed-use developments during the hours from 7:01 a.m. until 10:59 p.m. shall be regulated as follows. Pets and nondomesticated animals may not make any vocalizations for more than fifteen (15) minutes without interruption, or more than thirty (30) minutes, if intermittent. The limitations in subsection ~~46~~\_\_-303(a) and (b) apply to animal vocalizations between 11:00 p.m. and 7:00 a.m. The limitations in this subsection and in section ~~46~~\_\_-303 do not apply if the vocalizations are given as a warning to the presence of an intruder.
- (c) *Landscaping in mixed-use developments.* Power tools used for landscaping or yard maintenance shall only be operated between the hours of 7:01 a.m. and 9:00 p.m. on weekdays, or between the hours of 9:01 a.m. and 9:00 p.m. on weekends in a mixed-use development. Power tools used for landscaping or yard maintenance shall not be operated between the hours of 9:01 p.m. and 7:00 a.m. on weekdays, or between the hours of 9:01 p.m. and 9:00 a.m. on weekends. All motorized equipment used in these activities shall be operated with a muffler.
- (d) *Construction and demolition activity in mixed-use developments.* Construction and demolition activity or deliveries shall only be performed between the hours of 7:00 a.m. and 7:00 p.m. on weekdays, or between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays in mixed-use developments. There shall be no construction or demolition activity or deliveries on Sundays, New Year's Day, Thanksgiving Day, Christmas Day, Memorial Day, July 4, or Labor Day in mixed-use developments unless such activity arises from an emergency which puts the site or neighboring property owners and their property at risk of harm or loss.
- (e) *Testing burglar and fire alarms in a mixed-use development.* The testing of burglar or fire alarms in a mixed-use development shall not exceed five (5) minutes in duration, and shall not occur between the hours of 8:00 p.m. and 7:00 a.m. Fire drills may be conducted outside of these hours no more than once a month, and with prior notification to all properties within two hundred fifty (250) feet of the property line where the testing will take place.

~~(Ord. No. 10-20, Pt. I, 11-16-10)~~

### DIVISION 3. - SOUND CONTROL OFFICERS, MEASUREMENT OF SOUND, ADMINISTRATION, VIOLATIONS AND PENALTIES.

Sec. ~~16~~\_\_-307. - Sound control officers.

Where the provisions of this article require the measurement of sound with the use of a sound level meter, sound control officers shall make such measurement. A person shall be qualified to be a sound control officer if the person meets the criteria set forth by the sound control administrator and completes, at a frequency specified by the sound control administrator, a sound certification and recertification course which has been approved by the administrator.

~~(Ord. No. 10-20, Pt. I, 11-16-10)~~

Sec. ~~16~~\_\_-308. - Procedures for the determination of sound levels.

- (a) Insofar as practicable, sound will be measured while the source under investigation is operating at normal, routine conditions and, as necessary, at other conditions, including but not limited to, design, maximum and fluctuating rates. All sound measurements shall be made at or within the property line of the affected property, unless otherwise directed in this article. When instrumentation cannot be placed at or within the property line, the measurement shall be made as close thereto as is reasonable. For the purposes of this ordinance, sound measurements are measured on the A- or C-weighted sound scale, as applicable, of a sound level meter of standard design and quality having characteristics established by ANSI.
- (b) The sound level meter and calibrator must be recertified annually at a laboratory approved by the sound control administrator. A field check of meter calibration and batteries must be conducted before and after every set of measurements, and at least every hour as necessary.
- (c) Total and neighborhood residual sound level measurements shall be taken in accordance with procedures established and approved by the sound control administrator. Calculation of sound levels shall conform with accepted practice established by ANSI.

~~(Ord. No. 10-20, Pt. I, 11-16-10)~~

Sec. ~~16~~\_\_-309. - Sound control administrator, special administrative permits.

- (a) *Sound control administrator.* The ~~police chief~~Community Development Director or his/her designee shall be designated as the sound control administrator and he or she shall have the power to:
  - (1) Coordinate the sound control activities of all departments in ~~DeKalb County~~the City of Tucker and cooperate with all other public bodies and agencies, including the DeKalb County Police Chief, to the extent practicable;
  - (2) Review, consider, grant, deny and revoke special administrative permits, pursuant to the procedures and standards contained in this article;
  - (3) Determine if the exclusions listed in this article apply to a particular set of circumstances;
  - (4) Promulgate application forms in conformity with the requirements of this article and recommend application fees to be set by official action of the governing authority;
  - (5) Provide testimony, evidence, and documents in the prosecution of violations of this article;
  - (6) Issue warnings to alleged violators of this article prior to or in lieu of citations;
  - (7) Promulgate rules and procedures to enforce this article and to govern the issuance and revocation of special administrative permits; and
  - (8) Provide clarification, interpretation, and implementation of the provisions of this article.
- (b) *Initiation of applications; special administrative permits.* Any person requesting temporary relief or a stay from the enforcement of this article shall apply for a special administrative permit for a period of time not to exceed a total of fifteen (15) days within any one (1) year. The sound control administrator has discretion to consider and then grant or deny the special administrative permit, pursuant to the procedures and standards contained in this article, if strict enforcement of this article will result in unnecessary hardship to the applicant.
- (c) *Application forms; filing of applications; application fees.* Applications for special administrative permits shall be filed on forms promulgated by the sound control administrator and shall not be considered authorized or accepted unless complete in all respects. By official action, the governing authority shall establish application fees for special administrative permits and the fee schedule shall be maintained by the city clerk ~~to the chief executive officer and the board of commissioners~~.
- (d) *Application forms; criteria.* Applications for special administrative permits shall be considered complete when the applications include all of the following information:

- (1) The nature and location of the sound source for which such application is made;
  - (2) The reason for which the permit is requested, including the unnecessary hardship that will result to the applicant, his/her client, or the public, if the permit is not granted;
  - (3) An explanation of how the permit, if granted, will not exceed the minimum necessary to afford relief to the applicant, and does not constitute a special privilege inconsistent with sound or time limitations imposed on other similarly situated persons;
  - (4) The times, nature and intensity of sound that will occur during the period of the permit;
  - (5) A description of the sound control measures to be taken by the applicant to minimize the sound and the impact therefrom; and
  - (6) The name, address, and means of contacting a responsible party during the hours of operation for which the permit is issued.
- (e) *Issuance of special administrative permits; required enumerated conditions.* The sound control administrator shall grant or deny the special administrative permit within thirty (30) days of receipt of a complete application. If the sound control administrator does not grant or deny the permit within thirty (30) days, the permit shall stand denied. Upon issuance of a special administrative permit, the sound control administrator shall enumerate the conditions of the permit including, but not limited to, specific dates and times for which the permit is valid, not to exceed a total of fifteen (15) days within any one (1) year.
- (f) *Revocation.* A special administrative permit may be revoked by the sound control administrator, and the issuance of future special administrative permits withheld, if there is a:
- (1) Violation of one (1) or more conditions of the permit;
  - (2) Material misrepresentation of fact in the permit application; or
  - (3) Material change in any of the circumstances relied upon by the sound control administrator in granting the permit.
- (g) *Appeals.* Appeals of any special administrative permit decision made by the sound control administrator or his/her designee shall be to the ~~executive assistant or his/her designee~~ mayor and city council. ~~The executive assistant shall have the authority to promulgate procedural rules to govern the appeal, and the decision of the executive assistant shall be final.~~

~~(Ord. No. 10-20, Pt. I, 11-16-10)~~

Sec. ~~16~~\_\_-310. - Violations and penalties.

- (a) The provisions of this article may be enforced by police officers, code enforcement officers, and/or the sound control administrator.
- (b) Any person that does anything prohibited or fails to do anything required by this article, upon citation by a police officer, a code enforcement officer, or the sound control administrator and conviction of the violation in a court of competent jurisdiction, shall be subject to fine and/or imprisonment in accordance with section 1-10, with the following minimum penalties.
  - (1) Upon a first conviction of any violation of this article, the court shall impose a fine of not less than two hundred dollars (\$200.00) in addition to any other penalty or punishment imposed by the court.
  - (2) Upon a second conviction of a violation of this article within twelve (12) months measured from the date of the first conviction, the court shall impose a fine of not less than five hundred dollars (\$500.00) in addition to any other penalty or punishment imposed by the court.

- (3) Upon a third conviction of a violation of this article within twenty-four (24) months measured from the date of the first conviction, the court shall impose a fine of not less than one thousand dollars (\$1,000.00) in addition to any other penalty or punishment imposed by the court.

~~(Ord. No. 10-20, Pt. I, 11-16-10)~~

**02016-09-33**

AN ORDINANCE TO AMEND THE PURCHASING POLICY

WHEREAS, the City of Tucker is required by Section 5.06 of the City Charter to prescribe procedures for a system of centralized purchasing for the City; and

WHEREAS, the Mayor and City Council previously adopted a centralized purchasing for the City on August 8, 2016;

WHEREAS, the Mayor and City Council desire to amend the centralized purchasing for the City; and

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Tucker while at a regular/special called meeting on \_\_\_\_\_, 2016 that the attached centralized purchasing policy is hereby amended and effective upon its adoption;

**SO ORDAINED**, this the \_\_\_\_ day of \_\_\_\_\_, 2016.

Approved: \_\_\_\_\_  
Frank Auman, Mayor

Attest: \_\_\_\_\_  
Jennifer Davis, City Clerk (SEAL)

City of Tucker, GA

# Financial Management Policies Purchasing Policy

~~Approved on: 8/8/16 by Mayor and Council~~

## I. Purpose

### PURCHASING POLICY

The purpose of this policy is to state the City's position regarding the responsibility and authority for the acquisition and contracting for Goods, Services, Professional Services, Real Estate, Construction Services and Capital Assets. This document will clarify purchasing functions and outline purchasing policies, as well as describe departmental relationships, responsibilities and participation in the procurement cycle. This policy will provide control functions, assure proper record keeping and confirm purchases in writing to allow the City to meet the following goals:

- A. Maintain at all times and under all conditions a continuous supply of Goods and Services necessary for the operation of the City;
- B. Encourage and promote fair and equal opportunity for all persons doing, or seeking to do, business with the City;
- C. Safeguard the quality and integrity of the City's procurement process;
- D. Ensure compliance with laws and regulations pertaining to the procurement of Goods, Services, Professional Services, Real Estate, Construction Services and Capital Assets;
- E. Manage procurement and inventories of purchased Goods to meet the use requirements of City departments at the most advantageous cost to the City;
- F. Administer procurement contracts and contract amendments; and
- G. Properly dispose of all material and equipment declared to be surplus or obsolete.

The philosophy behind this policy is one of separating the need for Goods and Services from the function of negotiation and executing the necessary contractual purchase agreement.

The Purchasing Policy outlined herein shall be used in conjunction with the Procurement Card Procedure Manual.

## II. Scope

The scope of this purchasing policy covers the procurement of most Goods and Services for non-construction purposes. The policy covers all contractual and purchase agreements between the City and another Person. The procurement function includes the initial agreement/purchase, changes and/or re-negotiations. This policy establishes the specific responsibility and authority of the procurement of materials and services.

The provisions of this policy do not apply to procurements for the following:

- A. Public works construction contracts to the extent governed by O.C.G.A. §36-91-1 et seq.
- B. Services and construction whose procurement falls under a conflicting federal or Georgia statute;
- C. Land, artistic work, or other goods and services whose inherent nature is unique and cannot be competitively compared to other goods within its class, except as provided in section VIII. Real Estate Acquisition;
- D. Employee Benefits and health related services procured through a quotation and negotiating process conducted by an expert in the field, or to maintain continuity of employee-health records;
- E. Travel, entertainment, conferences, training, speakers, instructors, facilitators, and meeting expenses, or other expenditures covered by another City policy;
- F. Insurance procured through a negotiating process;
- G. Items or services procured for resale or to generate a revenue;
- H. Advertising;
- I. Subscriptions and dues established during the budget process;
- J. Utilities; and

K. Seized Property included in a court order authorizing disposal.

K.L. Public works contacts under \$100,000 for City of Tucker buildings and facilities.

III. Ethics in Procurement

(Tucker City Charter, Section 2.1.3, Prohibitions)

*“(a) No elected official, appointed officer, or employee of the city or any agency or political entity to which this charter applies shall knowingly:*

*(1) Engage in any business or transaction or have a financial or other personal interest, direct or indirect, which is in conflict with or which is within the scope of the proper discharge of official duties or which would tend to impair the independence of his or her judgment or action in the performance of official duties;*

*(2) Engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of official duties or would tend to impair the independence of his or her judgment or action in the performance of official duties;*

*(3) Disclose confidential information concerning the property, government, or affairs of the governmental body by which engaged without proper legal authorization or use such information to advance the financial or other private interest of himself or herself or others, except as required by law;*

*(4) Accept any valuable gift, whether in the form of service, loan, object, or promise, from any person, firm, or corporation which to his or her knowledge is interested, directly or indirectly, in any manner whatsoever, in business dealings with the governmental body by which he or she is engaged. As used in this paragraph, the term "valuable" means an amount determined by the city council; provided, however, that the amount shall not exceed \$150.00; or*

*(5) Vote or otherwise participate in the negotiation or in the making of any contract with any business or entity in which he or she or any member of his or her immediate family has a financial interest.*

*(b) Any elected official, appointed officer, or employee who has any private financial interest, directly or indirectly, in any contract or matter pending before or within any department of the city shall disclose such private interest to the city council. As used in this subsection, the term "private financial interest" includes the interest of a spouse, child, or significant other or domestic partner. The mayor or any councilmember who has a private interest in any matter pending before the city council shall disclose in writing such private interest, such disclosure shall be entered on the records of the city council, and he or she shall disqualify himself or herself from participating in any decision or vote relating thereto. Any elected official, appointed officer, or employee of any agency or political entity to which this charter applies who shall have any private financial interest, directly or indirectly, in any contract or matter pending before or within such entity shall disclose such private interest to the governing body of such agency or entity.*

*(c) No elected official, appointed officer, or employee of the city or any agency or entity to which this charter applies shall use property owned by such governmental entity for personal benefit, convenience, or profit, except in accordance with policies promulgated by the city council or the governing body of such agency or entity*

*(d) Any violation of this section which occurs with the knowledge, express or implied, of a party to a contract or sale shall render such contract or sale voidable at the option of the city council.*

*(e) Except as authorized by law, no member of the city council shall hold any other elective city office or be employed by any city or county government during the term for which elected.”*

#### **IV. Responsibility**

##### **A. Purchasing Agent**

The City Council appoints the City Manager, or such other Employee appointed by the City Manager, to serve as the Purchasing Agent for the City, or the City Council may contract with an independent third party to serve as the Purchasing Agent under the direction and control of the City Manager (City Charter, Section 3.04).

Where in the best interest of the City, the Purchasing Agent may require Bid/Proposal Bonds, insurance and other forms of protection for the City on the process of procuring Goods, Capital Assets, Services and Construction Services for the City.

##### **B. City Council**

The City Council shall approve final Contracts and Amendments valued more than \$2530,000 and execute and bind the City to such agreements. Contracts valued at less than \$2530,000 may be approved, executed and delivered by the City Manager or designee of the City Manager with a ~~e~~ copy of said contract to be delivered to the City Council by the City Clerk via email. [Except for intra-department budget transfers](#), ~~No~~ contract shall be approved unless the funds have been appropriated in the budget of the City or otherwise by the City Council.

#### **V. Competitive Procurements**

**Verbal Quotes:** Requisitions for items under \$10,000 require at least three (3) verbal quotes. The vendor name and quote must be written on the requisition, which is used to generate the purchase order.

**Written Quotes:** Purchasing will receive at least three (3) written quotes on items requisitioned that are valued over \$10,000 to \$50,000. These requests will always be made in writing. The request for quotes can be made in writing; the Purchasing Agent will determine this.

**Formal Sealed Bids:** The Purchasing Office will request sealed bids on items or projects requisitioned which are not professional services, that meet the following criteria:

- The items or projects are valued over \$50,000.
- Clear and adequate specifications are available.
- Two or more responsible offerors are willing to participate in the process.

These requests are always made in writing. The vendor list is made up of companies from the bid list and recommendations from the department. The Bid List is a current file of requests from companies for this purpose. Sealed bids will be publicly advertised for a minimum of two (2) consecutive weeks in the City's legal organ.

Public Works Projects over \$100,000 are required by Georgia State Law to have Payment Bonds and Performance Bonds for 100% of the contract amount. When these bids are requested the standard City documents with this information will be used. The City will also require that a 5% Bid Bond be submitted with the bid. These projects will be advertised in the legal organ for the City.

A split or partial quotation may be awarded, if a request is for multiple Goods or Services, more than one Vendor provides a quotation that meets the specifications for the items, and a price comparison can be made between the items quoted.

### Invitation for Bids

Invitation for Bids (IFB) are prepared and issued to prospective Bidders, with the goal of obtaining competitive responses for in the procurement of Goods, Capital Assets, Services and Construction Services.

Public notice (such as publication in a newspaper of general circulation or posting on the Purchasing Agent's Internet Web page) of the IFB must be given a minimum of fourteen (14) calendar days prior to the date set for bid opening, unless it can be demonstrated that an Emergency requirement for Goods Capital Assets, Services or Construction Services exists, in which instance, the requirement for public notice may be reduced by the Purchasing Agent.

Bids shall be opened publicly in the presence of the Purchasing Agent or the designee of the Purchasing Agent and at least one other witness at the time and place designated in the Invitation for Bids. All relevant information, including each Bid amount and Bidder's name, will be recorded on a summary sheet.

Split or partial bid awards may be awarded with the same guidelines and restrictions as those provided for split or partial quotation awards.

Correction or withdrawal of inadvertently erroneous bids is permitted in accordance to the terms indicated within the IFB; however, minor irregularities may be waived by the City. No bid may be withdrawn for a period of ninety (90) days after the time scheduled for bid opening, or as otherwise stated in the IFB.

Late bids will be rejected and returned unopened.

Bids will be evaluated based on the qualification factors set forth in the IFB, which may include criteria to determine acceptability of Goods or Capital Assets (for example, inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose). Criteria for the acceptability of Goods or Capital Assets shall be used to determine whether particular Goods are responsive to the IFB, and not to determine the relative desirability between acceptable Goods or Capital Assets. The City reserves the right to waive any informalities or irregularities of bids, to request clarification of information submitted in any bid, to further negotiate with the Responsive and Responsible Bidder selected for Contract award, or to reject any or all bids for any reason whatsoever.

If no Responsive and Responsible Bids are received or all bids are rejected, the City may procure such Goods and Services by direct negotiation as indicated below in Non-Competitive Procurement of Goods and Services.

The Bid will be awarded, if an award is made, to the Responsible and Responsive Bidder offering the lowest price whose bid meets the requirements and criteria set forth in the Invitation for Bid. The Bid may require a Contract.

### Request for Proposals (RFP)

When the Purchasing Agent determines the use of an Invitation for Bids is not practical or not advantageous because of existing market conditions or the type of items required, the City may procure Goods, Capital Assets, Services, or Construction Services through receipt of competitive sealed proposals. Competitive sealed proposals are solicited through the use of an RFP, with the goal of obtaining competitive responses.

Public notice of the RFP shall be given in the same manner as the procurement described in section VII, sub-section A of this policy.

Proposals shall be opened publicly by the Purchasing Agent, in the presence of one or more witnesses at the time and place designated in the RFP. A register of proposals is prepared that lists each Proposer's name. Interested persons shall have access to information regarding procurement transactions of the City in accordance with City policy and the Georgia Open Records Act, O.C.G.A. §50-18-70 et seq.

Correction or withdrawal of proposals is permitted in accordance with instructions contained within the RFP. No proposal may be withdrawn for a period of ninety (90) days after the time scheduled for proposal opening, or as otherwise stated in the RFP.

Late proposals will be rejected and returned unopened.

The RFP will identify the criteria to be considered and evaluated as the basis of award.

Proposals submitted by Responsible and Responsive Proposers are evaluated by Purchasing Agent or the designee of the Purchasing Agent based upon the criteria applicable to the RFP. All proposals (or the most acceptable proposals in the discretion of any committee evaluating proposals) will be ranked in order of their acceptability to the City, giving consideration to the criteria. The City has no obligation to award the Contract to the Proposer who proposes the lowest price.

The City reserves the right to waive any informalities or irregularities of proposals, to request clarification of information submitted in any proposal, to further negotiate with a Responsive and Responsible Proposer who has been selected for Contract award, or to reject any or all proposals for any reason whatsoever.

The Contract award will be awarded, if award is made, by the City to the Responsive and Responsible Proposer whose proposal is determined, in the City's exclusive discretion, to be the most advantageous to the City, taking into consideration price, qualifications, and other factors as indicated in the RFP. The RFP will contain the basis on which the award is to be made.

If no Responsive and Responsible proposals are received or all proposals are rejected, the City may procure such Goods, Capital Assets, Services, and Construction Services by direct negotiation as indicated below in Non-Competitive Procurement of Goods and Services.

#### Request for Qualifications

Requests for Qualifications (RFQ) may be used when it is determined to be in the City's best interest to evaluate the experience and qualifications of a Service, Construction Service or Professional Service provider, without regard to price or prior to considering price.

The procedure for soliciting, opening and evaluating statements of qualifications shall be the same as described herein for competitive sealed proposals. Such service providers whose qualifications meet the criteria established in the RFQ, at the sole discretion of the City, may be considered for Contract award by participation in the completion price negotiation. The City shall attempt to negotiate a fee with the highest ranked firm. If no agreement is reached, the City shall begin negotiations with the next highest ranked firm. Negotiations will proceed in this manner until an agreement is reached. Alternatively, the City may, by Direct Negotiation, finalize terms with service providers who are selected for award based on qualifications. The City reserves the right to reject any or all responses for any reason. Clarification of information may be requested by the City.

#### Online Reverse Auction

The City reserves the right to utilize this procurement method when advantageous. The process will be specified in the Solicitation Documents.

#### Performance Guarantee

A Bid/ Proposal Bond or Performance Bond may be required for any solicitation.

#### Approval of Awards and Recommendations

Prior to the consummation of the purchase by the City of Goods, Services, or Professional Services, such purchase shall be approved by a person having approval authority over such purchase.

#### Forms

The Purchasing Agent shall provide and update all forms to procure Goods, Services, and Professional Services, as needed.

### **VI. Non-Competitive Procurements**

The provisions of this policy section shall apply to the procurement of Goods, Capital Assets, Services, Construction Services or Professional Services, when competitive procurement is not practical, feasible, possible or desirable. Notwithstanding any other provision, any Contract or subcontract entered into by the City with any Person for the construction, reconstruction, or maintenance of all or part of a public road in the City, including but not limited to a Contract or subcontract for the purchase of materials, for the hiring of labor, for professional services, or for other things or services incident to such work, shall be entered into in accordance with O.C.G.A. § 32-4-114.

#### Sole Source Procurement

The City may acquire Goods, Capital Assets, Services, Construction Services or Professional Services

pursuant to a Sole Source Procurement. Sole Source Procurement is available when Goods, Services, or Professional Services are limited to one source, or when they must be obtained from a specific manufacturers' dealer and valid competition among dealers does not exist. The User must provide the justification for the Sole Source Procurement to the Purchasing Agent after approved by the City Manager or Council.

#### Single Source Procurement

The City may acquire Goods, Capital Assets, Services, Construction and Professional Services pursuant to a Single Source Procurement. A Single Source Procurement is a procurement made from one Person among others in a competitive marketplace which, for justifiable reasons, is found to be most advantageous for the purpose of fulfilling the given purchasing need. The User must provide the justification for the Single Source Procurement to the Purchasing Agent after approved by the City Manager or City Council. The Purchasing Agent may elect to purchase particular brand name Goods or Services when the Goods or Services comprise a major brand system, program or service previously selected by the City and due to operational effectiveness, future enhancements or additions, or maintenance or storage of spare parts precludes the mixing of brands, manufacture, etc.

#### Direct Negotiation

Following the completion of a Competitive Award solicitation process above that fails to produce a responsible or responsive Bidder or Proposer, fails to produce a qualified respondent, or for which all submissions were rejected for any reason, the City may procure the Goods, Capital Assets, Services, Construction Services or Professional Services that were the subject of such failed solicitation by Direct Negotiation with any provider of such Goods or Services when issuing a revised solicitation is not recommended by the City Manager with concurrence from legal counsel.

Direct Negotiation will be completed by the Purchasing Agent, assisted as needed by the User and legal counsel.

#### Emergency Procurement

The City may acquire Goods, Capital Assets, Services, Construction Services or Professional Services by directly negotiating an award in the event of an Emergency.

The City Manager shall make the determination when an Emergency exists. Such emergency procurements shall be made with as much competition as is practicable under the circumstances.

A written basis for declaring the Emergency and for the selection of the particular Person for the provision of Goods, Capital Assets, Services, Construction Services or Professional Services shall be

included in the Contract file. As soon as practicable, a record of each emergency procurement shall be made and shall set forth the contractor's name, the amount and type of the Contract, a listing of the item procured under the Contract, and the identification number of the contract file.

If an Emergency situation should arise after office hours which requires immediate action on the part of the agency involved for the protection of the best interest of the City or if a like situation arises on a weekend or holiday and when it is not possible or convenient to reach the City Manager or Purchasing Agent, any purchase necessary shall be made by the official in charge of such agency, and such purchase reported to the Purchasing Agent within 24 hours.

#### Costs under the Competitive Threshold

The Purchasing Agent with the consent of the City Manager, where applicable, may acquire Goods, Capital Assets, Construction Services and Professional Services appropriated by the City Council in the City budget or otherwise by Direct Negotiation or by some other non-competitive method, when the dollar value of the purchase does not exceed \$[25,000] and a properly executed and authorized Requisition is received. Under this non-competitive method, the Purchasing Agent shall attempt to obtain the Goods, Capital Assets, Services, Construction or Professional Services most advantageous to the City, price and other factors considered.

The User may acquire by Requisition Goods, Services, Construction Services and Professional Services appropriated by the City Council in the City budget or otherwise by Direct Negotiation or by some other non-competitive method, when the dollar value of the purchase does not exceed \$25,000. Under this non-competitive method, the User shall attempt to obtain the Goods, Capital Assets, Services, Construction or Professional Services most advantageous to the City, price and other factors considered.

#### Direct Negotiation and Other Public Entities and Co-ops

The City may acquire Goods, Capital Assets and Services by Direct Negotiation or other method involving limited or no competition from a Supplier having a requirements Contract/Annual Agreement with any public entity (e.g., federal, state, county, city, authority, school board, Buying Cooperative, etc.) for Goods, Capital Assets or Services described in such contract and at prices or discounts no less favorable than any set forth in such Contracts. Use of State/Co-Op Contracts: The Purchasing Agent may, independent of the requirements of bid process of this article, procure supplies, services or construction items through the Contract established through competitive means by the purchasing division of the State of Georgia, national Co-Ops (i.e.-U.S. Communities), and collaborative purchasing agreements with other local governments when deemed to be in the best interest of the City.

- A. Once a Contract is awarded by the City, the Contract may be amended, without the necessity of rebidding such Contract, provided the original Contract amount and the scope of the Contract is not substantially altered. The Purchasing Agent will review all change orders. Change orders will be processed to correct the account distribution, quantity, addition/deletion of line items, change in description and unit price. If a quoted price of the change order is less than \$25,000, the requisition will be processed pursuant to the

requirements of Section V(A)(12) of this Purchasing Policy. Any requisitions with a change order of \$25,000 or more require City Council approval. The Purchasing Agent cannot use the change order process to circumvent the Purchasing Policy. Change orders cannot substantially change the scope of the Contract.

### Credit Cards

Credit Cards shall only be issued upon approval of both of the department head and the City Manager. The Credit limit for each card shall be established by the Director of Finance. All individuals assigned a Credit Card on behalf of the City shall be personally responsible for its use and any fraudulent use. The City Manager shall maintain a Procurement Card Procedure Manual. This manual shall be on file with the City Clerk and made available for all users.

## **VII. Definitions**

When used in this policy, the following words, terms and phrases, and their derivations, shall be the meaning ascribed to them in this section, except where the context clearly indicates a different meaning,

- A. ADDENDUM means a change, clarification or correction in the Solicitation Documents, prior to the award of a Contract.
- B. AMENDMENT means an agreed upon change order, addition to, deletion from, correction or modification of a Contract including a Contract Extension or a Contract Renewal.
- C. APPEAL means a specific written objection by an interested Person to a Request for Qualifications, a Request for an IWQ, an Invitation for Bid, an Invitation to Negotiate, a Request for proposal, or an award or proposed award of a Contract, with the intention of receiving a remedial result.
- D. BID / PROPOSAL BOND means a form of bid security executed by the Bidder (or Proposer) as principal and by a Surety, to guarantee that the Bidder (or Proposer) will enter into a Contract within the time specified in the Invitation for Bid or Request for proposals, and will furnish the necessary bonds and insurance, and meet any other requirements of those documents.
- E. BIDDER means a person or entity submitting a bid or quote to the City for the supply of Goods or Services.
- F. BUYING COOPERATIVE OR ALLIANCE means a group of public entity purchasers organized for the purpose of creating contracts or pricing agreements in order to take advantage of group or quantity buying discounts or special pricing from which members of the group can benefit.
- G. CAPITAL ASSET is an item of personal property having a normal life expectancy of three years or more other than components.
- H. CHANGE ORDER means a valid instruction, from an authorized signatory of the city, that results in revised work to a contract that increases the cost to the City. Change orders are appended to the original contract and become part of said contract.

I. CITY means the City of Tucker and, as the context warrants, those persons or bodies authorized to act on its behalf, including but not limited to the City Council, committees, boards and staff.

J. CITY ETHICS POLICY shall mean Article XI., Code of Ethics, of Chapter 2, Administration, of the Code of the City of Tucker, as amended.

K. CITY FINANCE DIRECTOR/FINANCE DIRECTOR means the City Accountant as described in the City Charter, his agent, or the department head of the City Finance Department, if such a department is in existence.

L. COMPETITIVE AWARD means a procurement based upon the outcome of one of the competitive processes set forth in this Policy, where award is made based on the lowest quotation or Bid submitted by a responsible and responsive Bidder or to the most qualified or advantageous Proposer based on the qualitative and/or quantitative factors identified for the procurement. A Competitive Award can be made even if only a single bid or proposal has been received from a Bidder or Proposer who is determined to be responsible and responsive.

M. CONSTRUCTION means the process of building, altering, improving or demolishing any public structure or building, or other public improvements of any kind to any public real property including the provision of materials therefor. The term "Construction" does not include the routine operation, repair and/or maintenance of existing structures, buildings or real property.

N. CONSTRUCTION SERVICES means services rendered by an independent and licensed contractor having expertise in Construction.

O. CONTRACT means all types of City agreements for the purchase or disposal of Goods, Real Estate or Capital Assets, and the procurement of Services, Professional Services or Construction Services regardless of what they may be called, including contracts for a fixed price, cost plus a fixed fee, incentive contracts, and contracts providing for the issuance of job or task orders, leases, letter contracts and purchase orders. Contracts also include Amendments, modifications and supplemental agreements with respect to any of the foregoing. Every Contract must be duly authorized and approved prior to execution.

P. CONTRACT EXTENSION means an Amendment to a Contract that includes an increase in the term of a Contract, for which no options to renew the Contract beyond the current expiration date exist.

Q. CONTRACT RENEWAL means an exercise of an approved, existing option to increase the term of a Contract. Options to renew a Contract are often done in annual increments.

R. EMPLOYEE means an individual drawing a salary or wage from the City whether on a full-time or part-time basis. The term shall encompass all members of the City Council without regard to whether or not such individuals are compensated. For purposes of this Purchasing Policy the term "employee" shall include, any Vendor or any employee of such Vendor who has entered into a Contract with the City to provide administrative and department services contemplated in Section 2.12 of the Charter of the City.

S. EMERGENCY PROCUREMENT means any procurement of Goods, Capital Assets, Services or Professional Services in the context of an Emergency.

T. EMERGENCY means a situation that occurs suddenly and unexpectedly and demands immediate action to prevent delays which may vitally affect the health, safety or welfare of the public or City Employees and affects the continuation of services to the citizens, and/or serious loss or injury to the City. Emergency shall also mean a condition, malfunction, or occurrence in which the immediate procurement of an item (i.e. Good, Services, or Professional Service) is essential to comply with regulatory requirements.

U. ENVIRONMENTALLY PREFERABLE GOODS AND SERVICES means Goods and Services that have a lesser or reduced negative effect on human health and the environment when compared with competitive Goods and Services that serve the same purpose.

V. GIFTS or FAVORS means anything of any service of value. Value shall be defined in the same manner as defined as the lesser of \$150 or an amount specified in any City's ethics policy.

W. GOODS or COMMODITIES means supplies, apparatus, materials, equipment and other forms of tangible personal property used by a City department in the accomplishment of its responsibilities other than Capital Assets.

X. GOVERNING AUTHORITY means the City entity responsible for the Contract.

Y. INFORMAL WRITTEN QUOTES (IWQ) means all documents utilized for soliciting quotations for Goods, Services, or Professional Services, in which award is made based on the lowest responsive and responsible quotation and in which the type or cost of the procurement does not require a more formal Bid or proposal process.

Z. INVITATION FOR BID (IFB) means all documents utilized for soliciting bids, including those attached or incorporated by reference. These include a scope of work and all contractual terms and conditions applicable to the procurement. Bids are requested when requirements are clearly defined, price is the major determining factor for award, and a formal sealed submittal is required.

AA. LATE BID/PROPOSAL means a Bid or proposal received after the time or date such bid or proposal was due, as stated in the Solicitation Documents.

BB. LIFE CYCLE COST ASSESSMENT means the comprehensive accounting of the total cost of ownership, including initial costs, energy and operational costs, longevity and efficacy of service and disposal costs.

CC. MULTIPLE AWARD SCHEDULE CONTRACT means a Contract based upon one solicitation awarded to two or more Vendors to supply Goods or Services.

DD. NEGOTIATED AWARD means a procurement made as the result of negotiations between the City and a Supplier, such as a Sole Source Procurement or Single Source Procurement or another instance, including competitive Invitation to Negotiate, where a Contract award based on direct negotiations with a Supplier of Goods or Services is appropriate.

EE. OFFICIAL means any City elected or appointed person who holds office or any person appointed by the mayor and council of the City to serve on (1) the planning commission of the City, (2) any board or commission of the City having quasi-judicial authority; and, (3) any authority created by the City, either individually or jointly with other local governments pursuant to Georgia law.

FF. ONLINE REVERSE AUCTION means a purchasing method wherein Bidders enter prices for items electronically, and their prices are displayed for other bidders to see with all Bidders given the opportunity to continually bid a lower price until the time period of the bid expires.

GG. ORDINANCE means related Administration Ordinance in Chapter 2, Article 7 of the City's Municipal Code.

HH. PAYMENT TERMS means the established due date for payments by the City to pay an invoice. Absent any agreement otherwise stated, the City's payment term will be Net 30.

II. PERFORMANCE BOND means a bond provided by a contractor/supplier in which a surety guarantees to the City that the Goods or Capital Assets are delivered or the Services or Construction Services are performed in accordance with the Contract documents. A letter of credit issued by a financial institution that meets the City's requirements may, at the discretion of the City, be

**R2016-10-22**

A RESOLUTION TO APPOINT MEMBERS OF THE ZONING BOARD OF APPEALS  
FOR THE CITY OF TUCKER, GEORGIA

WHEREAS, the City of Tucker is authorized by the City Charter to create Boards, Commissions and Authorities; and

WHEREAS, the Mayor and Council desire to create a Zoning Board of Appeals with five commissioners to assist with variances and appeals within the City of Tucker; and

and WHEREAS, the Mayor of the City of Tucker is authorized to appoint members of the Zoning Board of Appeals, subject to approval by the Council of the City of Tucker.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Tucker while at a City Council meeting on October 10, 2016, the following citizens are hereby appointed as members of the Zoning Board of Appeals with terms to expire December 31, 2016:

- Commissioner \_\_\_\_\_

Approved: \_\_\_\_\_  
Frank Auman, Mayor

Attest: \_\_\_\_\_  
Jennifer Davis, City Clerk

(SEAL)

**02016-10-34**

STATE OF GEORGIA  
CITY OF TUCKER

Ordinance 2016-10-34

AN ORDINANCE TO SET A 2017 FISCAL YEAR

WHEREAS, the City of Tucker is required by Section 5.01 of the City Charter to set the fiscal year by ordinance; and

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Tucker while at a called meeting on October 18, 2016 that the 2017 fiscal year for the City shall start on January 1, 2017 and shall end on June 30, 2017.

Approved: \_\_\_\_\_  
Frank Auman, Mayor

Attest: \_\_\_\_\_  
Jennifer Davis, City Clerk (SEAL)

**02016-10-35**

AN ORDINANCE TO AMEND THE 2016 FISCAL YEAR BUDGET

WHEREAS, the City of Tucker may amend an operating and capital budget in accordance with Section 5.04 of the Charter; and

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Tucker while at a called meeting on October 18, 2016 that the attached 2016 amended operating and capital budget is hereby adopted and becomes effective upon its adoption;

**SO ORDAINED**, this the 18th day of October, 2016.

Approved: \_\_\_\_\_  
Frank Auman, Mayor

Attest: \_\_\_\_\_  
Jennifer Davis, City Clerk (SEAL)



## **MEMO**

To: Mayor and City Council

Cc: City Attorney

From: Jennifer Davis, City Clerk/Accounting Manager

Date: October 6, 2016

Subject: FY2016 Amended Budget

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Mayor and City Council,

It is common practice to amend the budget during the year when there are significant changes. This helps keep the budget in balance. We made adjustments to about 20 line items in the amended budget. Here is a brief summary of the proposed changes.

### **Revenues Changes**

- Title Ad Valorem Tax
- Franchise Fees
- Hotel Motel Excise Tax

### **Expenses Changes**

- Contractual Services CH2M
- Contractual Services InterDev
- Line of Credit
- Reserve Contingency

**FY2016 GENERAL FUND BUDGET SUMMARY**

	<b>FY2016 Budget</b>	<b>FY2016 Amended Budget</b>
Taxes	2,037,000.00	2,445,000.00
Licenses & Permits	226,600.00	291,000.00
Intergovernmental	0.00	0.00
Fines & Forfeitures	0.00	0.00
Interest Earned	0.00	0.00
Other Sources of Revenue	42,000.00	135,000.00
<b>Total General Fund Revenues</b>	<b>2,305,600.00</b>	<b>2,871,000.00</b>
City Council	136,297.00	136,297.00
City Manager	137,200.00	137,200.00
City Clerk	0.00	0.00
Finance/Administration	0.00	0.00
Legal	150,000.00	150,000.00
General Operations	1,153,861.00	1,498,763.67
Facilities and Buildings	55,500.00	67,500.00
Designated Reserve	672,742.00	881,239.33
<b>Total General Fund Expenditures</b>	<b>2,305,600.00</b>	<b>2,871,000.00</b>

**FY2016 HOTEL/MOTEL FUND BUDGET SUMMARY**

Taxes	70,000.00	225,000.00
<b>Total Hotel/Motel Fund Revenues</b>	<b>70,000.00</b>	<b>225,000.00</b>
Discover Dekalb	28,000.00	90,000.00
Transfer to General Fund	42,000.00	135,000.00
<b>Total Hotel/Motel Fund Expenditures</b>	<b>70,000.00</b>	<b>225,000.00</b>

**100 - General Fund Revenue Detail**

**General Property Tax**

100-310-31100-31100 Ad Valorem Tax-Current Year	-	-
100-310-31100-31110 Public Utility Tax	-	-
100-310-31100-31200 Ad Valorem Tax-Prior Year	-	-
100-310-31100-31310 Motor Vehicle Tax	-	-
100-310-31100-31315 Title Ad Valorem Tax	50,000.00	-
100-310-31100-31320 Mobile Home Tax	-	-
100-310-31100-31325 Heavy Equipment Tax	-	-
100-310-31100-31340 Intangible Tax Revenue	-	-
100-310-31100-31350 Railroad Equipment Tax	-	-
100-310-31100-31360 Real Estate Transfer Tax	-	-
100-310-31100-31370 Franchise Fees	400,000.00	820,000.00
<b>Subtotal</b>	<b>450,000.00</b>	<b>820,000.00</b>

**Selective Sales and Use Tax**

100-310-31400-34200 Alcoholic Beverage Excise Tax	25,000.00	25,000.00
100-310-31400-34300 Local Option Mixed Drink	15,000.00	30,000.00
100-310-31400-34900 Other Selective Tax	-	-
<b>Subtotal</b>	<b>40,000.00</b>	<b>55,000.00</b>

**Business Taxes**

100-310-31600-31610 Business & Occupation Taxes	1,547,000.00	1,570,000.00
100-310-31600-31620 Insurance Premium Tax	-	-
100-310-31600-31630 Financial Institutions Taxes	-	-
<b>Subtotal</b>	<b>1,547,000.00</b>	<b>1,570,000.00</b>

**Penalties & Interest on Delinquent Tax**

100-310-31900-39100 Pen & Int on Delinq Tax	-	-
<b>Subtotal</b>	<b>-</b>	<b>-</b>

**Business License**

100-320-32100-32110 Alcoholic Beverages	200,000.00	250,000.00
100-320-32100-32120 General Business License	-	-
100-320-32100-32190 Other Licenses/Permits	600.00	-
100-320-32100-32210 Insurance License	-	-
<b>Subtotal</b>	<b>200,600.00</b>	<b>250,000.00</b>

**Licenses & Permits**

100-320-32200-32200 Building Permits	25,000.00	40,000.00
100-320-32200-32202 Development Permits	1,000.00	1,000.00
<b>Subtotal</b>	<b>26,000.00</b>	<b>41,000.00</b>

**Regulatory Fees**

100-320-32300-32300 Regulatory Fees	-	-
100-320-32300-32310 Inspection Fees	-	-
<b>Subtotal</b>	<b>-</b>	<b>-</b>

**100-350-35100-35100 Municipal Court**

<b>Subtotal</b>	<b>-</b>	<b>-</b>
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**Interest Revenues**

100-360-36100-36100 Interest Revenues	-	-
<b>Subtotal</b>	<b>-</b>	<b>-</b>

	FY2016 Budget	FY2016 Amended Budget
<b>Contribution/Donations</b>		
100-370-37100-37100 General City	-	-
<b>Subtotal</b>	-	-
<b>Other Charges for Svcs</b>		
100-340-39000-34930 Bad Check Fees	-	-
<b>Subtotal</b>	-	-
<b>Other Financing Sources</b>		
100-390-39100-39120 Transfer from Hotel/Motel	42,000.00	135,000.00
<b>Subtotal</b>	<b>42,000.00</b>	<b>135,000.00</b>
<b>Total Department Revenues</b>	<b>2,305,600.00</b>	<b>2,871,000.00</b>

**100 - General Fund Expenditures Detail**

**City Council**

100-010-51100-51110 Regular Salaries	86,667.00	86,667.00
100-010-51100-51200 FICA/Medicare	6,630.00	6,630.00
100-010-51100-52370 Education & Training	20,000.00	20,000.00
100-010-51100-53160 Mayor expense	5,000.00	5,000.00
100-010-51100-53165 Council expense	18,000.00	18,000.00
<b>Subtotals</b>	<b>136,297.00</b>	<b>136,297.00</b>

**City Manager**

100-010-51300-52121 Contractual Svcs CH2M	137,200.00	137,200.00
<b>Subtotals</b>	<b>137,200.00</b>	<b>137,200.00</b>

**Legal Services Department**

100-010-51530-52122 Attorney Fees/City Attorney	115,000.00	115,000.00
100-010-51530-52130 Attorney Fees/Other	35,000.00	35,000.00
<b>Subtotals</b>	<b>150,000.00</b>	<b>150,000.00</b>

**Facilities & Buildings Dept**

100-010-51565-51300 Technical Services	5,000.00	5,000.00
100-010-51565-52200 Repairs & Maintenance	11,000.00	11,000.00
100-010-51565-52301 Real Estate Rents/Leases	31,500.00	36,000.00
100-010-51565-53121 Water/Sewer	-	3,000.00
100-010-51565-53122 Natural Gas	-	1,500.00
100-010-51565-53123 Electricity	3,000.00	6,000.00
100-010-51565-53103 Office Supplies	2,500.00	2,500.00
100-010-51565-54230 Furniture And Fixtures	2,500.00	2,500.00
<b>Subtotals</b>	<b>55,500.00</b>	<b>67,500.00</b>

**General Operations**

100-010-51590-52101 Official/Admin Start Up	20,000.00	20,000.00
100-010-51590-52103 Technical Services	-	-
100-010-51590-52111 Official/Admin Svcs	-	-
100-010-51590-52120 Professional Services	100,000.00	125,000.00
100-010-51590-52121 Contractual Services CH2M	663,030.00	773,030.00
100-010-51590-52122 Contractual Services InterDev	186,052.00	291,525.00
100-010-51590-52128 Commissions		
100-010-51590-52310 General Liability Insurance	12,779.00	12,779.00
100-010-51590-52330 Advertising	1,500.00	1,500.00
100-010-51590-52330 Printing	10,000.00	10,000.00
100-010-51300-52370 Education & Training - Boards	5,000.00	5,000.00
100-010-51590-53100 Operating Supplies	22,000.00	22,000.00
100-010-51590-53101 Postage	10,500.00	10,500.00
100-010-51590-53103 Office Supplies	5,000.00	5,000.00
100-010-51590-53104 Service Fees	-	3,500.00
100-010-51590-53175 City Events	10,000.00	10,000.00
100-010-51590-54230 Furniture & Fixtures	5,000.00	5,000.00
100-010-51590-54231 Signs	8,000.00	8,000.00
100-010-51590-54240 Computer/Software	90,000.00	90,000.00
100-010-51590-54250 Other Equipment	5,000.00	5,000.00
100-010-51590-58130 Principal Note Payments	-	100,000.00
100-010-51590-58230 Interest Note Payments	-	253.67
100-010-51590-58400 Closing Costs	-	676.00
<b>Subtotals</b>	<b>1,153,861.00</b>	<b>1,498,763.67</b>

**Designated Reserve**

100-010-59000-57902 Reserve Contingency	672,742.00	881,239.33
<b>Subtotals</b>	<b>672,742.00</b>	<b>881,239.33</b>

<b>Total Department Expenditures</b>	<b>2,305,600.00</b>	<b>2,871,000.00</b>
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**275 - Hotel/Motel Tax Fund Revenue Detail**

275-310-31400-31410 Hotel/Motel	70,000.00	225,000.00
<b>Subtotals</b>	<b>70,000.00</b>	<b>225,000.00</b>

**275 - Hotel/Motel Tax Fund Expenditures Detail**

275-075-75000-75400 Discover Dekalb	28,000.00	90,000.00
275-075-75000-61100 Transfer to General Fund	42,000.00	135,000.00
<b>Subtotals</b>	<b>70,000.00</b>	<b>225,000.00</b>

**02016-10-36**

AN ORDINANCE TO ADOPT A BUDGET FOR THE CALENDAR YEAR 2017

WHEREAS, the City of Tucker is required by Section 5.03 of the City Charter to adopt an operating and capital budget; and

WHEREAS, the City of Tucker held a hearing with proper notice on the budget on October 10, 2016;

WHEREAS, the City Charter requires an accompany budget message; and

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Tucker while at a called meeting on October 18, 2016 that the attached 2017 operating and capital budget is approved for the fiscal year 2017 and becomes effective upon its adoption;

**SO ORDAINED**, this the 18th day of October, 2016.

Approved: \_\_\_\_\_  
Frank Auman, Mayor

Attest: \_\_\_\_\_  
Jennifer Davis, City Clerk (SEAL)

# January 2017-June 2017 Budget

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## Presentation Overview

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Introduction - Tami Hanlin/Wayne Wright

Proposed budget highlights

Questions and discussion





# Introduction



Budget as policy tool

Meeting outcomes

Next steps



# Budget Highlights



Revenue estimates

Strong surplus

Funds ongoing operations

- Contracts
- Comprehensive plan
- Both facilities (Adrian Street and First Street)





## Budget Highlights (continued)

### What's new:

- Parks planning
- Court
- Branding
- Software
- Financial audit



## Questions and discussion



# CITY OF TUCKER FY2017 Budget

*Budget for fiscal year January 1 to June 30, 2017*

	<u>FY2016 Budget</u>	<u>Proposed FY2017 Budget</u>
<b>FY2017 GENERAL FUND BUDGET SUMMARY</b>		
Taxes	2,037,000.00	3,370,000.00
Licenses & Permits	226,600.00	75,000.00
Fines & Forfeitures	0.00	6,000.00
Interest Earned	0.00	0.00
Other Sources of Revenue	42,000.00	126,000.00
<b>Total General Fund Revenues</b>	<b>2,305,600.00</b>	<b>3,577,000.00</b>
City Council	136,297.00	87,478.00
City Manager	137,200.00	117,600.00
Finance Administration	0.00	83,000.00
Legal	150,000.00	116,000.00
General Operations	1,153,861.00	1,306,892.00
Facilities and Buildings	55,500.00	145,805.00
Designated Reserve	672,742.00	1,620,225.00
Parks	0.00	100,000.00
<b>Total General Fund Expenditures</b>	<b>2,305,600.00</b>	<b>3,577,000.00</b>
<b>FY2017 HOTEL/MOTEL FUND BUDGET SUMMARY</b>		
Taxes	70,000.00	210,000.00
<b>Total Hotel/Motel Fund Revenues</b>	<b>70,000.00</b>	<b>210,000.00</b>
Discover Dekalb	28,000.00	84,000.00
Transfer to General Fund	42,000.00	126,000.00
<b>Total Hotel/Motel Fund Expenditures</b>	<b>70,000.00</b>	<b>210,000.00</b>

**CITY OF TUCKER FY2017 Budget**  
*Budget for fiscal year January 1 to June 30, 2017*

	<u>FY2016 Budget</u>	<u>Proposed FY2017 Budget</u>
<b>100 - General Fund Revenue Detail</b>		
<b>General Property Tax</b>		
100-310-31100-31100 Ad Valorem Tax-Current Year	-	-
100-310-31100-31110 Public Utility Tax	-	-
100-310-31100-31200 Ad Valorem Tax-Prior Year	-	-
100-310-31100-31310 Motor Vehicle Tax	-	-
100-310-31100-31315 Title Ad Valorem Tax	50,000.00	-
100-310-31100-31320 Mobile Home Tax	-	-
100-310-31100-31325 Heavy Equipment Tax	-	-
100-310-31100-31340 Intangible Tax Revenue	-	-
100-310-31100-31350 Railroad Equipment Tax	-	-
100-310-31100-31360 Real Estate Transfer Tax	-	-
100-310-31100-31370 Franchise Fees	400,000.00	250,000.00
<b>Subtotal</b>	<b>450,000.00</b>	<b>250,000.00</b>
<b>Selective Sales and Use Tax</b>		
100-310-31400-34200 Alcoholic Beverage Excise Tax	25,000.00	25,000.00
100-310-31400-34300 Local Option Mixed Drink	15,000.00	35,000.00
100-310-31400-34900 Other Selective Tax	-	-
<b>Subtotal</b>	<b>40,000.00</b>	<b>60,000.00</b>
<b>Business Taxes</b>		
100-310-31600-31610 Business & Occupation Taxes	1,547,000.00	3,000,000.00
100-310-31600-31620 Insurance Premium Tax	-	-
100-310-31600-31630 Financial Institutions Taxes	-	60,000.00
<b>Subtotal</b>	<b>1,547,000.00</b>	<b>3,060,000.00</b>
<b>Penalties &amp; Interest on Delinquent Tax</b>		
100-310-31900-39100 Pen & Int on Delinq Tax	-	-
<b>Subtotal</b>	<b>-</b>	<b>-</b>
<b>Subtotal - Taxes</b>	<b>2,037,000.00</b>	<b>3,370,000.00</b>
<b>Business License</b>		
100-320-32100-32110 Alcoholic Beverages	200,000.00	10,000.00
100-320-32100-32120 General Business License	-	-
100-320-32100-32190 Other Licenses/Permits	600.00	-
100-320-32100-32210 Insurance License	-	10,000.00
<b>Subtotal</b>	<b>200,600.00</b>	<b>20,000.00</b>

# CITY OF TUCKER FY2017 Budget

Budget for fiscal year January 1 to June 30, 2017

	<u>FY2016 Budget</u>	<u>Proposed FY2017 Budget</u>
<b>Licenses &amp; Permits</b>		
100-320-32200-32200 Building Permits	25,000.00	50,000.00
100-320-32200-32202 Development Permits	1,000.00	5,000.00
<b>Subtotal</b>	<b>26,000.00</b>	<b>55,000.00</b>
<b>Regulatory Fees</b>		
100-320-32300-32300 Regulatory Fees	-	-
100-320-32300-32310 Inspection Fees	-	-
<b>Subtotal</b>	<b>-</b>	<b>-</b>
<b>Subtotal - Licenses &amp; Permits</b>		
	<b>226,600.00</b>	<b>75,000.00</b>
<b>Municipal Court</b>		
100-350-35100-35100 Municipal Court	-	6,000.00
<b>Subtotal</b>	<b>-</b>	<b>6,000.00</b>
<b>Subtotal - Fines &amp; Forfeitures</b>		
	<b>-</b>	<b>6,000.00</b>
<b>Interest Revenues</b>		
100-360-36100-36100 Interest Revenues	-	-
<b>Subtotal</b>	<b>-</b>	<b>-</b>
<b>Subtotal - Interest Earned</b>		
	<b>-</b>	<b>-</b>
<b>Contribution/Donations</b>		
100-370-37100-37100 General City	-	-
<b>Subtotal</b>	<b>-</b>	<b>-</b>
<b>Other Charges for Svcs</b>		
100-340-39000-34930 Bad Check Fees	-	-
<b>Subtotal</b>	<b>-</b>	<b>-</b>
<b>Other Financing Sources</b>		
100-390-39100-39120 Transfer from Hotel/Motel	42,000.00	126,000.00
<b>Subtotal</b>	<b>42,000.00</b>	<b>126,000.00</b>
<b>Subtotal - Other Sources of Revenue</b>		
	<b>42,000.00</b>	<b>126,000.00</b>
<b>Total Department Revenues</b>	<b>2,305,600.00</b>	<b>3,577,000.00</b>

**CITY OF TUCKER FY2017 Budget**  
*Budget for fiscal year January 1 to June 30, 2017*

	<u>FY2016 Budget</u>	<u>Proposed FY2017 Budget</u>
<b>100 - General Fund Expenditures Detail</b>		
<b>City Council</b>		
100-010-51100-51110 Regular Salaries	86,667.00	52,000.00
100-010-51100-51200 FICA/Medicare	6,630.00	3,978.00
100-010-51100-52370 Education & Training	20,000.00	20,000.00
100-010-51100-53160 Mayor expense	5,000.00	2,500.00
100-010-51100-53165 Council expense	18,000.00	9,000.00
<b>Subtotals</b>	<b>136,297.00</b>	<b>87,478.00</b>
<b>City Manager</b>		
100-010-51300-51110 Regular Salaries	-	
100-010-51300-51200 FICA/Medicare	-	
100-010-51300-51210 Group Insurance	-	
100-010-51300-51240 Retirement	-	
100-010-51300-51260 Unemployment Expense	-	
100-010-51300-51270 Workers Comp	-	
100-010-51300-51290 Other Emp Benefits	-	
100-010-51300-51280 Relocation Expense	-	-
100-010-51300-52121 Contractual Svcs CH2M	137,200.00	117,600.00
100-010-51300-52350 Travel Expense	-	
100-010-51300-52360 Dues & Fees	-	
100-010-51300-52370 Education & Training	-	
100-010-51300-53100 Operating Supplies	-	-
100-010-51300-53175 Hospitality Supplies	-	-
<b>Subtotals</b>	<b>137,200.00</b>	<b>117,600.00</b>
<b>Finance Administration</b>		
100-010-51510-51110 Regular Salaries	-	
100-010-51510-51200 FICA/Medicare	-	
100-010-51510-51210 Group Insurance	-	
100-010-51510-51240 Retirement	-	
100-010-51510-51260 Unemployment Expense	-	
100-010-51510-51270 Workers Comp	-	
100-010-51510-51290 Other Emp Benefits	-	
100-010-51510-52110 Audit Services	-	10,000.00
100-010-51510-52120 Professional Services	-	70,000.00
100-010-51510-53100 Operating Supplies	-	-
100-010-51130-53101 Postage	-	3,000.00
<b>Subtotals</b>	<b>-</b>	<b>83,000.00</b>

# CITY OF TUCKER FY2017 Budget

*Budget for fiscal year January 1 to June 30, 2017*

	<u>FY2016 Budget</u>	<u>Proposed FY2017 Budget</u>
<b>Legal Services Department</b>		
100-010-51530-52122 Attorney Fees/City Attorney	115,000.00	66,000.00
100-010-51530-52130 Attorney Fees/Other	35,000.00	20,000.00
100-010-51530-52131 Contractual Services	-	30,000.00
<b>Subtotals</b>	<b>150,000.00</b>	<b>116,000.00</b>
<b>Facilities &amp; Buildings Dept</b>		
100-010-51565-51300 Technical Services	5,000.00	3,600.00
100-010-51565-52200 Repairs & Maintenance	11,000.00	25,000.00
100-010-51565-52301 Real Estate Rents/Leases	31,500.00	49,000.00
100-010-51565-52210 Sanitation	-	205.00
100-010-51565-52124 Natural Gas	-	4,000.00
100-010-51565-53123 Electricity	3,000.00	4,000.00
100-010-51565-53103 Office Supplies	2,500.00	-
100-010-51565-54230 Furniture And Fixtures	2,500.00	30,000.00
100-010-51590-54250 Other Equipment	-	30,000.00
<b>Subtotals</b>	<b>55,500.00</b>	<b>145,805.00</b>
<b>General Operations</b>		
100-010-51590-52101 Official/Admin Start Up	20,000.00	-
100-010-51590-52120 Professional Services	100,000.00	150,000.00
100-010-51590-52121 Contractual Services CH2M	663,030.00	735,855.00
100-010-51590-52122 Contractual Services InterDev	186,052.00	195,770.00
100-010-51590-52123 Contractual Services Other	-	52,400.00
100-010-51590-52310 General Liability Insurance	12,779.00	13,367.00
100-010-51590-52330 Advertising	1,500.00	1,500.00
100-010-51590-52340 Printing	10,000.00	10,000.00
100-010-51300-52370 Education & Training - Boards	5,000.00	8,000.00
100-010-51590-53100 Operating Supplies	22,000.00	22,000.00
100-010-51590-53101 Postage	10,500.00	6,000.00
100-010-51590-53103 Office Supplies	5,000.00	10,000.00
100-010-51590-53175 City Events	10,000.00	10,000.00
100-010-51590-54230 Furniture & Fixtures	5,000.00	5,000.00
100-010-51590-54231 Signs	8,000.00	8,000.00
100-010-51590-54240 Computer/Software	90,000.00	78,000.00
100-010-51590-54250 Other Equipment	5,000.00	1,000.00
<b>Subtotals</b>	<b>1,153,861.00</b>	<b>1,306,892.00</b>

# CITY OF TUCKER FY2017 Budget

*Budget for fiscal year January 1 to June 30, 2017*

	<u>FY2016 Budget</u>	<u>Proposed FY2017 Budget</u>
<b>Designated Reserve</b>		
100-010-59000-57902 Reserve Contingency	672,742.00	1,620,225.00
<b>Subtotals</b>	<b>672,742.00</b>	<b>1,620,225.00</b>
<b>Parks</b>		
100-060-62100-62120 Professional Services		100,000.00
<b>Subtotals</b>	<b>-</b>	<b>100,000.00</b>
<b>Total Department Expenditures</b>	<b>2,305,600.00</b>	<b>3,577,000.00</b>

## 275 - Hotel/Motel Tax Fund Revenue Detail

275-310-31400-31410 Hotel/Motel	70,000.00	210,000.00
<b>Subtotals</b>	<b>70,000.00</b>	<b>210,000.00</b>

## 275 - Hotel/Motel Tax Fund Expenditures Detail

275-075-75000-75400 Discover Dekalb	28,000.00	84,000.00
275-075-75000-61100 Transfer to General Fund	42,000.00	126,000.00
<b>Subtotals</b>	<b>70,000.00</b>	<b>210,000.00</b>

**Action Item  
2017 Meeting  
Calendar**

# 2017 MEETING CALENDAR

January						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

July						
S	M	T	W	T	F	S
1						
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

February						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

August						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

March						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

September						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

April						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

October						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

May						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

November						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

June						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

December						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

- Council Meeting – 7:00 PM
  - Planning Commission – 7:00 PM
  - Community Council – 7:00 PM
  - Zoning Board of Appeals – 7:00 PM
  - Observed Holidays
- 1/2 New Year's Day
  - 1/16 MLK Day
  - 2/20 Presidents Day
  - 5/29 Memorial Day
  - 7/4 4<sup>th</sup> of July
  - 9/4 Labor Day
  - 11/10 Veteran's Day
  - 11/23-24 Thanksgiving
  - 12/22-25 Christmas Eve/Day
- 2017 GMA Conference