

City Council Meeting  
10 N. Public Square  
May 3, 2018  
6:00 P.M. – Work Session  
7:00 P.M. – Council Meeting

## **I. Opening Meeting**

Invocation by Council Member Cooley.

Pledge of Allegiance led by Council Member Fox.

The City Council met in Regular Session with Matt Santini, Mayor presiding and the following present: Kari Hodge, Council Member Ward One; Cary Roth, Council Member Ward Three; Calvin Cooley Council Member Ward Four; Gary Fox, Council Member Ward Five; Taff Wren, Council Member Ward Six; Sam Grove, City Manager; Meredith Ulmer, City Clerk and Keith Lovell, City Attorney.

Absent: Jayce Stepp, Council Member Ward Two

## **II. Regular Agenda**

### **A. Council Meeting Minutes**

#### **1. April 19, 2018**

A motion to approve the April 19, 2018 City Council Meeting Minutes as presented was made by Council Member Fox and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

### **B. Commendation/Recognition**

#### **1. 2019 Teachers of the Year**

Mayor Santini presented resolutions honoring the teachers of the year: Leighanne Young, Cartersville Primary; Shannon Dietrich, Cartersville Elementary; Sara Bright, Cartersville Middle School; and Kim Foster, Cartersville High School.

### **C. Public Hearing – 2<sup>nd</sup> Reading of Zoning/Annexation Requests**

#### **1. T18-03, Outdoor Storage: Text Amendment to Chapter 26, Article IV, Sec. 4.25, Outdoor Storage and to Article IX, Sec. 9.2. M-U Multiple Use District, subsection 9.2.3, Development Standards**

Randy Mannino, Planning and Development Department Head came forward to speak on T18-03 and stated Taylor Farm Supply will be relocating from Leake St. to 912/914 N.

Tennessee St. The new location is in the M-U (Multiple-Use) District. As part of the move, Taylor's will be rebranding themselves as a Lawn and Garden retailer with a need for outdoor storage of landscape supplies such as plants, mulches and related items. The M-U district does not permit outdoor storage. The purpose of the text amendment is to allow outdoor storage of landscape supplies and materials in side and rear yards on non-residential properties in the M-U district with a Special Use permit.

Mayor Santini opened the floor for a public hearing and with no one coming forward the public hearing was closed.

A motion to approve T18-03 was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

**2. SU18-01: Special Use permit for outdoor storage. Application by Felshaw Holdings, LLC. Property is located at 912/914 N. Tennessee Street and contains approx. 1.66 acres.**

Mr. Mannino stated SU18-01, Taylor Farm Supply intends to relocate from Leake St. to 912/914 N. Tennessee St. and rebrand itself as a Lawn and Garden retailer. Outdoor storage of landscape supplies will be required at the new location in the M-U zoning district. Currently, outdoor storage is not allowed in M-U district. This Special Use application is being coordinated with text amendment T18-03.

Mayor Santini opened the floor for a public hearing and with no one coming forward the public hearing was closed.

A motion to approve SU18-01 was made by Council Member Wren and seconded by Council Member Hodge. Motion carried unanimously. Vote: 5-0.

**D. Public Hearing**

**1. Old Tennessee Road at Highway 20/411**

Keith Lovell, City Attorney stated on April 5, 2018, City Council approved the resolution to authorize the public advertisement of the road closure at Old Tennessee Road within Land Lot 51 at its intersection with State Route 20 and U.S. 411. This property had ceased to be used by the public, no substantial public purpose is served and it was in the best public interest that this section of road be abandoned. Council has been asked to hold a public hearing and then consider approval of the resolution to abandon and dispose of said property.

Mayor opened the floor for a public hearing and with no one coming forward the public hearing was closed.

A motion to approve the Old Tennessee Road at Highway 20/411 abandonment resolution and quitclaim deed was made by Council Member Wren and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

## **RESOLUTION NO. 11-18**

**WHEREAS**, the Mayor and City Council provided notice of the abandonment of that portion of Old Tennessee Road within Land Lot 51, located at State Route 20 and U.S. Hwy, as well as right of access onto U.S. Hwy. 411 and State Route 20 via this section of Old Tennessee Road to the owners of said property, and published notice in the legal organ of Bartow County on the 19<sup>th</sup> day of April, 2018 and 26<sup>th</sup> day of April, 2018; and

**WHEREAS**, the Mayor and City Council have held a public hearing to discuss the abandonment of Old Tennessee Road within Land Lot 51, located at State Route 20 and U.S. Hwy, as well as right of access onto U.S. Hwy. 411 and State Route 20 via this section of Old Tennessee Road; and

**WHEREAS**, the Mayor and City Council have determined that it is in the best public interest to abandon Old Tennessee Road within Land Lot 51, located at State Route 20 and U.S. Hwy, as well as transfer the right of access onto U.S. Hwy. 411 and State Route 20 via this section of Old Tennessee Road, due to the relocation of a portion of Old Tennessee Road with its intersection with U.S. Hwy. 411 and State Route 20; and

**WHEREAS**, that portion of abandonment of Old Tennessee Road within Land Lot 51, located at State Route 20 and U.S. Hwy, as well as right of access onto U.S. Hwy. 411 and State Route 20 via this section of Old Tennessee Road is indicated on the plat of survey prepared for Highlands Investment Associates, by William B. Smith, G.R.L.S No. 1803, dated October 13, 2017, which is attached hereto and incorporated herein by reference as Exhibit "A;" and

**WHEREAS**, after consideration, the Mayor and City Council have determined that said Old Tennessee Road within Land Lot 51, located at State Route 20 and U.S. Hwy may be abandoned and the City will transfer the right of way access onto U.S. Hwy 411 and State Route 20 via this section of Old Tennessee Road; and

**WHEREAS**, a quitclaim deed from the City of Cartersville to Martha B. Gill f/k/a Martha B. Richards and Paul A. Bishop transferring this section of Old Tennessee Highway and right of access in the form attached hereto and incorporated herein by reference as Exhibit "B," needs to be executed, to effectuate said abandonment and transfer of right of access rights.

**NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED** that the City of Cartersville has determined that it is in the best public interest for the abandonment of Old Tennessee Road within Land Lot 51, located at State Route 20 and U.S. Hwy, and to accept of the right of access onto U.S. Hwy. 411 and State Route 20 via this section of Old Tennessee Road. Pursuant to O.C.G.A. § 32-7-1 et. seq., Martha B. Gill f/k/a Martha B. Richards and Paul A. Bishop shall transfer by quitclaim deed to the City of Cartersville all of their rights and interest in and to that portion of Old Tennessee Road within Land Lot 51, located at State Route 20 and U.S. Hwy and the right of access onto U.S. Hwy. 411 and State Route 20 via this section of Old Tennessee Road as indicated by the quitclaim deed attached as Exhibit "B." The Mayor and City Clerk are hereby authorized to execute any and all documents necessary to effectuate

said transfer. As the City did not pay for said property per O.C.G.A. § 32-7-4(2)(A), said property is being transferred at its cost to the City of \$0.00. In the event that Martha B. Gill f/k/a Martha B. Richards and Paul A. Bishop do not wish the underlying fee, that portion of Old Tennessee Road within Land Lot 51, located at State Route 20 and U.S. Hwy shall be abandoned, and the City is authorized to sell pursuant to O.C.G.A. § 32-7-4.

**BE IT AND IT IS HEREBY RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

/s/ \_\_\_\_\_  
Matthew J. Santini, Mayor  
City of Cartersville, Georgia

ATTEST:

/s/ \_\_\_\_\_  
Meredith Ulmer, City Clerk  
City of Cartersville, Georgia

**E. Change Order**

**1. Dellinger Park Pavilions Construction - Elements of Construction & Wayne Davis Concrete**

Greg Anderson, Parks and Recreation Department Head stated Elements of Construction was awarded bid #17-010 for the construction of 4 pavilions at Dellinger Park in amount of \$347,900.00 in November 2017. With the completion of the pavilion construction, there was a change-order deduction of \$6,000.00 for CPRD choosing not to wrap the trusses in cement-fiber, resulting in a final bid cost of \$341,900.00.

It is recommended to accept final totals for Bid #17-010 at \$341,900.00 and for Bid #17-014 at \$10,839.04 from Elements of Construction. Mr. Anderson also recommended paying invoices totaling \$6,261.75 from Wayne Davis Concrete.

The total budget for the Dellinger Park Pavilion Area renovation was \$400,000.00 which included a \$100,000.00 Land, Water & Conservation Fund grant. Approximately \$375,000.00 has been spent on this project and no additional expenses are anticipated. The pavilions are scheduled to be used on Friday, May 4, 2018 for the March of Dimes walk.

A motion to approve the Dellinger Park Pavilions Construction - Elements of Construction & Wayne Davis Concrete change order deduction was made by Council Member Wren and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

**F. Bid Award/Purchases**

**1. Dellinger Park Front Entrance Material**

Mr. Anderson stated the Cap Stone for the Dellinger Park Front Entrance Sign and Columns needed to be purchased for this project. The local company was unable to obtain the needed size. The City contractor was able to obtain the size needed from Sand-Stone Inc., Douglasville GA. Mr. Anderson recommended purchasing the 20 - 40" x 40" (split-caps) sandstone caps in the amount of \$5,337.50 from Sand-Stone Inc. This project is funded by the GO Recreation Bond.

A motion to approve Dellinger Park Front Entrance Material was made by Council Member Cooley and seconded by Council Member Wren. Motion carried unanimously. Vote: 5-0.

## **2. Komatsu Lift Station Cable Replacement**

Bob Jones, Water Department Head stated the lift station wet well needs to be cleaned periodically due to the accumulation of grease buildup. This is done by adding an industrial degreaser and spraying with high pressure water to emulsify the grease. Xylem, Flygt Pump Products, has provided the quote to replace all cables in the lift station for \$6,865.32. This is a sole source item which is original equipment manufacturer (OEM) specific. It is a budgeted item and recommended for approval.

Motion to approve the purchase of Komatsu Lift Station Cable Replacement was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

## **3. Sewer Jetting Truck Repair**

Mr. Jones stated the City purchased a new O'Brien Sewer Jetting Truck in 2012. The truck would not produce pressure during recent use. The City originally purchased the truck from P & H Supply, the manufacturer's representative for Georgia, but they no longer support this line of equipment. The closest factory representatives are located in Arkansas, Tennessee and Mississippi.

Adams Equipment Company in Austell, Ga which sells and supports competing equipment to request service. Adams evaluated the truck and diagnosed the problem as a faulty clutch and leaking pump seals. Adams has repaired numerous pieces of our equipment for more than 15 years and has always given exemplary service. Adams Equipment Company, Inc. quote in the amount of \$5,927.75 is recommended for approval.

A motion to approve the sewer jetting truck repair from Adams Equipment Company was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

## **4. Dumpster Purchase**

Tommy Sanders, Public Works Department Head stated solid waste received 3 bids for 10 each of 2 cubic yard dumpsters and 13 each of 4 cubic yard dumpsters. The low bidder

was Lewis Steel Works, Inc of Wren, GA for a total of \$10,730.00. There were three bids total: Lewis Steel Works for \$10,730.00; Nu Life Environmental for \$12,059.00; Baker Waste Equipment for \$13,838.00. Low bidder is recommended: Lewis Steel Works, and this is a budgeted item.

A motion to approve the dumpster purchase from Lewis Steel Works was made by Council Member Hodge and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

#### **5. Vault for Highland 75 Industrial Park – Phase II**

Don Hassebrock, Electric Department Head stated the Electric Department is seeking authorization to purchase concrete vaults needed to construct phase II of our electrical supply to Highland 75 Industrial Park on Cass-White Rd. The vaults are necessary when installing long runs of underground cable. They provide access points needed to pull the cable through the conduits and make splices when needed.

City Electric received bids from two companies with a presence in Bartow County, Bartow Precast and Old Castle Company an affiliate of Block USA on Cassville Road. Mr. Hassebrock recommended the low bidder, which is Irby Company who is representing Old Castle Company, for the total price of \$23,843.00. This price includes the company providing the crane necessary to set the vaults in the ground. This is a budgeted item in the FY17-18 Capital Budget.

A motion to approve Vault for Highland 75 Industrial Park – Phase II was made by Council Member Roth and seconded by Council Member Wren. Motion carried unanimously. Vote: 5-0.

#### **6. Extrication Equipment**

Chief Scott Carter stated he respectfully requests permission to purchase a new set of extrication tools. These are the E-draulic tools that are referred to as the "Jaws of Life". This specialized set of tools will be used to free victims who are trapped because of motor vehicle accidents or other traumatic events. After extensive field testing, the Hurst brand tool out performed and exceeded the requirements of the department. This is a single source vendor through Municipal Emergency Services. City Fire respectfully requests approval of \$31,966.82 for the purchase of this equipment. This is a lease pool item that is \$3,033.18 below our budgeted amount. This is the final equipment purchase for the new fire truck that will arrive in June.

A motion to approve the purchase of Extrication Equipment was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

#### **7. NCI Fiber Cable Installation Invoice**

Dan Porta, Assistant City Manager stated the Fiber Department has signed up Liberty Church as a new internet customer and the services of NCI Inc. were needed to bore and install

the fiber cable necessary to serve this customer. Liberty Church paid an installation fee of \$12,000 with a monthly service fee of \$485.00 for internet service. The payback on this new service is 1.52 years. Mr. Porta recommended approval of this NCI Inc. invoice in the amount of \$17,500.00.

A motion to approve NCI Fiber Cable Installation Invoice was made by Council Member Cooley and seconded by Council Member Wren. Motion carried unanimously. Vote: 5-0.

#### **8. Carousel Industries Firewall Support Invoice**

Mr. Porta stated this is for the annual support of three core firewalls the City has for our computer systems. The annual support is \$9,866.40 and is recommended for your approval.

A motion to approve Carousel Industries Firewall Support Invoice was made by Council Member Fox and seconded by Council Member Wren. Motion carried unanimously. Vote: 5-0.

#### **9. Fiduciary Insurance**

Mr. Porta stated the annual fiduciary insurance policy through Philadelphia Insurance Companies for the Pension Board and other city Boards is up for renewal at a cost of \$9,324.00 and is recommended for your approval.

A motion to approve the Fiduciary Insurance was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

### **G. Contracts/Agreements**

#### **1. Materials & Soil Testing Services for New City Facilities**

Mr. Porta stated the City requested proposals from companies to provide material testing and special inspection services for the new Gas Department Headquarters, Fuel Station, Storage Building and Recreational Pond to be located on Old Mill Road. Services needed by the winning bidder include subgrade evaluations and field density testing, foundation bearing surface evaluations, concrete testing and structural steel testing. After staff reviewed the three proposals received from: Geo-Hydro Engineers, Piedmont Engineering and Nova Engineering, it was determined that the best bid was received from Geo-Hydro Engineers.

Since the amount of testing is determined based on the number of tests required, which varies based on how the job progresses, Mr. Porta recommended approval of an agreement with Geo-Hydro Engineers with an amount not to exceed \$30,000.

A motion to approve Materials & Soil Testing Services for New City Facilities was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

Council Member Wren made a motion to add an item to agenda. The motion was

seconded by Council Member Roth and it passed unanimously. Vote: 5-0.

**Added Item: Ante Litem Notice**

Mr. Lovell stated an ante litem notice has been brought against the City where City Police was involved in a car accident on Cassville Road. Due to the claim and lack of information Mr. Lovell recommended denial of the ante litem notice.

Council Member Fox made a motion to deny the ante litem notice, and the motion was seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

**Meeting Adjourned**

*Calvin Cooley*  
~~Matthew J. Santini, Mayor~~  
*Calvin Cooley, Mayor Pro Tem*

ATTEST:

*Meredith Ulmer*  
Meredith Ulmer  
City Clerk

