

City Council Meeting
10 N. Public Square
March 16, 2017
8:00AM. – Work Session
9:00AM. – City Council Meeting

I. Opening Meeting

Invocation by Council Member Tonsmeire.

Pledge of Allegiance led by Council Member Wren.

The City Council met in Regular Session with Matt Santini, Mayor presiding and the following present: Kari Hodge, Council Member Ward One; Jayce Stepp, Council Member Ward Two; Louis Tonsmeire, Sr., Council Member Ward Three; Dianne Tate, Council Member Ward Five; Taff Wren, Council Member Ward Six; Sam Grove, City Manager; Meredith Ulmer, City Clerk and Keith Lovell, City Attorney.

Absent: Lindsey McDaniel Council Member; Ward 4

II. Regular Agenda

A. Swearing in of Civic Youth Day Officials

1. Civic Youth Day Officials

Mayor Santini welcomed high school students in attendance for Civic Youth Day and the students were sworn in for the day by the City Clerk.

B. Council Meeting Minutes

1. March 2, 2017

A motion to approve the March 2, 2017 City Council Meeting Minutes as presented was made by Council Member Wren and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0.

C. Second Reading of Ordinances

1. Electric Vehicle Charging Station Rider

Tamara Brock, Utility Accounts Manager came forward and stated this is the second reading of the ordinance for the Electric Vehicle Charging Station Rider. This rider will allow the City to charge all electric vehicle operators who charge at a City of Cartersville owned electric vehicle charging station. On the rider, the customer will be charged an initial flat rate for the first two hours. Beginning at the start of the third hour, a consumption driven charge will

apply. If a customer stays connected for an extended period of time, the rate would escalate to a much higher rate until the daily maximum charge has been reached. Ms. Brock stated approval of this rider is recommended.

A motion to approve the Electric Vehicle Charging Station Rider Ordinance was made by Council Member Tonsmeire and seconded by Council Member Wren. Motion carried unanimously. Vote 5-0.

ORDINANCE NO. 07-17

NOW BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, THAT THE CITY OF CARTERSVILLE CODE OF ORDINANCES, CHAPTER 24 - UTILITIES, ARTICLE X. - ELECTRIC SYSTEM, DIVISION 6. - RESERVED IS HEREBY AMENDED BY DELETING SAID DIVISION IN ITS ENTIRETY AND REPLACING THEM WITH THE FOLLOWING:

1.

DIVISION 6. ELECTRIC VEHICLE CHARGING STATION RIDER.

Section 24-281.

- (a) *Effective Date:* Bills rendered on or after January 2017.**
- (b) *Availability:* Available to all areas served by the City of Cartersville Electric System (CES) and subject to CES's service rules and regulations.**
- (c) *Applicability:* Applicable to all electric vehicle operators who charge at a CES-owned vehicle charging station.**
- (d) *Rate:* Customer will be charged an initial flat rate for the first two hours. Beginning at the start of the third hour, a consumption-driven charge will apply.**

2.

Sections 24-282 through 24-285 Reserved.

3.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Cartersville, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____
SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
MEREDITH ULMER, CITY CLERK

D. Other

1. Minutes Correction April 7, 2016

Randy Mannino, Planning and Development Department Head came forward and stated the official minutes from April 7, 2016 were missing a portion of an ordinance. The corrected ordinance has been presented to be added to the April 7, 2016 minutes and Mr. Mannino recommended the proposed change.

A motion to approve the Minutes Correction for April 7, 2016 was made by Council Member Wren and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0.

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 09-16

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, that the Code of Ordinances, City of Cartersville, Georgia **CHAPTER 26. ZONING. ARTICLE X. INDUSTRIAL DISTRICT REGULATIONS. Section 9.6 – G-C General Commercial District. Subsection 9.6.2. and Section 10-1 – L-I, Light Industrial District. Subsection 10.1.2. Use Regulations. A. Permitted Uses** is hereby amended by adding the following permitted use to said subsections as follows:

1.

Indoor Firing Range

2.

All other provisions of Section 9.6.2 – G-C and 10.1.2 - L-I are to be unaltered and shall remain as is.

3.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Cartersville, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 17th day of March 2016.

ADOPTED this the 7th day of April 2016. Second Reading.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Meredith Ulmer
City Clerk

E. Public Hearing – 1st Reading of Zoning/Annexation Requests

1. Z17-01 Victoria Village

Mr. Mannino stated the project is located in the Victoria Village subdivision on Old Mill Rd between Terrell Drive and Henderson Drive. Prior to May 2006, several iterations of development and zoning conditions were discussed and adopted. However, on May 4th 2006, per zoning case Z06-02, Ordinance 22-06 eleven final zoning conditions were adopted by City Council. In 2007, the final plat for 96 residential lots was approved. The site was partially developed prior to the recession. Twenty single family homes, a community clubhouse and pool were constructed. Mr. Mannino stated purposes of this rezoning case is to modify condition No. 11 in zoning case Z06-02, Ordinance 22-06. The applicant is proposing to reduce the square footage from 1,800sf. to 1,500sf. for all undeveloped lots. This is being requested to provide a housing product that will appeal to older home buyers wishing to have one story homes. The existing homes are 2 stories. No other modifications are proposed to the remaining conditions.

Mayor Santini asked if there was anyone who would like to speak for or against Z17-01:

Mike Howren of Cartersville, GA came forward to represent H & H Developers. Mr. Howren spoke in favor of Z17-01 stating the change in conditions will be the square footage of homes in order to better accommodate a ranch style in Victoria Village. Mr. Howren also stated a neighbor came forward in Planning Commission to speak in favor of the change.

Ordinance
of the
City of Cartersville, Georgia

Ordinance No. 08-17

Petition No. Z17-01

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that all certain tract of land owned by H & H Developers. Property is located on Old Mill Road in Victoria Village subdivision. Said property contains 6.5 acres located in the 4th District, 3rd Section, Land Lots 594-595 as shown on the attached plat Exhibit "A". Property is hereby rezoned from R12 with conditions to R12 with 1 change in conditions. The change being in Condition 11 to reduce the minimum square footage for new homes from 1,800 square feet to 1,500 square feet. Zoning condition changes will be duly noted on the official zoning map of the City of Cartersville, Georgia.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this 16th day of March 2017.

ADOPTED this 6th day of April. Second Reading.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Meredith Ulmer

2. SU17-01 Taylor Farm Supply Garden Center

Mr. Mannino stated the new owner Mr. Felshaw has presented a two phase expansion concept for the Garden Center. No structural improvements are proposed for Phase 1 which will include general cleanup, fence replacement, and display and storage of garden product and supplies including, but not limited to, plants, bags of soil, soil amendmets and mulches. All parking lot and on street parking spaces will remain for phase 1. Mulch or soil products will not

be sold in bulk. Only bagged products will be sold. Mr. Mannino stated in regards to Phase 2 it would include the addition of a small retail checkout point for the garden center operation, a possible greenhouse and other accessory structures for display and storage. This phase could include the reuse of the banking structure or the addition of a new structure based on flood plain development requirements. Modifications to the existing on street parking may be required. No changes to the adjacent public parking lot are anticipated.

Mayor Santini asked if there was anyone who would like to come forward to speak for or against SU17-01.

Jeff Felshaw of Marietta, GA came forward to speak in favor of SU17-01 stating he is the new owner and intends to build a garden center and green house. Mr. Felshaw stated he would like to provide bagged materials and landscape supplies at this location which will be open to the public.

Ordinance
of the
City of Cartersville, Georgia
Ordinance No. 09-17
Petition No. SU17-01

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that all that certain tract of land owned by Jeffrey Felshaw. Property is located 12 Leake Street. Said property contains 0.62 acres located in the 4th District, 3rd Section, Land Lot 482 as shown on the attached plat Exhibit "A". Property is zoned Downtown Business District with the following change in use to include Garden Center with outdoor storage. Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this 16th day of March 2017 .
ADOPTED this 6th day of April. Second Reading.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:
/s/ _____
Meredith Ulmer
City Clerk

F. Easements

1. Center Road Sewer Upgrade

Bob Jones, Water Department Head came forward and stated design of the Center Road Sewer Upgrade is in the final stages. In order to construct the line, permission is needed from Georgia Power to encroach upon their easement in order to get around a drainage structure. Mr. Jones stated the Governmental Encroachment Agreement for Easement grants permission to the City to construct the necessary structures in the Georgia Power easement. Mr. Jones recommended approval of the agreement.

A motion to approve the Center Road Sewer Upgrade was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0.

G. Bid Award/Purchases

1. New Flender Gearbox

Mr. Jones stated in May of 2016, the Water Pollution Control Plant lost the first of a series of aerator gearboxes. The original Polishing Stage 2 Aerator Number 5 gearbox was sent to the factory for repair. Bids were taken and Mr. Jones stated he had been contacted by Motor & Gear and notified the City the gearbox could be repaired. Mr. Jones recommended Motor & Gear repair the original gearbox in an amount that would not exceed \$85,000.00. Mr. Jones stated this will be paid from the Maintenance to WPCP account. Mr. Jones stated this is not a budgeted item.

A motion to approve the New Flender Gearbox was made was made by Council Member Stepp and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0.

2. WTP Roof

Mr. Jones stated there are several roof leaks in two buildings that have gotten worse at the Water Treatment Plant. Until now we have been patching where we can identify the source of the leak and placing buckets to catch drips. Water is now dripping steadily into both buildings. In High Service Pump Building #1 the leak is over the 2300 volt switch gear and autotransformer. In the Operations Building, the leaks are smaller, but also threaten electrical equipment for alum and phosphate feed systems. Quotes were gather and Mr. Jones recommended approval of the Elite Roofing bid in the amount of \$30,616.00. Mr. Jones stated this is a budgeted item.

A motion to approve the repairs of the WTP Roof was made was made by Council Member Tonsmeire and seconded by Council Member Wren. Motion carried unanimously. Vote 5-0.

3. Fiduciary Insurance Coverage

Dan Porta, Assistant City Manager came forward and stated the Pension Board requests approval of the Fiduciary Insurance coverage in the amount of \$2 million for the coverage period of March 28, 2017 to March 28, 2018. The cost of the coverage is \$8,796 and will be paid out of the Pension funds.

A motion to approve the repairs of the purchase of Fiduciary Insurance Coverage was made was made by Council Member Stepp and seconded by Council Member Wren. Motion carried unanimously. Vote 5-0.

4. Dellinger Park Scoreboards

Greg Anderson, Parks and Recreation Department Head came forward and stated bids were advertised for Dellinger Park Scoreboards. These are the scoreboards for Dellinger Park's six softball fields and football field. All other scoreboards on City Parks and Recreation Department athletic fields, except one, are Electro-Mech scoreboards. Mr. Anderson recommended the best low bid in the amount of \$86,277.00 from Electro-Mech Scoreboards manufactured in Wrightsville, Georgia. This project is budgeted in the GO Bond Recreation fund. All required documentation has been received, and Mr. Anderson recommended City Council authorize the Mayor to sign any related documents.

A motion to approve the repairs of the purchase of Fiduciary Insurance Coverage was made was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0.

H. Discussion

1. Parks and Recreation GO Bond Projects Discussion

Mr. Anderson stated he wanted to give an update on the Dellinger Park buildings and other park renovation projects funded by the citizen's supported general obligation bonds. Mr. Anderson stated the following projects have been completed: Richard Bell Field, Home of the Canes, field lighting; Dellinger Park Pool Pavilion; Dellinger Park athletic field lighting for fields 4, 5 & 6; Dellinger Park irrigation fields 4, 5 & 6; Dellinger Park athletic field fencing for football/track & basketball courts; Softball fields 1 – 6 are completed except for knee wall and backstop fencing; Dellinger Park play systems; Sports Complex play systems; and Dellinger Park athletic field scoreboards bids are on the Council agenda today. Mr. Anderson stated the following projects will be completed by the summer of this year: The Dellinger Park buildings Shelter Restrooms by March, Concession #1 & Restrooms by April, Back Restrooms by April, Tennis Office & Restrooms by July and the Administrative building by September.

Mr. Anderson stated the renovation and expansion of the buildings outside Dellinger Park are expected to be released for bid in spring or summer of 2017. Mr. Anderson stated the following projects are included: Aubrey Street Pool, spray pad, bathhouse; Hicks Park restroom; Sports Complex restroom expansion and Senior Aquatic Center women's restroom expansion with the creation of family restroom. Building completion is expected to be by spring or summer 2018.

Mr. Anderson stated other projects expected to begin in 2017 are the replacement of Dellinger Park covered picnic shelters and new tennis shelter. Dellinger Park front entrance and Sam Smith Park entrance sign construction will begin in early 2018.

Mr. Anderson stated the following projects for Dellinger Park improvement are: Tennis courts resurfacing and crack repair; tennis courts 6, 7 & 14 pole and lighting replacement; basketball court pole and lighting replacement; vita course lighting, border, and stone. Mr. Anderson stated there are projects intended for the end of the bond as funds allow and they are: Outdoor Exercise areas and equipment, sports complex F#3 & F#4 fencing and lighting renovation; and the Dellinger Park Maintenance building.

I. Contracts/Agreements

1. Leake Mounds Trail – Construction Testing Construction Management

Mr. Anderson stated with the Leake Mounds-Etowah Riverwalk Link trail construction bid approved, construction management and material testing and inspections needed to be addressed. Mr. Anderson stated he had requested GADOT District 6 to provide construction testing for the project, but the request was denied.

Mr. Anderson stated as required by GADOT, an advertisement was posted for GADOT certified construction testing services and 2 proposals were received. Southland Engineering was asked to provide construction management services during construction of the trail project.

Mr. Anderson stated he chose Southland Engineering because they revived the project design and the project after the previous engineering firm folded. Southland is more familiar with this project than anyone and they are a local firm. Southland Engineering also included a quote for construction material testing/inspections and geotechnical services.

Mr. Anderson stated fees will be paid from GO Bond and are within budgeted amounts for the trail project. Mr. Anderson recommended that RFP #17-002 proposals be rejected and recommend approval of the proposal from Southland Engineering for Construction Management Services in the amount of \$63,600.00 and the proposal for material testing and inspections and geotechnical services in the amount of \$14,250.00. Mr. Anderson also recommended City Council authorize the Mayor to sign any related documents.

A motion to reject previous bids in regards to the Leake Mounds Trail Construction Testing Construction Management was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote: 5-0.

A motion to approve the Leake Mounds Trail Construction Testing Construction Management by Southerland Engineering was made by Council Member Wren and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0.

2. Transco Interconnect Agreement

Gary Riggs, Gas Department Head came forward and stated this agreement provides for a tap and metering facilities on Transco's Dalton Lateral for the gas system. Mr. Riggs recommended approval of this agreement and authorizing the Mayor and City Clerk to sign it after the Public Service Commission allows us to cross Atlanta Gas Light's facilities. The Transco Interconnect Agreement may be reviewed in the City Clerk's office, 10 N. Public Square.

A motion to approve the Transco Interconnect Agreement and execute after approval is obtained from the Public Service Commission to cross Atlanta Gas Light's gas line was made was made by Council Member Wren and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0.

A motion to added items to the agenda was made by Council Member Hodge and seconded by Council Member Tonsmeire.

J. Added Items

1. Georgia Public Web

Dan Porta, Assistant City Manager came forward and stated he recommended approval for an agreement with Georgia Public Web for fibercom services. Mr. Porta stated the cost would be \$3,500.00 and then a monthly fee of \$125.00.

Motion to approve the agreement with Georgia Public Web was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0.

2. Airport Authority

Keith Lovell, Assistant City Attorney stated there will be a project coming up with the Airport Authority which will result in some property acquisition and potential condemnation by the City. During this process Mr. Lovell stated there may be a conflict of interest between his law firm and the owners of the property. In order to prevent this potential conflict of interest Mr. Lovell recommended the City use another attorney during the property acquisition process. Mr. Lovell recommended Attorney Andy Davis from Brinson Askew Berry Law Firm from Rome, GA in the event the Archer Lovell Law Firm has a conflict.

Motion to approve Andy David from Brinson Askew Berry Law Firm to represent the City in the event of a conflict of interest between the City Attorneys and the property owners involved in the property acquisition was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0.

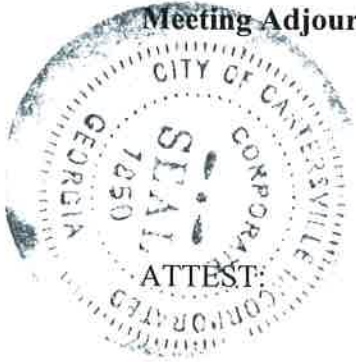
K. Monthly Financial Report

Tom Rhinehart, Finance Department Head came forward and stated the overall financial status of the City and compared January 2016 to January 2017. Mr. Rhinehart discussed all funds

of City and gave a presentation to display the comparison and show the differences in revenue. Mr. Rhinehart also discussed bonds that have been paid for and the increase in sales tax revenue.

After announcements a motion to adjourn the meeting was made by Council Member Stepp and needing no second. Motion carried unanimously. Vote 5-0.

Meeting Adjourned



/s/ Dianne Tate
~~Matthew I. Santini~~ Dianne Tate
Mayor - Pro tem

/s/ Meredith Ulmer
Meredith Ulmer
City Clerk