

City Council Meeting
10 N. Public Square
April 7, 2011
6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member Pruitt

Pledge of Allegiance led by Council Member Tate

The City Council met in Regular Session with Matt Santini, Mayor presiding and the following present: Louis Tonsmeire, Sr., Council Member Ward Three; Lindsey McDaniel Council Member Ward Four; Dianne Tate, Council Member Ward Five; Lori Pruitt, Council Member Ward Six; Sam Grove, City Manager; Connie Keeling, City Clerk and David Archer, City Attorney. Kari Hodge, Council Member Ward One and Jayce Stepp, Council Member Ward Two were absent.

II. Regular Agenda

A. Council Meeting Minutes

1. March 17, 2011

A motion to approve the March 17, 2011 City Council Minutes as presented was made by Council Member Pruitt and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

B. Proclamation

1. Robert Ed Hicks

Randy Mannino, Planning and Development Director came forward to thank Robert Ed Hicks for more than ten years service to the Cartersville Planning Commission. Sonny Miller, Chairman of the Planning Commission came forward to present a plaque to Mr. Hicks and commended him for all his efforts to serve the community not only on the Planning Commission but as a City Councilman, a member of the Bartow County Board of Tax Assessors, and the Cartersville Little League. Mr. Hicks came forward to accept the plaque and Council Member Tate read the proclamation for the Mayor's presentation.

A motion to approve the Proclamation for Robert Ed Hicks was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

C. First Reading of Ordinances

1. Amendment to Motor Vehicle and Traffic Ordinance: No Parking on Postelle Street

Tommy Sanders, City Engineer stated that the Etowah Valley Housing Authority has requested that the City prohibit parking on Postelle Street. Mr. Sanders stated that the Housing Authority has constructed new parking on the interior of the housing complex for residents to use in lieu of the existing on-street parking. They are in the process of updating housing units to have a townhouse façade and desire an unobstructed view of the new facades to improve the aesthetics of the area. Mr. Sanders recommended approval.

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 IX. TRAFFIC SCEDULES CODE SECTION 12-1005. PARKING PROHIBITED is hereby amended by inserting the following to Section 12-1005 under the subparagraph for *Parking is prohibited in the following locations:*

1. "Postelle Street, both sides of street between Tennessee Street and Stonewall Street"
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, and that section 12-1005 is amended by adding the above provisions and that said section may be alphabetized as necessary to accomplish such intention. The remaining provisions of said section shall remain as is except for alphabetizing.

BE IT AND IT IS HEREBY ORDAINED

First Reading this the 7th day of April 2011.
ADOPTED this the day of. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

D. Certification

1. Good Neighbor Homeless Shelter

Dan Porta, Assistant City Manager stated that this is the annual approval/certification request for the Good Neighbor Homeless Shelter to make application for grant funds from the Georgia Department of Community Affairs. By approving this document Mr. Porta stated that the city is stating that based on a review of the application and/or supporting documents that the Good Neighbor Homeless Shelter is within the jurisdiction of this local government, and they are approved for funding by DCA. Mr. Porta recommended approval.

A motion to approve the annual certification for the Good Neighbor Homeless Shelter was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 4-0

E. Appointments (Items 1 – 5 approved as one motion)

1. Etowah Area Consolidated Housing Authority

Dan Porta, Assistant City Manager stated that Hazel Stephenson's term on the Etowah Area Consolidated Housing Authority expired as of April 1, 2011. Ms. Stephenson has agreed to serve for another five year term ending April 1, 2016 and recommended approval.

2. Convention and Visitors Bureau

Dan Porta, Assistant City Manager stated that the terms of three members will expire soon, Scott Mahr, Jennifer (Wiggins) Mathews, and Dan Heilman. Both Mr. Mahr and Mrs.

Mathews have expressed a willingness to continue to serve on the board. Mr. Porta recommended the re-appointment of these individuals as well as the appointment of Jeff Watkins to fill the vacated seat of Dan Heilman which was set to expire December 31, 2012.

3. Development Authority of Cartersville

Dan Porta, Assistant City Manager stated that the four year terms of three appointees on the Development Authority of Cartersville are expiring. Don Temples expires on May 1, 2011; Brian Edwards and Charles Fluellen will expire on June 1, 2011 and if reappointed their terms would be extended to May 1, 2015 and June 1, 2015 respectively.

4. Cartersville – Bartow Library Board

Dan Porta, Assistant City Manager stated that Amanda Moore (whose term is due to expire on June 30, 2011) has resigned from the Cartersville-Bartow Library Board and recommended that Bill Eager be appointed to complete the unexpired term and be appointed for the new term expiring June 30, 2014.

5. Downtown Development Authority

Dan Porta, Assistant City Manager stated that the Cartersville Downtown Development Authority has requested the appointment of Saunders Jones, Jr. to fill the unexpired term of Christina Jenkins who resigned due to work responsibilities.

A motion to approve the appointment of members to all five boards as recommended was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

F. Resolutions

1. Partnership with Georgia Department of Revenue on Sales Tax Collections

Dan Porta, Assistant City Manager stated that the city has been selected to work with the Georgia Department of Revenue in an effort to ensure proper payment of state sales tax. City staff will provide the Department of Revenue with data from city occupation license applications. The city's occupation license application data will be cross matched with Department of Revenue data to determine if local businesses are paying state sales tax. Mr. Porta recommended approval.

A motion to approve Resolution No. 06-11 was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 4-0

Resolution No. 06-11

RESOLUTION TO PARTNER WITH THE GEORGIA DEPARTMENT OF REVENUE IN AN EFFORT TO ENSURE PROPER PAYMENT OF SALES TAX

WHEREAS, pursuant to O.C.G.A. § 48-13-20.1, cities and counties may collect and submit certain information to enable the Georgia Department of Revenue to ensure that businesses are properly compliant with state and local sales tax laws;

WHEREAS, cities and counties that levy an occupation tax or regulatory fee under to O.C.G.A. § 48-13-1 et seq., may pass a resolution to participate in this voluntary program;

WHEREAS, the City of Cartersville levies an occupation tax and/or regulatory fee under to O.C.G.A. § 48-13-1 et seq.; and

WHEREAS, the Mayor and the Council of the City of Cartersville desires to have the City of Cartersville participate in this voluntary program.

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Council that the City of Cartersville may participate in the Georgia Department of Revenue's program to verify that businesses paying occupation taxes and regulatory fees are also paying their state and local sales tax.

BE IT FURTHER RESOLVED that, upon adoption of this Resolution, any person who performs any business, occupation or profession subject to an occupation tax or regulatory fee under O.C.G.A. § 48-13-1 *et seq.* is required to provide the City the following information when paying such occupation tax or regulatory fee:

- (a) The legal name of the business;
- (b) Any associated trade names for the business;
- (c) The mailing address for the business;
- (d) The actual physical address of each location of the business, if it is different than the mailing address;
- (e) The North American Industry Classification System Code (NAICS) applicable to such business; and
- (f) The sales and use tax identification number assigned to the business by the Georgia Department of Revenue, if the business is required by law to have such a number.

BE IT FURTHER RESOLVED that the City will provide written notice to all persons subject to the City's occupation taxes or regulatory fees and that:

- (a) This information will be provided to the Georgia Department of Revenue; and
- (b) If the person refuses or fails to provide the required information, the City will notify the Georgia Department of Revenue of this fact.

BE IT FURTHER RESOLVED that, within thirty (30) days after receiving the payment of occupation taxes or regulatory fees under O.C.G.A. § 48-13-20, the City will electronically submit the information received from each business to the Georgia Department of Revenue.

BE IT FURTHER RESOLVED that a copy of this executed Resolution will be immediately transmitted to the Commissioner of the Georgia Department of Revenue. This 7th day of April, 2011.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

G. Bid Award/Purchases

1. Vehicle Diagnostic Equipment

Dan Porta, Assistant City Manager stated the Vehicle Maintenance Department needs to purchase some diagnostic equipment that will assist the city's mechanics to troubleshoot problems with the city's ever growing fleet of electronically controlled vehicles and equipment. Mr. Porta stated that the city currently has 300 plus vehicles, including passenger cars, light, medium, and heavy duty trucks and equipment. This diagnostic equipment will help in finding problems with these items. Mr. Porta recommended approval of this purchase of the Dell computer from Unique Truck Equipment in the amount of \$9,738.00.

A motion to approve the purchase of Vehicle Diagnostic Equipment was made by

Council Member Pruitt and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

**2. Security System at Water Distribution & Collections
(This item was removed from the agenda.)**

After announcements a motion to adjourn the meeting was made by Council Member Tonsmeire and needing no second. Motion carried unanimously. Vote 4-0

Meeting Adjourned

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk