

City Council Meeting
10 N. Public Square
March 15, 2012
6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member Tonsmeire

Pledge of Allegiance led by Council Member Stepp

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; Lindsey McDaniel Council Member Ward Four; Lori Pruitt, Council Member Ward Six; Sam Grove, City Manager; Connie Keeling, City Clerk and David Archer, City Attorney. Dianne Tate, Council Member Ward Five was absent.

II. Regular Agenda

A. Council Meeting Minutes

1. March 1, 2012

A motion to approve the March 1, 2012 City Council Meeting minutes as presented was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

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

1. File Z12-01: Rezoning application by Steve Cowart (Lee Perkins, representative) for property located at 1120 West Avenue (approximately 2.7 acres) from G-C (General Commercial) to L-I (Light Industrial)

Randy Mannino, Planning and Development Director, stated that the Public Official Forms have been received and there are no conflicts of interest. All adjacent property owners have been notified and the required legal notices have been advertised. Mr. Mannino requested that the application and zoning ordinance be made part of the official record. Copies of the adopted procedures and zoning standards are available upon request. Mr. Mannino stated that this tract is located at 1120 West Avenue. This property includes a structure originally built for an industrial operation in approximately 1986, when the property was zoned industrial. After a zoning map change in the mid 1990s the property was designated at L-I (Light Industrial) and remained so until 2006 when the property was rezoned to G-C (General Commercial). The applicant seeks to rezone the property back to L-I to allow for the structure to be used by Steel Materials Inc for steel and metal fabrication and for the sale of steel fabricated items. Mr.

Mannino stated that the Planning Commission recommended approval with the condition that the relocation of the FDC connection must meet the Fire Department requirements.

Mayor Santini opened the floor for a public hearing for zoning. Lee Perkins, representative stated that his client plans to improve the appearance of the building as well as make any changes required by the fire department and has a contract for this property contingent to the zoning. With no further comments Mayor Santini closed the public hearing.

NO ACTION REQUIRED

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

Petition No. Z12-01

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 CRM Central Properties LLC. Property is located at 1120 West Avenue. Said property contains 2.7 acres located in the 4th District, 3rd Section, Land Lot(s) 592, 593, and 632 as shown on the attached plat Exhibit "A". Property is hereby rezoned from G-C (General Commercial) to L-I (Light Industrial) with the following conditions. Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

- 1. The relocation of the FDC Connection must meet Fire Department requirements.**

BE IT AND IT IS HEREBY ORDAINED.

**First Reading this the 15th day of March 2012.
ADOPTED this the day of. Second Reading.**

**/s/ Matthew J. Santini
Matthew J. Santini
Mayor**

ATTEST:

**/s/ Connie Keeling
Connie Keeling
City Clerk**

C. First Reading of Ordinances

1. Amendment to Motor Vehicle and Traffic Ordinance

Tommy Culpepper, Police Chief stated that this is a housekeeping measure. While reviewing the recent draft of the Municipal Code it was discovered that Section 12-1004 pertaining to the “No Left Turn at the U. S. Post Office on Church Street” was still included. As the post office is no longer located on Church Street and the volume of traffic is subsequently reduced Chief Culpepper recommended this section be removed.

NO ACTION REQUIRED

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

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 12. MOTOR VEHICLES AND TRAFFIC. ARTICLE XI. TRAFFIC SCHEDULES. CODE SECTION 12-1004. NO LEFT TURNS** is hereby amended by deleting said section it in its entirety and replacing it as follows:

1.

Section 12-1004. Reserved.

2.

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.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 15th day of March 2012.

Second Reading and Adoption this the 5th day of April, 2012.

/s/ Matthew J. Santini
Matthew J. Santini
Mayor

ATTEST:

/s/ Connie Keeling

Connie Keeling
City Clerk

D. Appointments

1. Development Authority of Cartersville

Sam Grove, City Manager stated that there are two appointments needed for the Development Authority of Cartersville. The term for Howard Smith will expire on March 20, 2012 and if reappointed his term would be extended to March 20, 2016. Additionally, with the death of Charles Fluellen there is a need to fill his unexpired term which runs until May 11, 2015. Mr. Grove asked council to consider someone to fill this position at a future date.

A motion to approve the reappointment of Howard Smith and name a replacement for Mr. Fluellen at a later date was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

E. Contracts/Agreements

1. Crime Mapping Software

Tommy Culpepper, Police Chief stated that staff has investigated the use and implementation of a crime mapping software over the past several months. This software would be deployed to aid in identifying “hot spots” of traffic and criminal activity in order to more efficiently use the resources of an agency. Activity would be traceable by date, location, time, crime type, and other factors. The system would also provide mapping indicating hot spots where activity is most concentrated. Chief Culpepper stated that USA Software has provided a quote for a software package through the Omega Group at an initial cost of \$12,200.00 with an annual support fee of \$7,200.00 beginning on the second year of the contract. Chief Culpepper stated that this will be funded through asset forfeiture resulting in no cost to the taxpayers and recommended approval.

A motion to approve the purchase of software from USA Software was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

2. 2012 Yard Waste

Bobby Elliott, Public Works Superintendent stated that a bid opening was held for the 2012 Yard Waste Contract. Mr. Elliott stated that two bids were received and recommended the low bid of \$8.00 per ton from Pettit Timber.

A motion to approve the agreement with Pettit Timber was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

F. Bid Award/Purchases

1. Baseball Netting

Greg Anderson, Parks and Recreation Superintendent stated that bids were solicited for the purchase and installation of backstop netting for the George Johnson Field and side netting for the Joe Frank Harris and Bill Bruce fields. Mr. Anderson recommended approval of the low bid from South Cover in the amount of \$13,055.20.

A motion to approve the bid from South Cover was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

(Items 2 & 3 voted as one motion)

2. Cabling, Video Surveillance, Data Services & Equipment

Dan Porta, Assistant City Manager stated that staff had bid out services and equipment that is needed for the new Public Safety Headquarters and Fire Station #4 which includes cabling, video surveillance, data storage and services, telephones and related equipment that will operate these buildings. A breakdown of the service and equipment is as follows:

- Cabling, Video Surveillance, Access Control – Provided by Telenet Services - \$384,594.00
- Telephones and Telephone Shelf, Etc – Provided by AT&T - \$54,792.00
- Fiber Equipment & Cabling – Provided by City Fiber Dept. - \$20,500.00
- Data Servers and Storage – Provided by Dell - \$126,439.00
- 10 Gig Core & Switches – Provided by Extreme/Carousel - \$107,370.00
- Radios – Provided by Coosa Valley Communications - \$10,315.00

Mr. Porta stated that these purchases of service and equipment total \$704,010.00 which is approximately \$245,000.00 less than the amount budgeted. This equipment will serve both the Public Safety Headquarters and Fire Station #4. Mr. Porta stated that since the city is using the headquarters as our Emergency Operations Center in case of city wide emergencies, some equipment listed is needed to meet EOC requirements. Mr. Porta recommended approval.

3. Smart Boards & Projectors from Multi Media Services

Dan Porta, Assistant City Manager stated that city staff has evaluated smart boards and projectors for the new Public Safety Headquarters, which will be used in the Police and Fire Department training rooms and in the Emergency Operation Center/Large Training Room. Mr. Porta stated that the best product is from Multi Media Services at a total cost of \$37,314.71 (from the State of GA Purchasing Contract) and recommended approval.

A motion to approve all items as recommended was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 5-0

4. Purchase of Replacement Mixers at Water Pollution Control Plant

Ed Mullinax, Assistant Water Superintendent stated that two underwater mixers in the premix tank at the wastewater plant have stopped working and need to be replaced. Mr. Mullinax stated that the mixers are necessary for the process at the wastewater plant which attach to the poles that are mounted from the sidewalk to the bottom of the tank and the mixers slide down the poles into the water. Mr. Mullinax stated that due to the increased costs they will only be replacing the Flyght pumps, which are original equipment, from Xylem Water Solutions USA, Inc. in the amount of \$24,088.32 and recommended approval.

A motion to approve the purchase from Xylem Water Solutions USA, Inc. was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

5. Repair Main Street Water Boost Pump Station

Ed Mullinax, Assistant Water Superintendent stated that bids were accepted to repair the booster pump station on Main Street. This pump station has been running continuously for 9 years and is in need of repairs. Mr. Mullinax recommended the bid from Templeton & Associates in the amount of \$10,240.00. Mr. Mullinax stated that this bid is \$89.00 above the low bidder; however felt that the factory representative would be more familiar with the equipment and give a better warranty and recommended approval.

A motion to approve the purchase from Templeton & Associates was made by Council Member McDaniel and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

6. Replacement of Stock Items at Distribution and Collections

Ed Mullinax, Assistant Water Superintendent stated that bids were accepted for stock replacement and recommended the low bid from Kendall Municipal in the amount of \$8,594.00.

A motion to approve the purchase from Kendall Municipal was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 5-0

Mayor Santini stated that there was one item that needed to be added to the agenda at this time. A motion to add an item to the agenda was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

G. Added Item

1. Generator Repair at the Water Treatment Plant

Ed Mullinax, Assistant Water Superintendent stated that the standby generators at the Water Plant would not start when they were tested. Prime Power Services, Inc. from Atlanta found the problem in a large breaker that was mechanically malfunctioning. The total price for

trouble shooting, removal, repair, testing, and reinstallation is \$9,051.92 and Mr. Mullinax recommended approval.

A motion to approve the repairs by Prime Power Services, Inc. was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

H. Other

1. Library Reimbursement Request

Tom Rhinehart, Finance Director stated that the Cartersville/Bartow County Library has submitted a request to be reimbursed from the impact fee fund in the amount of \$15,813.34. The current balance of this fund earmarked for the library is \$29,393.45. If approved it will leave a balance earmarked for the library of \$13,580.11 and Mr. Rhinehart recommended approval.

A motion to approve Library Reimbursement Request was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

J. Surplus Equipment

1. Surplus Equipment

Tom Rhinehart, Finance Director presented council with a list of surplus equipment and items from various city departments. Mr. Rhinehart stated that once council declares these items as surplus the city will post them on the GovDeals website. Mr. Rhinehart recommended approval.

A motion to approve these items to be declared surplus was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

I. Monthly Financial Statement

1. January 2012

Tom Rhinehart, Finance Director, presented the January 2012 monthly financial statement with comparisons from the previous year of January 2011, by fund, along with supplemental financial information comparing the year to date revenues and expenses for each fund and a report of cash position through January 2012.

J. Removal of Tabled Item

1. Amendment to Utilities Ordinance Regarding Electric Rates.

Mayor Santini stated that he would like to remove this item from the agenda. At this time staff and council are still gathering information and will bring this time back to the table at a later

date.

A motion to remove this item from the agenda was made by Council Member Pruitt and seconded by Council Member McDaniel. Motion carried unanimously. Vote 5-0

Mayor Santini stated that there were two additional items to be added to the agenda. A motion to add the items to the agenda was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

K. Added Items

1. Southern Yarn Dyers.

Dan Porta, Assistant City Manager stated that in January there was an incident that stirred up the manganese in the city water causing Southern Yarn Dyers to suffer a lost in production. Travelers Insurance has denied the claim however, since the amount falls within the city's deductible Mr. Porta is recommending that the city pay the amount of \$6,321.58 to Southern Yarn Dyers.

A motion to approve the payment to Southern Yarn Dyers was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

2. Freeport Resolution

Sam Grove, City Manager stated that on March 12, 2012 the Cartersville School Board passed a resolution supporting council's action to increase the Freeport Advalorum Taxation Rate from 20% to 40% as allowed by law. Mr. Grove stated that approval of this increase and the passage of the resolution would set this to go into effect January 1, 2013 and recommended approval.

A motion to approve Resolution No. 05-12 was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0

Resolution No. 05-12

WHEREAS, on Tuesday, June 17, 2003 pursuant to the provisions of O.C.G.A. §48-5-48.2, a referendum was held in the City of Cartersville, Georgia, known as the Freeport Referendum, regarding the exemption of certain property from ad valorem taxation as described in the aforementioned provisions; and

WHEREAS, the electors of the City of Cartersville, Georgia have approved in said Referendum the exemption of all three classes of inventory described in the aforementioned provisions, namely:

- a. Inventory of goods in the process of manufacture or production which shall include all partly finished goods and raw materials held for direct use or**

- consumption in the ordinary course of the taxpayer's manufacturing or production business in this State.
- b. Inventory of finished goods manufactured or produce in this State in the ordinary course of the taxpayer's manufacturing or production business when held by the original manufacturer or producer of such finished goods, and
 - c. Inventory of finished goods which, on January 1, are stored in a warehouse, dock, or wharf, whether public or private, and which are destined for a shipment to a final destination outside this State and inventory of finished goods which are shipped into this State from outside this State and store for transshipment to a final destination outside this State.

WHEREAS, the governing authority of the City of Cartersville, Georgia wishes to implement the exemptions approved by the voters as hereinbefore described.

WHEREAS, by Resolution No. 23-03 dated July 17, 2003, the Mayor and Council resolved that all three classes of inventory described above be hereby exempt from ad valorem taxation at the rate of twenty (20%) percent of the value of said property as defined in O.C.G.A. §48-5-48.2, with said exemptions commencing January 1.

NOW THEREFORE by it hereby resolved by the Mayor and City Council that commencing January 1, 2013, said ad valorem taxation for all three classes of inventory described above is to be increased twenty percent (20%) and be hereby exempt at the rate of forty percent (40%) of the value of said property as defined in O.C.G.A. § 48-5-48.2, with said exemptions commencing January 1, 2013; and the Mayor is further directed to immediately transmit a certified copy of this Resolution to the Georgia State Revenue Commissioner and the Bartow County Tax Commissioner.

BE IT AND IT IS HEREBY RESOLVED.

This the 15th day of February, 2012.

/s/ Matthew J. Santini
Matthew J. Santini
Mayor

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

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

Meeting Adjourned

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk