

City Council Meeting
10 N. Public Square
December 5, 2019
8:00 A.M. – Work Session
9:00 A.M. – Council Meeting

I. Opening Meeting

Invocation by Council Member Fox.

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; Cary Roth, Council Member Ward Three; Gary Fox, Council Member Ward Five; Taff Wren, Council Member Ward Six; Tamara Brock, City Manager; Meredith Ulmer, City Clerk and Keith Lovell, Assistant City Attorney.

Absent: Calvin Cooley, Council Member Ward Four

II. Regular Agenda

A. Council Meeting Minutes

1. November 21, 2019 City Council Minutes

A motion to approve the November 21, 2019 City Council Meeting Minutes as presented was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

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

1. Z19-05: Rezone .47 acres from G-C to L-I. Location: 350 N. Erwin St. Applicant: Prodigy Enterprises

Randy Mannino, Planning and Development Department Head stated In June, JA Smith and Company began installing a chain link fence around the perimeter of the property to protect the construction equipment being stored behind the building. Mr. Hardegree informed the fence company of the setbacks, and the zoning and fence restrictions in the G-C (General Commercial) district. Code enforcement officer, Donna Fritz, and Mr. Hardegree contacted the owner. At an on-site meeting in July, the owner was informed of the zoning violations of outdoor storage of the construction equipment and fence setback restrictions under the G-C zoning district. A solution to rezone the property from G-C to L-I (Light Industrial) was agreed to by all parties. The L-I zoning category allows the owner to store construction equipment on the property and provides relief to the fence restrictions. Planning Commission recommended approval (6-0).

The floor was opened for a public hearing and no one came forward, therefore the public hearing was closed.

Motion to approve Z19-05 was made by Council Member Stepp and seconded by Council Member Wren. Motion carried unanimously. Vote: 5-0.

Ordinance
of the
City of Cartersville, Georgia

Ordinance No. 41-19

Petition No. Z19-05

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 Prodigy Enterprises. Property is located at 350 North Erwin St. Said property contains 0.47 acres located in the 4th District, 3rd Section, Land Lot 380 as shown on the attached plat Exhibit “A”. Property is hereby rezoned from G-C (General Commercial) to L0I (Light Industrial). 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 21st day of November 2019.

ADOPTED this 5th day of December. Second Reading.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Meredith Ulmer
City Clerk

2. Z19-06: Rezone 8.52 acres from G-C/O-C to G-C/M-U. Location: 1136/1138 N. Tennessee St. Applicant: Tri Unity Holdings, LLC

Mr. Mannino stated in 2018, Tri Unity Holdings LLC requested a Special Use permit for the construction of apartments and condominiums above commercial and office uses in the same building for the parcels located at 1136 and 1138 N. Tennessee St. That request was approved with a condition by City Council on October 4, 2018. The condition was to construct a privacy

fence along the property line bordering the Point North subdivision. Since the special use permit approval, the applicant was unable to receive sufficient funding for apartments or condominiums on the 1136 N. Tennessee St property. Therefore, the applicant has revised the plans to include a different housing product more suitable to investors. The rezoning is needed to construct townhouse and office space products on the proposed M-U tract and to expand the G-C tract to include additional parking areas for the mixed-use development. Planning Commission recommends denial (6-0).

The floor was opened for a public hearing:

Dean Bagwell, Cartersville, GA came forward to speak against.

Baja Karazmi, Kennesaw, GA came forward as the applicant to speak for the application and be available for questions.

With no else coming forward the public hearing was closed.

Motion to approve Z19-06 with the following conditions: allows access for adjacent property owners to use Bradshaw Loop and keep the condition of an eight-foot fence was made by Council Member Hodge and seconded by Council Member Wren. Motion carried unanimously. Vote: 5-0.

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 42-19

Petition No. Z19-06

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 Tri Unity Holdings, LLC. Property is located 1136 N Tennessee Street. Said property contains 7.42 acres located in the 4th District, 3rd Section, Land Lot 530 as shown on the attached plat Exhibit "A". Property is hereby rezoned from O-C (Office Commercial) and G-C (General Commercial) to M-U (Multiple Use) and G-C (General Commercial) Proposed Use: Townhomes, Office Space and Parking Lot (M-U);Parking Lots (G-C) with the following conditions: allows access for adjacent property owners to use Bradshaw Loop and keep the condition of an eight-foot fence between Point North Subdivision and this property per the condition approved on SU18-05. 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 21st day of November 2019.
ADOPTED this 5th day of December. Second Reading.**

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Meredith Ulmer
City Clerk

3. SU19-07: Special Use Permit to Allow a Trash Transfer Station in the H-I Zoning District

Mr. Mannino stated regulated Services LLC, is requesting the Special Use permit for a Waste Transfer Station at 375 Industrial Park Rd, zoned H-I and 5.0+/- acres. The applicant is proposing a multi-faceted waste treatment facility that will process household trash, process and sterilize medical waste making it safe for disposal, reduce the waste volume through shredding and transport the waste to an appropriate landfill for disposal. Pharmaceutical disposal and document shredding are also proposed. Planning Commission recommends approval (5-1) with conditions:

- 1) Medical wastes cannot be chemically treated; and
- 2) Off-hour [after hour] security be provided.

The floor was opened for a public hearing:

Brandon Bowen, Cartersville, GA came forward to speak for the application and be available for questions.

Public hearing was closed.

Motion to approve SU19-07 with a condition that would prohibit the chemical processing of medical waste and to sterilize medical products prior to use was made by Council Member Fox and seconded by Council Member Wren. Motion carried unanimously. Vote: 5-0.

C. Second Reading of Ordinances

1. Fiscal Year 2018-19 Budget Amendment

Tom Rhinehardt, Finance Department Head stated after Completion of the Fiscal Year 2018-19 close, the General Fund, Special Revenue funds, and the SPLOST Fund's budgets need to be amended. The process of amending these budgets is done annually before the year-end close and will bring the city General Fund, Special Revenue Funds, and SPLOST Funds into

compliance with Generally Accepted Accounting Principles (GAAP) standards. These adjustments reflect the necessary changes needed to bring the budgets back into balance where the revenues equal expenses and mirror the actual year-to-date revenues and expenses in each of the funds. I recommend your approval of the attached ordinance amendment.

A motion to approve Fiscal Year 2018-19 Budget Amendment was made by Council Member Hodge and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. _____

NOW BE IT HEREBY ORDAINED by the Mayor and City Council that pursuant to the City of Cartersville Charter; the City of Cartersville Fiscal Year 2018 – 2019 budget.

2018 - 2019 Budget Summary

<u>General Fund</u>	<u>Revenues</u>	<u>Expenditures</u>
Revenues	\$25,859,450	
Expenditures:		
Legislative		\$ 1,400,470
Administration		\$ 1,132,185
Finance Dept.		\$ 1,313,145
Customer Service Dept.		\$ 777,005
Police		\$ 5,891,870
Fire		\$ 7,629,145
Municipal Court		\$ 267,615
Public Works		\$ 2,519,350
Recreation		\$ 3,451,850
Planning & Development		\$ 1,235,805
Downtown Development Authority		\$ 241,010
<u>Special Revenue Funds</u>		
GO Park Bonds Series 2014	\$ 1,714,300	\$ 1,714,300
SPLOST – 2003	\$ 39,795	\$ 39,795
SPLOST – 2014	\$ 3,295,380	\$ 3,295,380
DEA	\$ 357,330	\$ 357,330
State Forfeiture	\$ 22,365	\$ 22,365
Hotel/Motel Tax	\$ 957,080	\$ 957,080

Motor Vehicle Rental Tax	\$ 77,670	\$ 77,670
Grant Funds	\$ 181,780	\$ 181,780
Impact Fees	\$ 0	\$ 0
Business Improve Dist Tax	\$ 31,390	\$ 31,390
Development Fees	\$ 10,960	\$ 10,960
Tax Allocation District	\$ 279,065	\$ 279,065

Cartersville Building Authority	\$ 5,486,020	\$ 5,486,020
SDBG Supplemental Dis Rec	\$ 131,905	\$ 131,905

Enterprise Funds

Fiber Optics	\$ 2,120,110	\$ 2,120,110
Electric	\$49,126,240	\$49,126,240
Gas	\$35,962,150	\$35,962,150
Solid Waste	\$ 2,649,715	\$ 2,649,715
Stormwater	\$ 1,597,000	\$ 1,597,000
Water & Sewer	\$40,113,000	\$19,271,770
Water Pollution Control Plant		\$14,991,835
Water Treatment Plant		\$ 5,849,395

Internal Service Fund

Garage	\$ 1,572,820	\$ 1,572,820
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BE IT AND IT IS HEREBY ORDAINED.

ADOPTED, this ____ day of November 2019. First Reading.

ADOPTED this ____ day of December 2019. Second Reading.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Meredith Ulmer
City Clerk

D. Contracts/Agreements

1. Elite Athletics Inc.

Tom Gilliam, Parks and Recreation Department Head stated this is a Programming Contract with Elite Athletics Inc. to be the Program Provider for Baseball for ages 3-7 years old

and Girls Fast-Pitch Softball to conduct Clinics, Summer Camps and Leagues. The Fast-Pitch League will look to begin League Play within 12-18 months, if not before. Elite Athletics Inc. was established in May of 2005 with the mission of developing and preparing youth baseball and softball players to help them better understand what areas they need to develop to improve as a player and as a person. Jamie Crane will be the Coordinator for these leagues. Jamie has lived in Cartersville for 20 years and has an extensive background in athletics on the amateur as well as professional level. Elite Athletics Inc. will give the City 20% of their gross registration fees including all of the non-resident fees.

Motion to approve Elite Athletics Inc was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

2. North Georgia Rec

Mr. Gilliam stated this is a Programming Contract with North GA Rec to be the Program Provider for Lacrosse for Boys and Girls and Field Hockey for Girls to conduct Clinics, Summer Camps and eventually to start Leagues within 12-18 months, if not before. North GA Rec is dba Newtown Recreation which was created in the summer of 1999 as a non-profit family-oriented youth athletic organization with the purpose of providing quality youth athletic programming. North GA Rec is dedicated to increasing the quality of life in our community by providing positive sports experiences for all coaches, parents and children. North GA Rec will give the City 10% of their gross registration fees including all of the non-resident fees.

Motion to approve North Georgia Rec was made by Council Member Fox and was seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

3. Cartersville Senior Fitness

Mr. Gilliam stated this is a Programming Contract with Cartersville Senior Fitness to be the Program Provider for Senior Adult Fitness using the Silver Sneakers Program. Cartersville Senior Fit is designed to create a fun and loving environment that encourages fitness, overall well-being, and relationships for aging adults in our community. Julie Schoomaker is the President of this program and will be leading it. Julie is a Cartersville resident that has over 15 years in the fitness industry and ten years teaching Silver Sneakers formatted classes. Cartersville Senior Fitness will give the City 10% of their gross registration fees including all of the non-resident fees back to the City.

Motion to approve the Cartersville Senior Fitness was made by Council Member Fox and seconded by Council Member Wren. Motion carried unanimously. Vote: 5-0.

4. GDOT Grant Funds for Airport

Dan Porta, Assistant City Manager stated The Cartersville-Bartow County Airport has been awarded \$2,730,000 in supplemental grant funds for runway safety improvements at the airport. These additional funds will allow the Airport Board to complete some safety improvements sooner than expected. Since the city is the entity used as the conduit for GDOT

grant funds, approval is needed by the City Council. It is recommended for approval to accept the grant award and to allow the Mayor and City Clerk to sign all grant related documents.

Motion to approve the GDOT Grant Funds for Airport was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

E. Bid Award/Purchases

1. Matthews Garage Vehicle Repair

Mr. Porta stated in July 2019, a city employee was involved in a vehicle accident where he was at fault. Recently, the invoice to repair the City pickup truck was paid and needs approval from City Council. The repair cost from Matthews Garage was \$10,744.98 and Travelers Insurance paid everything less the \$1,000 deductible. This invoice is recommended for Council approval.

Motion to approve the Matthews Garage Vehicle Repair was made by Council Member Hodge and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

2. Bartow County Radio System

Mr. Porta stated the City has received our third quarter 2019 invoice from Bartow County for the countywide radio system that is used by several departments in the city. The total amount due is \$11,520.36 and is recommended for your approval.

Motion to approve the Bartow County Radio System was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

Motion to add an item the agenda was made by Council Member Hodge and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

Added Item: Travelers Insurance Invoice

Mr. Porta stated two City employees were involved in an accident. The invoice from Travelers Insurance was \$27,229.95 and it is recommended for Council approval.

Motion to approve payment to Travelers Insurance was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

3. Everbridge Mass Communication System

Rebecca Bohlander stated this is for the annual renewal of Everbridge, our mass communication system. The cost is \$7,166.25. I ask for your approval on this item and to let the Mayor sign the agreement when received.

A motion to approve the Everbridge Mass Communication System was made by Council

Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

4. Replacement Extrication Equipment on Engine 3

Chief Carter stated this is a request to replace Extrication Equipment on Engine 3 that has exceeded its life span and is not effective on modern vehicle construction. This is the 2nd year of a multi-year project. This is a single source to match the equipment that Mayor and Council approved for purchase in FY 2018-19.

A motion to approve Replacement Extrication Equipment on Engine 3 was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

5. WTP Valve Actuator Replacements

Sidney Forsyth, Water Department stated the Water Treatment Plant (WTP) Filter Rehabilitation Project is a key component of the FY 2019-2020 capital improvement budget. Work on the final filter has started and it is time to begin focusing on controls for the new filters. Within the controls scope of work are new valve actuator mechanisms.

In total, 45 EIM electronic valve actuators will be installed on various valves used to control filter function for the entire plant. Of the 45 actuators, 27 are new units replacing both pneumatic and electric actuators of various manufacture and age. This project will allow us to standardize on one brand of equipment thus simplifying maintenance and stocking of repair parts.

Bids were received on November 5, 2019 and publicly opened at WTP. Georgia Western, Inc. was the only bidder of six (6) registered plan holders. Georgia Western is the Georgia supplier of EIM products which is likely the reason no other bidders submitted a bid. Additionally, Georgia Western did not submit payment or performance bonds with their bid. This was evaluated by our engineer Wiedeman and Singleton Engineers (WSE) and the City Attorney. Because Georgia Western will self-perform the installation work and use no subcontractors, the lack of payment bond is a non-issue. The lack of a performance bond does present some risk. WSE has a history of working with Georgia Western and has found them to be a reputable company. Further, WSE recommends withholding payment until the actuators have been fully tested. After consulting with WSE and the City Attorney, I believe this is an acceptable risk that can be mitigated by withholding payment until the work is satisfactorily complete.

It is recommended for approval of the Georgia Western bid in the amount of \$233,503.20.

Motion to approve WTP Valve Actuator Replacements was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

6. Sewer Flow Monitoring

Mr. Forsyth stated during heavy rain events, flows at the Water Pollution Control Plant (WPCP) spike to over 30 million gallons per day (MGD) from their average of 8 MGD. The increase is a result of inflow and infiltration. Inflow is the intentional direction of rainwater to the sanitary sewer from gutters, sump pumps, drains, etc. Infiltration is rainwater or ground water which leaks into sewers from leaking manholes, cracked pipe and leaking joints. Regardless of the source, the result is non-revenue producing use of capacity in the sewer system and permit violations at the WPCP.

A quote was requested for performing a 90-day flow study at six (6) key locations from ADS. These locations will help determine which areas of the sewer collection system are most reactive to large rainfall events. This data will help prioritize which areas require further investigation and possible repair. ADS has proposed a cost of \$40,500 to perform the work. I recommend approval of their proposal.

Motion to approve the Sewer Flow Monitoring was made by Council Member Roth and seconded by Council Member Stepp. Motion carried unanimously. Vote: 5-0.

F. Other

1. Election Results

Meredith Ulmer, City Clerk stated the November 5, 2019 Election results have been submitted by the Bartow Board of Elections and the certification of the election results are recommended for Council approval.

Council Member Stepp made a motion to certify the election results from November 5, 2019 and the motion was seconded by Council Member Wren. Motion carried unanimously. Vote: 5-0.

Mayor Santini announced the Christmas parade begins this evening at 6pm.

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

Meeting Adjourned

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Meredith Ulmer
City Clerk