

**REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
APRIL 22, 2014
TUESDAY, 10:00 AM
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

AGENDA

CALL TO ORDER

INVOCATION/PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

- March 25, 2014 Regular Meeting

ADOPTION OF AGENDA

MAYOR'S REMARKS

COUNCIL REMARKS

CITY MANAGER & DEPARTMENT REPORTS – EXCEPTIONS AND QUESTIONS

OLD BUSINESS

- Approval of Ordinance to Authorize Special Permit for Shooting Animal Pests
- 2014 General Election – to be conducted by City or County

NEW BUSINESS

- Appointment of Sue Cillo to Marketing Committee
- Approval of Ordinance Establishing Standards for Telecommunications Antennae and Towers
- Police Vehicles
- Approval of Resolution Declaring Surplus Property
 - 2005 Chevrolet Impala
 - 1999 Ford Crown Victoria
 - 2000 Ford Crown Victoria
 - 1985 Chevrolet Blazer
 - 2002 Ford Explorer

PUBLIC FORUM AND GENERAL COMMENTS

ADJOURNMENT

**REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
MARCH 25, 2014
TUESDAY, 10:00 AM
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

DRAFT MINUTES

Mayor Goodgame called the meeting to order.

Those present: Mayor Goodgame, Council President Larsen, Councilors Carr, Greene, and Whatley, Attorney Dickerson, City Manager Lapeyrouse, and City Clerk Cantrell.

Laura Gurley gave the invocation. Mayor Goodgame led the Pledge of Allegiance.

Councilor Whatley made a motion to approve the minutes of the February 25, 2014 regular meeting, 2nd Councilor Greene, unanimously approved.

Councilor Whatley made a motion to adopt the agenda with the addition of two items under new business, appointment of John Erbelding to the Public Safety Committee and a sign at city hall, 2nd Council President Larsen, unanimously approved.

MAYOR'S REMARKS

Mayor Goodgame gave an update on the cell tower. He said he spoke with the sub-contractor this morning who said the lease agreement is under review by both parties' attorneys and should be approved next week. Access for emergency services and leasing space to other providers is required and included in the agreement.

The city has been cleaning up the park to get it ready for summer. The creek banks are incredibly steep with most of the vegetation being grapevines or briars. We cannot chip the vines and briars so we are putting that off for a while until we can trim from a small boat in the stream.

The Public Safety Committee will be working on the possibility of using golf carts on the streets. Other communities, some private and some cities, allow golf carts on city streets. There are safety concerns with us being able to allow golf carts on the streets, but we want to look into it to see if it possible. Mayor Goodgame added that he believes that if we can come up with a way to allow this, we will be better able to compete with other golf communities. One other important item this committee will be researching is installing speed tables on Sky Valley Way to help slow traffic where pedestrians and golf carts cross the street.

Mayor Goodgame said he has met with the City Manager on Monday mornings to review the public works department's schedule. He said that things do change, but we are working toward everyone being able to know what the public works department is doing. He said that there

has been talk about the city having too many employees, but from what he has seen, everyone has a fulltime job and is very busy.

Mayor Goodgame said that we are working with a new auditor this year. The agreement was signed yesterday. In the future, if we continue to work with this group, they will be able to complete our audit much earlier and they will help reconcile our internal accounting with the audited financial statements during the process.

COUNCIL REMARKS

Councilor Whatley said Councilor Howard asked him to let everyone know he was sorry he could not be at this meeting. He had booked a vacation for this week before the meeting schedule changed and was unable to change the dates for the trip.

Councilor Whatley said the walk across the gorge is scheduled for June or July of 2015. Nik Wallenda will recreate the walk originally done by his grandfather Carl Wallenda, and they are working with the Discovery Channel to broadcast the walk. Sky Walk Celebration events will be held in Rabun and Habersham Counties. He encouraged everyone to think of how we can involve Sky Valley in these events.

Councilor Whatley said the Public Safety Committee meeting date and agenda will go out soon. He encouraged people to attend, give input, and let them know about any issues they would like the committee to look at.

Councilor Greene said he attended Newly Elected Officials Training. He said he is very appreciative for the training and learned much.

Councilor Greene announced that the Public Works Committee will meet April 18 at the Lakeside Room.

Councilor Carr said that if we do pursue speed tables, we need to include signage so people will be aware of the change. She said she is heading up the Beautification Committee and asked people to let her know if they have any suggestions.

Mayor Goodgame said he was glad to have Attorney Dickerson back after missing a couple of meetings while in litigation. Attorney Dickerson will help with any updates we need to do regarding the cell tower.

CITY MANAGER & DEPARTMENT REPORTS – EXCEPTIONS AND QUESTIONS

City Manager Lapeyrouse said she e-mailed the survey for the Comprehensive Plan that will be considered for the Rabun County Comprehensive Plan. She encouraged everyone to complete the survey. Copies are available at the meeting and at city hall.

The Annual Spring Cleanup Day is set for Friday, April 18th and will focus on Highway 246. A happy hour will follow at the Sky Valley Club.

Mayor Goodgame asked the audience to take a copy of the comprehensive plan survey to complete and return to City Clerk Cantrell so she can submit everyone's surveys together.

OLD BUSINESS

- Building Code Ordinance

City Manager Lapeyrouse said we held a couple workshops at the end of last year to discuss updates to the building code ordinance. This ordinance consolidates all current building code ordinances, and included updates from the International Building Code. Council President Larsen made a motion to approve the ordinance, 2nd Councilor Whatley, unanimously approved.

- Geese – Nuisance Abatement

Mayor Goodgame said that we were asked about this by the Club's golf course maintenance. He read a response from Attorney Dickerson that explained how an ordinance could allow firearm discharge on personal property for the purpose of nuisance abatement. Council President Larsen made a motion to draft an ordinance to allow the police chief to issue special use permits approving the discharge of firearms on private property for nuisance abatement, 2nd Councilor Whatley. Councilor Greene said that he is not normally in favor of shooting any animal, but unfortunately the geese cause a health hazard from their droppings on the golf course. The motion passed unanimously.

NEW BUSINESS

- Water Bill Adjustment Request – Muldrew

Mayor Goodgame presented the request for a water bill adjustment. He explained that our ordinance only allows one adjustment every five years, and Ms. Muldrew has received an adjustment within the last five years. He said his concern is that if we do not stick with the rules in the ordinance and approve this adjustment, it could create precedence for future requests. Council President Larsen made a motion to deny the request for an adjustment, 2nd Councilor Whatley. Councilor Carr said we should take whose responsibility the leak is into consideration, if it is the city's or the homeowner's. City Manager Lapeyrouse explained that the ordinance calls for homeowners to turn off their water meters when vacating a home for an extended time. This leak was from water being left on inside the home, not the city's meter or the homeowner shut-off valve. Under the ordinance, Ms. Muldrew received an adjustment in 2009. Because of the previous adjustment, this request could not be approved by staff. Councilor Whatley said that the homeowner was notified by staff that she had a leak. Ms. Muldrew explained the circumstances of the leak, and expressed her appreciation for the way the city staff handled the situation. The motion to deny the adjustment request passed unanimously.

- Approval of Ordinance to Establish Water Conservancy Plan & Drought Contingency Plan

City Manager Lapeyrouse presented this update, that was required by GA EPD, that will replace our current ordinance. The only change is the unaccounted water use. Councilor Whatley made a motion to approve, 2nd Councilor Carr, unanimously approved.

- Appointment of John Erbelding to Public Safety Committee

Mayor Goodgame said he would like to appointment John Erbelding to the Public Safety Committee. Councilor Whatley made a motion to approve the appointment, 2nd Councilor Carr, unanimously approved.

- Sign at City Hall

Mayor Goodgame said that last year, the Council approved \$1,500 to install the city hall sign in front of the building along Hwy 246. He said that we would like to install three flagpoles and electricity to light the poles, the sign, and the lights at the parking lot entrances. Helen Kleiber volunteered to work on receiving donations to cover expenses for the flagpoles. Mayor Goodgame requested approval of an additional \$2,500 for the project. Council President Larsen made a motion to approve an additional \$2,500 for a total of \$4,000 for the project, 2nd Councilor Whatley. Councilor Whatley asked if this project can be funded with capital funds reserved for building and general government. Council President Larsen amended motion to use capital reserves, 2nd Greene, unanimously approved.

PUBLIC FORUM AND GENERAL COMMENTS

Mayor Goodgame opened the floor for comments and asked people to stand and state their name so that it can be recorded in the minutes.

Dick Parrott asked if there is a location for a welcome center at the bottom of Hwy 246 in Dillard where we can point people to Sky Valley. Mayor Goodgame said the marketing committee is working on finding an appropriate location in Dillard on Hwy 441 because there is a great deal more traffic going through Dillard on Hwy 441 than there is on Hwy 246 coming up the mountain.

Council President Larsen made a motion to adjourn, 2nd Councilor Whatley, unanimously approved.

Respectfully submitted:

Hughel Goodgame, Mayor

Attested:

Mandi Cantrell, City Clerk



SKY VALLEY POLICE DEPARTMENT MONTHLY STATISTICS

INCIDENT	MONTH	YTD 2014	MONTH	YTD 2013	STAT
Fire	0	0	0	0	
Medical Emergency	0	9	2	6	
Vehicle Accident	0	2	0	1	
Family Violence	0	0	0	0	
Fight/Assault	0	0	0	1	
Suicide/Death	0	2	1	1	
Missing Person	0	2	0	0	
Burglary	0	0	0	0	
Theft	1	2	0	1	
Suspicious Activity	2	10	3	6	
Suspicious Person	0	0	1	2	
Suspicious Vehicle	1	5	4	8	
Alarm	1	1	1	2	
Investigation	1	1	1	1	
DUI/ Public Drunk	0	0	0	0	
Drug Related	0	0	0	0	
Juvenile	0	0	0	0	
Stationary Patrol	0	0	0	0	
Traffic Control	0	0	0	0	
Traffic Stop	3	3	1	2	
Mutual Aid	4	8	0	2	
Animal	0	5	0	1	
Lost & Found	1	1	0	0	
Complaint	3	3	2	2	
City Ord. Violation	0	0	1	1	
All Others	0	5	6	6	
Assisting Residents	1	6	7	10	
Escorting Visitors	4	8	0	2	
Residential Check	00	63	025	179	
Discovered Unsecure	1	1	0	0	
Welfare Check	1	3	2	4	
Water/Tree/Infrastructure	06	24	5	12	
Vehicle Assistance	08	28	3	8	
Arrested	0	1	0	0	
Incarcerated	0	1	0	0	
Warning	0	0	0	0	
Citations	0	5	0	0	
Total Calls	39	130	39	85	
911 Calls	4	16	0	0	
Mileage	3557	11,355	5057	12,618	
March 2014					



SKY VALLEY POLICE DEPARTMENT

Fact Sheet for March 2014 Report

This Month

Theft:	3/26	Sugar Bush	\$5000+ Taken
Suspicious:	3/01	Pleasant Mtn	Telephone Line Cut
Alarm:	3/19	Eagle Circle	Residence is O.K
Mutual Aid:	3/05	Middle Crk Bridge	Accident with Injuries
	3/24	Dead Mans Curve	Vehicle Broke Down
	3/27	Rabun Bald	Smoke Investigation
	3/30	Winesap Lane	Accident
Unsecure Residence:	3/08	Condo Hill	Door Fell Apart
	3/12	Sky Valley Way	Unsecure Door
Lost & Found:	3/09	Post Office	Found Keys in Box
Water/Tree/Infrastruct	3/09	Schonberg	Tank is 28'2 High
	3/30	Mashie Lane	Tree Across Road
	3/30	Driver Lane	Tree Across Road
	3/30	LaBelle Circle	Tree Across Road
	3/30	Ridgepole	Tree Across Road
	3/30	Overlook Lane	Tree Across Road
Vehicle Assistance:	3/03	Bald Mtn	Jump Start Vehicle
	3/04	Alpine Drive	Jump Start Vehicle
	3/06	Sugar Bush	Vehicle Stuck in Snow
	3/06	Sugar Bush	Vehicle Stuck in Snow
	3/09	Saddleback	Jump Start Vehicle
	3/11	Saddleback	Jump Start Vehicle
	3/19	Bald Mtn	Unlock Vehicle
Mileage:	3557		

Housing & Development Departmental Data Report	For month ending March 31, 2014		
	Mar-14	YTD	2013 YTD
New Residential & Commercial permits issued	0	0	0
All other addition, remodel and repair permits	13	27	23
Certificates of Occupancy issued	1	1	0
Total New Construction not yet finalized	0		2
Total Other Construction not yet finalized	9		6
Notices to Comply issued	0	0	0
Stop Work Orders issued	0	0	0
Tree Cutting permits issued	2	4	7
Code & Ordinance Violations cited	0	0	0
Fees Collected			
	Mar-14	YTD	2013 YTD
New Residential or Commercial Permits	\$0.00	\$0.00	\$0
Other Addition, Remodel, Repair Permits	\$1,097.00	\$1,534.00	\$1,239
Tree Cutting Permits	\$120.00	\$345.00	\$570
Land Disturbing Permits	\$0.00	\$0.00	\$0
Fines Collected for for Ordinance Violations	\$0.00	\$0.00	\$0



Departmental Report by the City Manager

April, 2014

Announcements -

2014 Keep America Beautiful

Sky Valley will participate in the 2014 Keep America Beautiful Campaign by having a Spring Clean-up Day on Wednesday, April 23, 2014. We will meet at 2 PM at City Hall. We appreciate the record number of volunteers that have signed up to help that day.

Delinquent Tax Penalty

In addition to the one percent interest that is currently accruing on any unpaid ad valorem taxes, a ten percent penalty will be assessed April 24, 2014. Please contact Alyssa Mullins at City Hall if you have any questions about your Sky Valley property taxes.

Short-term Rentals

It is mandatory that every person engaging in short-term home rentals of 10 days or less must register with the city clerk. If you have not done this yet, I urge you to contact City Hall immediately. Each rental within the City limits of Sky Valley is required to submit a monthly tax return by the 20th of the month for rentals during the previous month. An operator who fails to make any return or to pay the amount of tax will be assessed penalties and interest.

Housing & Development & Code Enforcement

Permits

Please be reminded that work done on your home may likely require a permit. When in doubt, please contact the Building Inspector's Office or City Hall. If you are found to be doing work without a permit, your first offense will subject you to a penalty fee equal to double the cost of the permit, a \$50 minimum. The homeowner is ultimately responsible for making sure his/her contractors obtain the necessary permits. Permits are required for, but not limited to, all structural, mechanical, electrical, plumbing, soil & erosion, roofing, decking, stairs, concrete, tree cutting, additions and remodeling. Many repair permits have no cost associated with them but are still required and will still be subject to the penalty fee if they are not properly obtained.

Public Works -

The Public Works Department has completed the park area improvements. They have had a busy month of chipping with the high winds and homeowner spring cleaning that has been going

on. We are still in the process of cleaning ditches, check dams and culvert heads to improve storm water drainage throughout the city. We are getting started with the growing season and are beginning to mow and weed-eat the city right-of-ways. Public Works will be assisting with the City Hall signage and flag pole project.

Safety

Public Works Supervisor, Rick Cavalli attended Safety Coordinator training in Cornelia. He is the designated Safety Coordinator for the City. Having a good safety program entitles the City to qualify for grants through GMA's liability and workers compensation insurance programs. Last year, the City was granted over \$3700 through this program in reimbursable expenditures for safety gear.

Tree Cutting/Trimming/Topping

Please don't forget that any tree with a trunk that is 8" or more in diameter or 25" or more in circumference at 18" above the ground requires a permit for cutting, trimming & topping. You are allowed to remove limbs from a tree up to twelve feet above the ground without a permit. If you had to obtain a permit to cut, it would not qualify for city chipping service. Contractors are responsible for the removal of all tree cuttings and debris within fourteen days.

Chipping Service

Homeowner chipping service is done during the 2nd and 4th week of the month, weather permitting. Please take this schedule into consideration when planning your trimming. The City provides 15 minutes of chipping service to every homeowner each month at no cost. Chipping service is then provided at a rate of \$100/hour for any time exceeding the first 15 minutes. Cuttings must be less than 8" in diameter and must be stacked in one direction on the right-of-way, out of the road and not in an area that will block culverts or otherwise impede storm water drainage. We cannot chip small yard debris, vines, thorn bushes, small shrubbery clippings, railroad ties, landscape timbers, or similar type items. The chipping service is designed for limbs and small trees only. All other yard waste must be bagged.

Leaves and Yard Waste Pick-up

Yard waste is collected separately from household garbage on the 2nd and 4th Tuesday of each month. It shall not be placed for pickup prior to 72 hours before the pickup date. Yard waste shall be bagged and placed for pickup within 5 feet of the roadway. Please do not mix household garbage in with this material. Un-bagged leaves are collected semi-annually in the fall and spring during designated times. Leaves must be bagged for pick-up at all other times of the year. Unscheduled special collection arrangements can be made for an additional fee. Please call City Hall for all yard debris pick-up.

Mulch

Mulch from our chipping service is available for purchase from the City for \$25 per load delivered.

Water -

The tank repair in Winding Ridge has been completed. We appreciate the patience of our Winding Ridge residents while this repair was been done.

Solid Waste -

Garbage service will continue once per week from January – May 26th (Memorial Day). Don't forget that garbage should not be placed out for pick-up any earlier than the morning of the service. Animals scatter garbage even when put in the underground cans. Our garbage collectors are not responsible for picking up any garbage that is not properly bagged once they arrive. The dumpster at the tractor barn on Knob Drive can be utilized when you need to take your garbage somewhere prior to a garbage collection day. This is especially important when your garbage contains food items. NO garbage other than regular household garbage should be put out by the road or in the dumpster. **Any contractors found dumping lumber, carpeting, paint, etc. in the dumpsters will be cited.** Recyclables and other household garbage can be taken to the recycle center on Kelly's Creek Road. Construction debris should be hauled to the transfer station on Boggs Mountain Road in Tiger.

Recyclables and other household garbage can be taken to the recycle center on Kelly's Creek Road.



Reduce... Reuse... Recycle...

Reduce the amount and toxicity of trash you throw away

Reuse containers and products

Recycle as much as possible and buy products with recycled content

Totals Report For 2012 Taxes

March 2014

Tax Commissioner

	Billed	Collected	Adjustments	Outstanding
2012 Ad Valorem Tax	834,170.00	831,967.82	238.19+	2440.37
Interest	2,288.10	1,970.90		317.20
Penalty	3,089.91	2,845.87		244.04
Costs	6,646.00	6,646.00		0
Totals	846,194.01	843,430.59	238.19+	3,001.61

Collected: 99.71%

*outstanding total is Georgia Windstream Inc which is still under appeal. Will collect once appeal is completed.

Totals Report For 2013 Taxes

March 2014

Tax Commissioner

	Billed	Collected	Adjustments	Outstanding
2013 Ad Valorem Tax	838,547.44	798,278.84	5,810.10-	34,458.50
Interest	1,366.82	337.01	0	1029.81
Penalty	0	0	0	0
Costs	0	0	0	0
Totals	839,914.26	798,615.85	5,810.10-	35,488.31

Collected: 95.86%

Balance Sheet - as of March 31, 2014

General Funds	
General Fund Cash	1,199,669.03
Municipal Court	9,345.00
Petty Cash	300.00
Accounts Receivable	34,458.50
Due from Other Funds	34,089.65
Total Assets	1,277,862.18
Liabilities	
Deferred Revenue (Property Taxes)	0.00
Due to Other Funds	0.00
Funds Remaining for 2014 Budget	787,534.82
Total Liabilities	787,534.82
Fund Balance	490,327.36
Local Restrictions on Fund Balance	
Admin & General Government	49,962.86
Roads	74,220.54
Police	0.00
Housing & Development	15,000.00
Total Locally Restricted Funds	139,183.40
Total Locally Unrestricted Fund Balance	351,143.96
Enterprise Funds	
Combined Utility Fund Cash	806,782.74
Accounts Receivable	37,816.57
Total Current Assets	844,599.31
Liabilities	
Prepaid Accounts	6,267.06
Deposits for Water Service	800.00
Due to Other Funds	34,089.65
Funds Remaining for 2014 Budget	400,058.00
Total Liabilities	441,214.71
Restricted Funds	
GEFA Debt Service Reserve	53,211.00
Net Assets	350,173.60
Local Restrictions on Funds	
Water	928.00
Solid Waste	23,829.05
Total Locally Restricted	24,757.05
Hotel/Motel Tax Fund	
Accommodations Tax Received	1,246.67
SPLOST	
SPLOST Funds Received	130,605.39

CITY OF SKY VALLEY

General Fund

Budget Performance

March 2014

	Mar 14	Jan - Mar 14	YTD Budget	% of Budget
Income				
33.4000 · GA government grants/contracts	0.00	0.00	22,550.00	0.0%
33.9000 · Other Grants (GMA, GIRMA, etc)	0.00	0.00	3,000.00	0.0%
39.1000 · Interfund (Use of Fund Balance)	0.00	0.00	50,000.00	0.0%
60110 · Ad valorem - property	0.00	798,278.84	832,140.00	95.93%
60120 · Ad valorem - vehicles	9,158.14	16,439.74	8,610.00	190.94%
60140 · Penalties, Fife's, interest	3,694.49	6,647.60	5,000.00	132.95%
60210 · Insurance premium tax	0.00	0.00	13,000.00	0.0%
60220 · Beverage Excise tax	6.20	23.12	750.00	3.08%
60230 · Franchise tax	0.00	40,782.53	50,000.00	81.57%
60235 · Fines & forfeitures	0.00	718.45	4,000.00	17.96%
60240 · Business license	0.00	1,085.00	3,200.00	33.91%
60250 · Permits	1,216.60	1,878.40	9,950.00	18.88%
60270 · Zoning applications	0.00	0.00	100.00	0.0%
60271 · Sales of Reports, Copies, Etc.	29.01	172.49	500.00	34.5%
60280 · Real estate transfer tax	62.49	219.74	1,500.00	14.65%
60281 · Intangible tax	0.00	236.59	6,000.00	3.94%
69110 · Interest income	446.00	913.61	2,400.00	38.07%
69115 · Transfer from hotel/motel tax	0.00	0.00	1,000.00	0.0%
69150 · Refunds & Reimbursements	1,759.20	1,759.20	1,000.00	175.92%
69990 · Miscellaneous	25.00	26.06	500.00	5.21%
70000 · Sale of surplus property	0.00	5,405.00	4,000.00	135.13%
Total Income	16,397.13	874,586.37	1,019,200.00	85.81%
Administration & General Government				
510000 · Personal Services	13,505.03	37,275.40	162,210.00	22.98%
520000 · Purchased / Contracted Services	1,149.38	8,583.81	53,100.00	16.17%
530000 · Supplies	779.69	2,169.92	28,450.00	7.63%
Total Expense	15,434.10	48,029.13	243,760.00	19.7%
Roads				
510000 · Personal Services	18,545.83	37,195.81	130,425.00	28.52%
520000 · Purchased / Contracted Services	466.07	7,074.85	36,075.00	19.61%
530000 · Supplies	1,816.18	7,102.30	46,500.00	15.27%
540000 · Capital Outlays	0.00	0.00	80,000.00	0.0%
Total Expense	20,828.08	51,372.96	293,000.00	17.53%
Police				
510000 · Personal Services	22,506.81	73,264.06	281,705.00	26.01%
520000 · Purchased / Contracted Services	576.91	7,881.24	31,045.00	25.39%
530000 · Supplies	1,329.00	3,728.28	25,750.00	14.48%
Total Expense	24,412.72	84,873.58	338,500.00	25.07%

CITY OF SKY VALLEY

General Fund

Budget Performance

March 2014

	Mar 14	Jan - Mar 14	YTD Budget	% of Budget
Housing & Development				
510000 · Personal Services	1,637.16	4,466.12	25,860.00	17.27%
520000 · Purchased / Contracted Services	35.21	157.05	6,940.00	2.26%
530000 · Supplies	296.93	644.92	3,100.00	20.8%
Total Expense	1,969.30	5,268.09	35,900.00	14.67%
Judicial				
510000 · Personal Services	284.54	612.42	2,470.00	24.79%
520000 · Purchased / Contracted Services	250.00	250.00	1,970.00	12.69%
Total Expense	534.54	862.42	4,440.00	19.42%
Elections				
520000 · Purchased / Contracted Services	0.00	93.00	4,900.00	1.9%
Total Expense	0.00	93.00	4,900.00	1.9%
Executive				
520000 · Purchased / Contracted Services	0.00	248.00	3,125.00	7.94%
530000 · Supplies	0.00	0.00	75.00	0.0%
Total Expense	0.00	248.00	3,200.00	7.75%
Legislative				
520000 · Purchased / Contracted Services	0.00	418.00	11,200.00	3.73%
530000 · Supplies	0.00	0.00	300.00	0.0%
Total Expense	0.00	418.00	11,500.00	3.64%
Fire & Rescue	0.00	14,500.00	58,000.00	25.0%
Total Income	16,397.13	909,647.50	1,019,200.00	
Total Expenses		205,665.18	993,200.00	
Funds Remaining in 2014 Budget				787,534.82

CITY OF SKY VALLEY
Enterprise Funds
Budget Performance
March 2014

	Mar 14	Jan - Mar 14	YTD Budget	% of Budget
Water				
Income				
34.4210 · Water charges	24,574.47	81,265.20	325,000.00	25.01%
34.9000 · Other charges for services	10.00	140.00	280.00	50.0%
36.1000 · Interest revenue	131.21	259.73	1,500.00	17.32%
39.1000 · Interfund Transfers	0.00	0.00	57,220.00	0.0%
Total Income	24,715.68	81,664.93	384,000.00	21.27%
Expense				
51.1000 · Personal Services - Wages	8,312.34	23,733.00	138,565.00	17.13%
52.1000 · Purchased profess & tech svcs	2,435.46	6,495.10	44,980.00	14.44%
53.1000 · Supplies	6,453.09	13,191.91	58,900.00	22.4%
54.0000 · Capital Outlay	0.00	0.00	15,000.00	0.0%
58.0000 · Debt Service	10,043.95	30,131.85	126,555.00	23.81%
Total Expense	27,244.84	73,551.86	384,000.00	19.15%
Net Income	-2,529.16	8,113.07	0.00	100.0%

Solid Waste				
Income				
34.4100 · Sanitation	9,248.00	27,768.00	112,000.00	24.79%
Total Income	9,248.00	27,768.00	112,000.00	24.79%
Expense				
51.1000 · Personal Services - Wages	5,053.32	16,554.89	64,545.00	25.65%
52.1000 · Purchased profess & tech svcs	652.46	3,830.68	34,700.00	11.04%
53.1000 · Supplies	1,036.03	2,004.57	12,755.00	15.72%
Total Expense	6,741.81	22,390.14	112,000.00	19.99%
Net Income	2,506.19	5,377.86	0.00	100.0%

AN ORDINANCE TO AUTHORIZE SPECIAL PERMIT FOR SHOOTING ANIMAL PESTS, AND FOR OTHER PURPOSES

Whereas, the City of Sky Valley has determined that from time to time animal pests may be present on property located within the corporate limits of the City of Sky Valley; and

Whereas, animal pests may endanger the safety of the public or may constitute a nuisance; and

Whereas, the City of Sky Valley has determined that under certain circumstances there are justifications for shooting animal pests.

Therefore be it hereby ordained as follows:

- I. Special permits for shooting animal pests. The chief of police may issue a special written permit to a citizen over the age of 18 to use a firearm for the limited purpose of shooting animal pests upon determination by the sheriff or police that the animal is a pest as defined herein. Such animal pests shall include, but not limited to, a bird or animal which endangers the public safety, health, or welfare, or creates a nuisance or health hazard on a person or entity's property. Any firearm and ammunition used under this paragraph shall be first approved by the chief of police or designee. The permit shall be for a limited time not to exceed _____ days and for use only upon the applicant's property. The permit may be revoked for cause by the chief of police at any time without notice. No person holding such permit shall at any time discharge such firearm in such a way as to encroach on any street, public way, house or property or person of another. The applicant for such permit shall be signed by the applicant and give his/her correct name, age and address, the use intended and the period and place desired for such proposed use as well as the type of firearm and ammunition to be used. No person shall give false information in the written application. No permit shall be issued by the chief of police to any person that has been convicted of any felony, assault of an aggravated nature, or crimes involving the person or property of another. The application and a duplicate of the permit, if issued, shall be kept of record in the office of the chief of police. Any person who is refused a permit may appeal to the city manager. The fee for a _____ day permit shall be \$_____.
- II. Permits shall not be issued if in conflict with state or federal law or regulation.
- III. SHOULD ANY SECTION OR PROVISION OF THIS ORDINANCE BE DECLARED BY A COURT OF COMPETENT JURISDICTION TO BE UNCONSTITUTIONAL OR INVALID SUCH DECLARATION SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE OR ANY PART THEREOF OTHER THAN THE PART SO DECLARED TO BE UNCONSTITUTIONAL OR INVALID. ALL RESOLUTIONS AND ORDINANCES AND PARTS OF RESOLUTIONS AND ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.

IV. This ordinance will become effective upon adoption by the city council as provided by the Charter of the City of Sky Valley

It is so ordained and approved by vote of the city council of the City of Sky Valley this _____ day of _____, 2014.

Mayor

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

DRAFT

Attest:

City Clerk

**CONTRACT FOR CONDUCT OF
THE CITY OF SKY VALLEY ELECTIONS**

This Agreement, entered into this _____ day of _____, 20____, by and between the City of Sky Valley, Georgia (hereinafter "the City") and Rabun County Board of Elections, Georgia (hereinafter "the County"), witnesses that:

WHEREAS, the City has opted to contract with County to conduct the City of Sky Valley Elections, and until either party dissolves said contract.

WHEREAS, the City has requested the County to perform the functions imposed by O.C.G.A. Section 21-2-45 on the City with reference to such elections;

NOW, THEREFORE, in consideration of the mutual covenants, promises, conditions and agreements contained herein, the parties hereto do mutually agree as follows;

(1)

The city agrees to pay to the County, for the service of its Board of Elections and Registration, in the conduct of the City of Sky Valley Elections held on the Tuesday next following the first Monday in November in each year, all actual costs incurred in conducting said election. Said costs to include, without limitation, costs of publication; use of election equipment; cost of sample, absentee, provisional and duplicator ballot cards; costs of printing of said ballots; area supervisor's salaries; election night personnel compensation; absentee voting staff salaries; advance voting space and staff salaries (if applicable); cost of training and compensation for poll workers.

(2)

The County shall perform, through its Board of Elections and Registration, the following functions with reference to the conduct of the aforesaid election: (a) election planning; (b) ballot layout for absentee and provisional ballots; (c) hiring of personnel; (d) special instructions to poll workers; (e) programming of election equipment; (f) preparation of elections list; (g) election day coverage; (h) election managers meeting; (i) auditing of election results; (j) certification and consolidation of returns; (k) absentee voting; (l) advance voting (if applicable); (m) ordering and packing of supplies; (n) qualifying candidates; (o) training of poll workers and (p) such other reasonable and necessary duties and services as are required.

(3)

The City hereby agrees to release, indemnify and hold harmless the County, its Board of Elections and Registration, and their Agents and employees from and against any and all loss, damage, injury, claims, expenses (including attorneys fees and expenses of litigation) and demands arising out of or connected in any way with the conduct of the election, which are not occasioned by any gross negligence on the part of the County or its Board of Elections and Registration.

NOTES & OPTIONS

- Qualifying can either be done at City Hall or Rabun County (Clayton).
 - Mountain City, Clayton, Dillard have the County do their qualifying
- Early Voting – 3 weeks prior to Election Day would be held in Rabun County
- On Election Day, voters can either vote in City Hall or at Rabun County – it is up to the City where we want voting on Election Day
- Each city sets the pay rate for the poll officers
 - Other cities pay \$8.00 per hour for poll workers and \$9.00 per hour for the Election Manager
 - Each poll worker is paid for receiving training – approximately one hour – recommended pay is \$10 for training time
 - The cost is split between each city who has an election that year
 - The years that Sky Valley is the only city conducting an election, the City will be responsible for the entire cost
- Each City can also choose to have Campaign Reports filed at the County instead if at City Hall
 - Mountain City, Clayton, and Dillard have their reports filed at the County

Estimated Expense for County Conducting Elections

Training Poll Workers – 4 people @ \$10 each	\$ 40.00
Early Voting – 2 people @ \$8 per hour for 15 days	\$ 1,920.00
Early Voting – 1 person @ \$9 per hour for 15 days	\$ 1,080.00
Election Day – 2 people @ \$8 per hour & 1 @ 9 per hour for 14 hour day	\$ 350.00
Estimated Costs for Supplies, food for poll workers on Election Day, advertisements, ballots, & administrative fee	<u>\$ 900.00</u>
Total Estimated Cost	\$ 4,290.00

- For the 2011 General Election, the City of Dillard’s actual cost was \$2,344.65.
- The County Conducted the 2013 General Election for Clayton – actual cost \$4,085.38
- For the 2013 General Election, our actual expenses were \$1,538.65

**AN ORDINANCE ESTABLISHING STANDARDS FOR TELECOMMUNICATIONS
ANTENNAE AND TOWERS IN THE CITY OF SKY VALLEY, AND FOR OTHER
PURPOSES**

Whereas, the City of Sky Valley has determined that it is important to create standards for locating telecommunications antennae and towers as more specifically set forth in the purposes noted in this ordinance; and

Whereas, the City of Sky Valley wishes to promote for the City of Sky Valley the availability of wireless telecommunications service.

Therefore be it hereby ordained as follows:

I. The Code of Ordinances of the City of Sky Valley is hereby amended as follows:

SECTION 1. PURPOSES. This ordinance is designed and intended to balance the interests of the residents of the City of Sky Valley, telecommunications providers, and telecommunications customers in the siting of telecommunications facilities within the City of Sky Valley so as to protect the health, safety and integrity of residential neighborhoods and foster, through appropriate zoning and land use controls, a competitive environment for telecommunications carriers that does not unreasonably discriminate among providers of functionally equivalent services and shall not prohibit or have the effect of prohibiting the provision of personal wireless services, and so as to promote the City of Sky Valley as a proactive city in the availability of wireless telecommunications service. To that end, this ordinance shall:

A. Provide for the appropriate location and development of telecommunications facilities to serve the residents and businesses of the City of Sky Valley;

B. Protect the City of Sky Valley's built and natural environment by promoting compatible design standards for telecommunications facilities;

C. Minimize adverse visual impacts of telecommunications facilities through careful design, siting, landscape screening and innovative camouflaging techniques;

D. Avoid potential damage to adjacent properties from tower or antennae failure through engineering and careful siting of telecommunications tower structures and antennae;

E. Maximize use of any new and existing telecommunications towers so as to minimize the need to construct new towers and minimize the total number of towers throughout the City;

F. Maximize and encourage use of alternative telecommunication tower structures as a primary option rather than construction of additional single-use towers; and

G. Encourage and promote the location of telecommunications facilities in approved areas.

SECTION 2. DEFINITIONS. As used in this ordinance, terms shall have the meanings indicated in Article III of the City of Sky Valley Zoning Ordinance.

SECTION 3. EXCLUSIONS. The following shall be exempt from this ordinance:

A. Any tower and antenna under seventy (70) feet in total height and owned and operated by an amateur radio operator licensed by the Federal Communications Commission;

B. Any device for over-the-air reception of television broadcast signals, multi-channel multi-point distribution service or direct broadcast satellite service; or

C. Any telecommunications facilities located on property owned, leased or otherwise controlled by the City of Sky Valley provided a license or tease authorizing telecommunications facility has been approved by the governing body.

D. Any monopole tower and antenna up to seventy (70) feet in total height except as otherwise authorized.

E. Any antenna located on any existing structure. (i.e. existing towers, water tanks, buildings, utility poles, streetlights, etc.)

F. Any antenna located on a new or existing utility pole to include poles used/or lighting for City owned recreation facilities (i.e. ball fields, tennis courts, etc.) or on new structures properly permitted (i.e. bell towers, steeples, clock towers, streetlights, etc.)

G. Any monopole tower and antenna one hundred (100) feet or less located in an electrical substation.

H. Any telecommunications facilities operative on the effective date of this ordinance.

SECTION 4. PLACEMENT OF TELECOMMUNICATIONS FACILITIES BY ZONING DISTRICT.

- A. All towers are only permitted in the following zoning districts:
- (1) Commercial and Municipal (CM)
 - (2) Maintenance (M)

SECTION 5. PREFERRED LOCATION SITES.

A. Publicly used structures: Publicly used structures are preferred locations throughout the city because they appear in virtually all neighborhoods, are dispersed throughout

the city, and due to their institutional or infrastructure uses are generally similar in appearance to or readily adaptable for telecommunications facilities. Therefore, telecommunications facilities should be less noticeable when placed on publicly used structures than when placed on commercial or residential structures. Publicly used structures include facilities such as police or fire stations.

B. **Co-Location Sites:** Any existing site on which a legal wireless telecommunications facility is currently located shall be a Preferred Location Site regardless of the underlying zoning designation of the site, provided, however, that locations which meet this criteria shall be subject to the design and siting components of this ordinance and co-location sites shall not become an “antenna farm” or otherwise be deemed by the Director or the governing authority to be visually obtrusive.

SECTION 6. REQUIREMENTS FOR TELECOMMUNICATIONS FACILITIES.

A. **General Requirements for All Telecommunications Facilities:** The requirements set forth in this Section shall govern the location and construction of all telecommunications facilities governed by this ordinance.

1. **Building Codes and Safety Standards:** To ensure the structural integrity of telecommunications facilities, the owner of a telecommunications facility shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for such telecommunications facilities that are published by the FCC as amended from time to time. Owners of telecommunications facilities shall conduct periodic inspections of such facilities at least once every three years to ensure structural integrity. Inspections shall be conducted by a structural engineer licensed to practice in Georgia. The results of such inspection shall be provided to the City of Sky Valley Planning Department.

2. **Regulatory Compliance:** All telecommunications facilities must meet or exceed current standards and regulations of the FAA, the FCC and any other agency of the state or federal government with the authority to regulate communications towers and antennae. If such standards and regulations are changed then the owners of the telecommunications facilities governed by this ordinance shall bring such communications towers and antennae into compliance with such revised standards and regulations within the date established by the agency promulgating the standards or regulations.

3. **Security:** All telecommunications facilities shall be enclosed by decay-resistant security fencing not less than six (6) feet in height and shall be equipped with an appropriate anti-climbing device. This requirement may be waived by the Planning Department if it is deemed that this would produce negative visual clutter or obstruct a view corridor.

4. **Lighting:** No illumination is permitted on telecommunications facilities unless part of a approved public lighting program or required by the FCC, FAA or other state or federal agency of competent jurisdiction in which case the Director may review the available lighting

alternatives and approve the design that would cause the least disturbance to the surrounding uses and views.

5 Advertising: No advertising is permitted on telecommunications facilities.

6. Visual Impact:

a. Telecommunications facilities shall, subject to applicable standards of the FAA or other federal or state agencies, be maintained with a galvanized metal finish, painted a neutral color, or painted and/or textured to match the existing structure so as to reduce visual obtrusiveness. Telecommunications facilities located in residentially zoned areas shall be painted in a neutral color or textured to match the existing environment to minimize visual obtrusiveness. If federal or state regulations require, telecommunication facilities shall maintain a galvanized steel finish or other required finish.

b. If an antenna is installed on a structure other than a tower and is generally visible to the public, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible. Roof mounted antennas shall be made visually unobtrusive by screening to match existing air conditioning units, stairs, elevator towers, or other background.

c. Antennas mounted on architecturally significant structures or significant architectural details of the building shall be covered by appropriate casings, which are manufactured to match existing architectural features found on the building.

d. Where feasible, antennas can be placed directly above, below or incorporated with vertical design elements of a building to help in camouflaging.

e. Towers or roof mounted antennas shall not be placed in direct line with significant view corridors, as designated by the City of Sky Valley or by any state or federal law or agency. For purposes of this ordinance a significant view corridor shall be defined as an area to be kept free of obstructions or structures which interfere with the view of any scenic area, or historic building or area. A view corridor shall be established by ordinance of the City of Sky Valley, by zoning restrictions adopted in accordance with the ordinances of the City of Sky Valley, or by any state or federal law or agency in accordance with provisions of federal laws or duly adopted regulations.

f. Any equipment shelter or cabinet must be concealed from public view or made compatible with the architecture of the surrounding structures or placed underground. Equipment shelters shall be screened from public view and may use landscaping or materials and colors consistent with the surrounding structures. The shelter or cabinet must be regularly maintained.

7. Landscaping:

a. Landscaping shall be used to effectively screen the view of the tower compound from adjacent public ways, public property and residential property.

b. Native vegetation on the site shall be preserved to the greatest practical extent. The applicant shall provide a site plan showing existing significant vegetation to be removed, and vegetation to be replanted to replace that lost.

c. The Director may waive or modify the landscaping requirement where lesser requirements are desirable for adequate visibility for security purposes or for continued operation of existing bona fide agricultural or forest uses such as farms, nurseries and tree farms. In certain locations where the visual impact of the tower would be minimal, such as remote agricultural or rural locations or developed heavy industrial areas, the landscaping requirement may be modified or waived by the City after review by the City Planning and Zoning Committee.

8. Maintenance Impacts: Equipment at a transmission facility shall be automated to the greatest extent possible to reduce traffic and congestion. Where the site abuts or has access to a collector and local street, access for maintenance vehicles shall be exclusively by means of the collector street. Access drives and maintenance vehicle parking shall be paved unless the requirement is waived by the City Planning and Zoning Committee.

9. Principal, Accessory and Joint Uses:

a. Accessory structures used in direct support of a tower shall be allowed but not be used for offices, vehicle storage or other outdoor storage. Mobile or immobile equipment not used in direct support of a tower facility shall not be stored or parked on the site of the tower.

b. Towers may be located on sites containing another principal use in the same build able area. Joint use of a site is prohibited when a proposed or existing principal use includes the storage, distribution or sale of volatile, flammable, explosive or hazardous materials such as propane, gasoline, natural gas and dangerous chemicals.

10. Lot Size and Setbacks:

a. The site shall be of a size and shape sufficient to provide an adequate setback from the base of the tower to any property line abutting a residential district, public property, or public street. Such setback shall be sufficient to:

(1) Provide for an adequate vegetative, topographic or other buffer as required by the City;

(2) Preserve the privacy of surrounding residential property; and

(3) Protect adjoining property from the potential impact of tower failure by being large enough to accommodate such failure on the site, based on the engineer's analysis required in Section _____.

11. The proposed project must not disrupt the overall community character. For purposes of this ordinance, the term overall community character shall be determined by applying the criteria set forth in the Zoning Ordinance of the City of Sky Valley, Georgia.

B. Additional Requirements for Towers:

1. Site location and development shall preserve the preexisting character of the surrounding buildings and land uses and the zone district as much as possible. Wireless communication towers shall be integrated through location and design to blend in with existing characteristics of the site to the extent practical (i.e. camouflaging through integration with structures or appearance such as artificial trees, etc.).

2. Existing on-site vegetation shall be preserved or improved, and disturbance of the existing topography shall be minimized, unless such disturbance would result in less visual impact of the site to the surrounding area.

3. At a tower site the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and built environment. (i.e. artificial tree appearance, steeples, decorative fencing, etc.)

4. Towers greater than 70 feet in height shall not be located any closer than 1500 feet from an existing tower unless technologically required or visually preferable as determined by the City through a variance request.

5. When a tower is adjacent to a residential use, it must be set back from the nearest residential lot line a distance at least equal to its total height.

6. Towers shall not be sited where they will create visual clutter or negatively affect specific view corridors as designated by the City of Sky Valley or any state or federal law or agency.

7. Placement of more than one tower on a lot shall be permitted, provided requirement number 4 above is met along with all setback, design and landscape requirements as to each tower. Structures may be located as close to each other as technically feasible, provided tower failure characteristics of the towers on the site will not lead to multiple failures in the event that one fails.

SECTION 7. APPLICATION PROCEDURES.

A. Special Use Permits:

1. A request for a Special Use Permit shall be initiated by application to the Planning Department and handled in accordance with the Special Use Permit provision of Article 19 of the City of Sky Valley Zoning Ordinance. The applicant may obtain a Special Use Permit pursuant to the City of Sky Valley Zoning Ordinance provided that all

of the requirements of this ordinance have been satisfied and further, that the benefits of and need for the proposed tower are greater than any possible depreciating effects and damage to the neighboring properties.

2. In granting a special use permit, the City of Sky Valley may impose additional zoning conditions to the extent determined necessary to buffer or otherwise minimize adverse effects of the proposed tower or antenna on surrounding properties.

B. General Application Requirements for All Building and Special Use Permits.

Application for a building permit or special use permit for any telecommunications facility shall be made to the Director. An application will not be considered until it is complete. The following information shall be submitted when applying for any Building Permit, Special Use Permit or other permit or variance included in this ordinance:

1. Basic Information:

- a. Site plan or plans to scale specifying the location of telecommunications facilities, transmission building and/or other accessory uses, access, parking, fences, landscaped areas; and adjacent land uses.
- b. Landscape plan to scale indicating size, spacing and type of plantings required by the City of Sky Valley.
- c. An Impact Statement fully describing the effects that the proposed telecommunications facility will have on the environment and surrounding area including the impacts on adjacent residential structures and districts, impacts on structures and sites of historic significance and impacts on streetscapes and significant view corridors. The Impact Statement shall include a description of anticipated maintenance needs for the telecommunications facility, including frequency of service, personnel needs, equipment needs, and traffic noise or safety impacts of such maintenance.
- d. Report from a professional structural engineer licensed in the State of Georgia, documenting the following:
 - i. Telecommunications facility height and design, including technical, engineering, economic, and other pertinent factors governing selection of the proposed design;
 - ii. Total anticipated capacity of the telecommunications facility, including number and types of antennae which can be accommodated;
 - iii. Evidence of structural integrity of the tower structure (i.e. Engineers statement that structure is built to meet or exceed Standard Building Code); and

iv. Structural failure characteristics of the telecommunications tower(s) over seventy (70) feet and demonstration that site and setbacks are of adequate size to contain debris.

v. Setbacks for telecommunication tower(s) seventy (70) feet and less shall not be closer to a residential structure than the height of the tower or closer to a residential property line than forty (40) feet.

e. A definition of the area of service to be served by the antenna or tower and whether such antenna or tower is needed for coverage or capacity.

f. The identity of a community liaison officer to resolve issues of concern to neighbors and residents relating to the construction and operation of the facility. Include name, address, telephone number, facsimile number and electronic mail address, if applicable.

g. The existing towers and tall structures located within the geographic service area should be identified on a map along with written justification as to the need for a new tower in place of an existing structure.

2. A map indicating all existing tower and antennae sites located within the City and within two (2) miles of the City boundaries.

3. The applicant must provide any other information which may be requested by the Planning Department and/or City Council to fully evaluate and review the application and the potential impact of a proposed telecommunications facility.

C. Grant or Denial of Permit:

1. The Building Inspector shall review the completed application for a Building Permit or Special Use Permit and shall issue a grant or denial of a Building Permit or forward the application for consideration for a Special Use Permit pursuant to the Zoning Ordinance of the City of Sky Valley within a reasonable time.

2. Any decision to deny a building permit or Special Use Permit pursuant to the Zoning Ordinance of the City of Sky Valley shall be supported by substantial evidence in a written record.

SECTION 8. CO-LOCATION. Application and owner shall allow other future wireless communications companies including public and quasi-public agencies using similar technology to collocate antenna equipment and facilities on the tower unless specific technical constraints prohibit said co-location. Applicant may negotiate any type of agreement for co-location but shall not charge fees, which are so unreasonable as to prohibit co-location.

SECTION 9. APPEALS. Appeals from any decision of the Planning Department shall be to the Zoning Board of Appeals pursuant to the Zoning Ordinance of City of Sky Valley. Any

decision on a request to build a tower or for a Special Use Permit for a tower shall be in writing, and any denial of any such request or Special Use Permit shall be supported by substantial evidence and a written record.

SECTION 10. NUISANCES. Telecommunications facilities, including, without limitation, power source, ventilation and cooling, shall be operated at all times in such a manner as to not be a nuisance as defined by the ordinances of the City of Sky Valley.

SECTION 11. REMOVAL OF ANTENNAE AND TOWERS. All telecommunications facilities shall be maintained in compliance with standards contained in applicable building and technical codes so as to ensure the structural integrity of such facilities. If upon inspection by the Director or his designee any such telecommunications facility is determined not to comply with the minimum Standard Building Code or to constitute a danger to persons or property, then upon notice being provided to the owner of the facility and the owner of the property if such owner is different, such owners shall have thirty (30) days to bring such facility into compliance. In the event such telecommunications facility is not brought into compliance within thirty (30) days, the City may provide notice to the owners requiring the telecommunications facility to be removed. In the event such telecommunications facility is not removed within thirty (30) days of receipt of such notice, the City may remove such facility and place a lien upon the property for the costs of removal or seek costs incurred through court action. Delay by the City in taking action shall not in any way waive the City's right to take action. The City may pursue all legal remedies available to it to insure that telecommunications facilities not in compliance with the minimum Standard Building Code standards or which constitute a danger to persons or property are brought into compliance or removed. The City may seek to have the telecommunications facility removed regardless of the owners' or operator's intent to operate the tower or antenna and regardless of any permits, federal, state or otherwise, which may have been granted.

SECTION 12. ABANDONED TOWERS.

A. Any telecommunications facility that is not operated for a continuous period of twelve (12) months shall be considered abandoned, whether or not the owner or operator intends to make use of it or any part of it. The owner of a telecommunications facility and the owner of the property where the facility is located shall be under a duty to remove the abandoned telecommunications facility. If such antenna and/or tower is not removed within sixty (60) days of receipt of notice from the City notifying the owner(s) of such abandonment, the City may remove such tower and/or antenna and place a lien upon the property for the costs of removal or seek costs incurred through court action. The City may pursue all legal remedies available to it to insure that abandoned telecommunications facilities are removed. Delay by the City in taking action shall not in any way waive the City's right to take action. The City may seek to have the telecommunications facility removed regardless of the owners' or operator's intent to operate the tower or antenna and regardless of any permits, federal, state or otherwise, which may have been granted.

B. If the owner of an abandoned tower or antenna wishes to use such abandoned tower or antenna, the owner first must apply for and receive all applicable permits and meet all of the conditions of this ordinance as if such tower or antenna were a new tower or antenna.

SECTION 13. PRE-EXISTING TOWERS/NON-CONFORMING USE.

A. All telecommunications facilities operative on the effective date of this ordinance shall be allowed to continue their present usage as a non-conforming use and shall be treated as a non-conforming use in accordance of the City of Sky Valley. Routine maintenance, including replacement with a new tower or antenna of like construction and height, shall be permitted on such existing telecommunications facilities. New construction other than routine maintenance shall comply with the requirements of this ordinance. The Planning Department may approve the addition of twenty (20) feet to any existing tower whereby it can be shown that this would provide for co-location and eliminate the need for a new tower and it is determined that adequate site area exists for the location of any equipment buildings. Approval of an additional twenty (20) feet applies to all zoning districts, however, additions greater than twenty (20) feet shall require a Special Use Permit.

B. A telecommunications facility that has received City approval in the form of either a building permit or special use exception, but has not yet been constructed or placed in operation shall be considered an existing telecommunications facility so long as such approval is current and not expired.

C. Placement of an antenna on a non-conforming structure shall not be considered an expansion of the non-conforming structure.

SECTION 14. COORDINATION WITH FEDERAL AND/OR STATE LAW AND REGULATION. Whenever the City Council finds that the application of this ordinance would not be in compliance with federal and/or state law and regulation or unreasonably discriminate among providers of functionally equivalent services or prohibit or have the effect of prohibiting the provision of personal wireless services, a Special Use Permit waiving any or all of the provisions of this ordinance may be granted.

II. SHOULD ANY SECTION OR PROVISION OF THIS ORDINANCE BE DECLARED BY A COURT OF COMPETENT JURISDICTION TO BE UNCONSTITUTIONAL OR INVALID SUCH DECLARATION SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE OR ANY PART THEREOF OTHER THAN THE PART SO DECLARED TO BE UNCONSTITUTIONAL OR INVALID. ALL RESOLUTIONS AND ORDINANCES AND PARTS OF RESOLUTIONS AND ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.

III. This ordinance will become effective upon adoption by the city council as provided by the Charter of the City of Sky Valley

It is so ordained and approved by vote of the city council of the City of Sky Valley this _____ day of _____, 2014.

RESOLUTION 14-_____

CITY OF SKY VALLEY

RESOLUTION DECLARING PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful or suitable for municipal purposes for the City of Sky Valley.

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes, including disposal, sale or trade-in on new equipment:

1984 Chevrolet Blazer, VIN 1G8ED18J9EF191378
1999 Ford Crown Victoria, VIN 2FAFP71W84X170529
2000 Ford Crown Victoria, VIN 2FAFP71W2YX119074
2002 Ford Explorer, VIN 1FMZU72E62UC63498
2005 Chevrolet Impala, VIN 2G1WF55K249331649

BE IT FURTHER RESOLVED that the Mayor and Finance Officer may do all acts necessary to dispose of this property according to state law.

It is so resolved and approved by vote of the City Council of the City of Sky Valley this _____ day of _____, 2014.

Approved:

Hughel Goodgame, Mayor

Attest:

Mandi Cantrell, City Clerk

RESOLUTION 14-_____

CITY OF SKY VALLEY

RESOLUTION DECLARING PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful or suitable for municipal purposes for the City of Sky Valley.

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2005 Chevrolet Impala, VIN 2G1WF55K249331649

BE IT FURTHER RESOLVED that the Mayor and Finance Officer may do all acts necessary to dispose of this property according to state law.

It is so resolved and approved by vote of the City Council of the City of Sky Valley this _____ day of _____, 2014.

Approved:

Hughel Goodgame, Mayor

Attest:

Mandi Cantrell, City Clerk

Sky Valley Police Department
Vehicle Evaluation Summary
April 2014

2011	Ford Fusion		
Date Purchased: 12/2013	Vehicle Condition: Very Good	Mileage: 44,678	
VIN: 3FAHP0HA6BR247981			
Defects: None Known			
2010	Ford Fusion		
Date Purchased: 12/2013	Vehicle Condition: Very Good	Mileage: 73,277	
VIN: 3FAHP0HA0AR132064			
Defects: None Known			
2005	Chevrolet Impala		
Date Purchased: 07/2012	Vehicle Condition: Fair	Mileage: 88,672	
VIN: 2G1WF55K249331649			
Defects: Vehicle is inoperable. Transmission and Power Steering must be replaced. Have 2 bids for transmission replacement and they are between \$3000 and \$3200. Have talked with mechanic and have been advised that generally after Repair this vehicle will continue to be a problem (Money Hole).			
2004	Ford Explorer (Silver)		
Date Purchased: Pre 2009	Vehicle Condition: Good	Mileage: 158,385	
VIN: 1FMZU73K24UA54539			
Defects: Just replaced ball joints			
2002	Ford Explorer (White)		
Date Purchased: Pre 2009	Vehicle Condition: Fair	Mileage: 145,358	
VIN: 1FMZU72E62UL63498			
Defects: Transmission must be replaced; rust is beginning to go through quarter panels			
1995	Ford Crown Victoria		
Date Purchased: Pre 2009	Vehicle Condition: Fair	Mileage: 140,000	
VIN: 2FALP71W4SX189914			
Defects: Just replaced coil packs			

1985 Chevrolet Blazer (Green)

Date Purchased: 2010 Vehicle Condition: Good Mileage: 102,058

VIN: 1G8ED18J9EF191378

Defects: None Known. This is the vehicle that we refer to as "The Beast". It is the vehicle that Takes care of Sky Valley during winter weather events. It was given to us by Dillard

1985 Chevrolet Blazer (White)

Date Purchased: Pre 2009 Vehicle Condition: Bad Mileage: 71,046

VIN: 1G8ED18J1GF145532

Defects: This vehicle does not have a transmission and is inoperable.

2000 Ford Crown Victoria (Silver)

Date Purchased: Pre 2009 Vehicle Condition: Good Mileage: 119,312

VIN: 2FAFP71W2YX119074

Defects: Vehicle needs tune-up. It was taken out of service January 2014 and lights, siren, & Radio was removed to put in 2010 Fusion.

2000 Ford Crown Victoria (White)

Date Purchased: Pre 2009 Vehicle Condition: Good Mileage: 145,282

VIN: 2FAFP71W8YX170529

Defects: Vehicle also needs a tune-up. This vehicle was taken out of service January 2014. The Lights, siren , & radio were installed in the 2011 Fusion.