

City Council Meeting
10 N. Public Square
July 18, 2019
8:00 A.M. – Work Session
9:00 A.M. – Council Meeting

I. Opening Meeting

Invocation by Council Member Cooley.

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; Calvin Cooley Council Member Ward Four; Gary Fox, Council Member Ward Five; Tamara Brock, City Manager; Meredith Ulmer, City Clerk and Keith Lovell, City Attorney.

Attended by telephone call: Gary Fox Ward Five

Absent: Taff Wren, Ward Six

II. Regular Agenda

A. Council Meeting Minutes

1. July 2, 2019

A motion to approve the July 2, 2019 City Council Meeting Minutes as presented was made by Council Member Hodge and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

B. Proclamations

1. Modena M. Hoge – 100th Birthday

This proclamation was presented to Ms. Modena M. Hoge in celebration of her 100th birthday.

C. Second Reading of Ordinances

1. Chapter 5. Article III. Section 5-7. Maximum Number of Dogs and Cats

Tamara Brock, City Manager stated the current ordinance is being amended by deleting subparagraph (a) in its entirety and replacing it.

A motion to approve the Chapter 5. Article III. Section 5-7. Maximum Number of Dogs and Cats with the proposed change of 4 dogs maximum was made by Council Member Roth and seconded by Council Member Step. Motion carried unanimously. Vote: 5-0.

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 5 – ANIMALS. ARTICLE III. – GENERAL PROVISIONS. SECTION 5-7. – MAXIMUM NUMBER OF DOGS AND CATS is hereby amended by deleting subparagraph (a) in its entirety and replacing it as follows:

1.

Sec. 5-7. - Maximum number of dogs and cats.

(a) *Dogs.* The following restrictions apply to the maximum number of dogs that may be possessed or kept on any residential property, based on the area of the lot. Other applicable regulations, including the city zoning ordinance, shall still apply and should be consulted for restrictions on location of shelters and enclosures and other restrictions. "Kennels," as defined therein, are regulated under the zoning ordinance and section 5-9, herein.

- (1) *Larger than two (2) acres.* On any residential property that is larger than two (2) acres, there shall be no restriction on the number of dogs allowed to be possessed or kept, provided all other applicable provisions of this chapter are obeyed. However, any such property that contains more than six (6) dogs shall be required to maintain those animals in an enclosure at least one hundred (100) feet from the nearest property line.
- (2) *Equal to or less than two (2) acres.* On any residential property that is equal to or less than two (2) acres, it shall be unlawful to possess or keep more than four (4) dogs.
- (3) *Multifamily units.* For any dwelling unit in a multifamily development (e.g., apartment, condominium, townhome, mobile home parks, duplex, triplex, quadraplex or similar) it shall be unlawful to possess or keep more than three (3) dogs. The overall acreage of the development or property shall not control.

2.

All other remaining provisions of Section 5-7. are to remain as is and the replacement subparagraph herein is to be made part of Section 5-7.

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

1. T19-02: Text Amendment to allow homeless shelters in the M-U zoning district with a special use permit Applicant: Homeless Shelter Action Committee Inc.

Randy Mannino, Planning and Development Department Head stated Homeless Shelter Action Committee, Inc., (HSAC) proposes a revision to the Zoning Ordinance, Section 9.2 Multiple Use (M-U) district, to allow homeless shelters as an allowed use in the M-U district with a special use permit. HSAC provides services that are in demand and has an immediate need to expand. A site has been identified in the M-U district. Homeless shelters are currently allowed in the G-C and O-C districts with a special use permit. Planning Commission recommends approval (4-0).

Public Hearing: No one came forward and the public hearing was closed.

This is a first reading, therefore does not require a vote.

Ordinance No. _____

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville that City of Cartersville Code of Ordinances, Chapter 26. Zoning, Article IX- COMMERCIAL DISTRICT REGULATIONS and Article XVI- SPECIAL USES, are revised as

follows:

1.

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia that the City of Cartersville Code of Ordinances, CHAPTER 26 ZONING, ARTICLE IX-COMMERCIAL DISTRICT REGULATIONS, SECTION 9.2 M-U Multiple Use District, subsection 9.2.2 Use Regulations is hereby amended by adding the

following use:

Homeless shelters (SU).*

2.

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia that the City of Cartersville Code of Ordinances, CHAPTER 26 ZONING, ARTICLE XVI- SPECIAL USES, Section 16.4 Minimum Special Use Standards, subsection 16.4.8 Homeless Shelters, is hereby amended per the following:

A. Allowable districts: M-U, O-C and G-C.

3.

The remaining provisions of Sec. 9.2.2 and Sec. 16.4.8 shall remain as is and are not modified by this proposed ordinance.

4.

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.

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SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____

MEREDITH ULMER, CITY CLERK

Council Member Stepp recused himself from the following item.

2. SU19-05: Special use permit to allow a homeless shelter in the M-U zoning district Applicant: Homeless Shelter Action Committee Inc.

Mr. Mannino stated the property has been properly posted and advertised with no known conflicts of interest. Mr. Mannino stated the Homeless Shelter Action Committee, Inc., (HSAC) is seeking to expand with the purchase of properties at 1 and 3 Townsley Drive. Both properties were developed in 2003 with similar two story buildings, parking, and a shared driveway for commercial or office uses. 1 Townsley Drive is currently home to several professional offices. No change to this use is immediately planned. The building at 3 Townsley Drive would be converted to a homeless shelter with approval of the Special Use permit. Fourteen (14) beds are proposed initially with the intent to expand to twenty (20) beds. Planning Commission recommends approval (4-0).

Public Hearing: No one came forward and the public hearing was closed.

This is a first reading and does not require a vote.

E. First Reading of Ordinances

1. DGR – 1 Rider Revision – Ordinance Sec. 24-261

Derek Hampton, Electric Department stated the Electric Department is requesting Council's approval of a revision to Section 24-261, which is our DGR-1 rate rider. The DGR-1 rider is applicable to customers that have solar or other power generation sources connected to the City's electrical distribution system.

In response to recent complaints from a new customer, we did a comprehensive study of the financial impact that our existing DGR-1 rider would have on their monthly bills. We discovered that our capacity fees were very punitive, and not in line with the way we intend to do business with our customers.

Thus, we have revised DGR-1 to eliminate the punitive capacity fees, and replace them with a flat administrative charge based on the standard electrical billing rate that is applicable to the customer.

The City thinks this revised DGR-1 rider is a fairer option for our solar customers without any negative consequence to the City, and we recommend your approval of the revised ordinance.

This is a first reading and does not require a vote.

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

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 24. UTILITIES. ARTICLE X. ELECTRIC SYSTEM. DIVISION 2. DISTRIBUTED GENERATION RIDER, SECTION 24-261 – DISTRIBUTED GENERATION RIDER, DGR-1** is hereby amended by deleting said Division in its entirety and replacing it with the following:

Sec. 24-261. Distributed Generation Rider, DGR-1.

1.

(a) *Effective Date:* Bills rendered on or after July 18, 2019.

(b) *Availability:* Applicable to Customers in all areas served by the Cartersville Electric System (the Utility) and subject to its service rules, regulations, terms, policies and procedures, as amended from time to time, which are incorporated

herein by this reference, and desiring to install a distributed generation facility. Customer account(s) must be in good standing.

(1) A distributed generation facility must:

- (i) Be owned (or leased) and operated by an existing Customer for production of electric energy, and**
- (ii) Be connected to and/or operate in parallel with the Utility's distribution facilities, and**
- (iii) Be intended primarily to offset part or all of the Customer's generator's requirement for electricity, and**
- (iv) Have peak generating capacity of not more than 10 kW for residential applications and not more than 125% of actual or expected maximum annual peak demand of the premise for commercial applications.**
- (v) Be installed on the customer side of the meter.**

(c) *Monthly Metering Charge:*

(1)..... Bi-Directional Metering Charge \$2.50 per month
OR

(2)..... Single Directional

- (i) Single-Phase \$4.50 per month**
- (ii) Poly-phase.....\$11.00 per month**

(3) The City of Cartersville Electric System will install single directional metering or bi-directional metering depending on the Customer's method of installation. All installed costs for metering and associated equipment will be paid by the Customer at the time service is initiated under this policy.

(4) Bi-directional metering is defined as measuring the amount of electricity supplied by the Utility and the amount fed back to the Utility by the Customer's distributed generation facility during the billing period using the same meter. Bi-directional metering shall be used where distributed generation facilities are connected to the Utility on the Customer's side of the Customer's meter.

(5) Single directional metering shall be defined as measuring electricity produced or consumed during the billing period, in accordance with normal metering practices. Single directional metering shall be used where distributed generation facilities are connected to the Utility's distribution system on the Utility's side of the Customer's meter.

(d) *Administrative Charges:* The Utility requires each Customer with a distributed generation facility to pay the monthly administrative charges based on the electric rate.

- (1)..... Residential\$10.00 per month**
- (2)..... Commercial Non-Demand \$12.00 per month**
- (3)..... Small Power \$14.00 per month**
- (4)..... Medium Power \$16.00 per month**

- (5)..... Large Power \$18.00 per month
- (6)..... Extra Large Power \$20.00 per month

(e) *Payment for Energy:*

(1) Bi-directional metering

- (i) When electricity supplied by the Utility exceeds electricity generated by the Customer's distributed generation, the electricity shall be billed by the Utility in accordance with the applicable tariff(s).
- (ii) When electricity generated by the Customer's distributed generation system exceeds electricity supplied by the Utility, the Customer shall be billed for the customer charges as described in the standard rate for that billing period and credited for excess kWh generated during the billing period at the Utility's avoided energy cost.

(2) Single directional metering

- (i) For kWh's generated by Customer's distributed generation facility, Customer shall be compensated at the Utility's avoided cost of energy (kWh) as determined by the Utility. The Utility will only compensate Customer for avoided energy kWh's as determined by metered energy delivered to the Utility's distribution system.
- (ii) The Customer's net bill will be calculated using the Utility calculation for avoided energy cost (as described below) credited to the Customer, netted against the billing period charges for the Customer's regular service (according to the applicable tariff) based on actual metered energy.

(3) Avoided Energy Cost

Payments by the Utility to the Customer for the billing period metered avoided energy kWh's will be computed by the Utility in its sole discretion based on the average monthly wholesale market price as determined by the Municipal Electric Authority of Georgia (MEAG Power), the Utility's Wholesale Energy provider.

(f) *Safety, Power Quality, and Interconnection Requirements:*

- (1) The Customer shall be responsible for ensuring a safe and reliable interconnection with the Utility and all costs incurred therein. The Utility has available, upon request, the following documents that must be completed and approved in their entirety prior to interconnection by the Customer to the Utility's distribution system:
 - (i) Application for Interconnection of Distributed Generation Facility
 - (ii) Interconnection Agreement
 - (iii) Electrical Power Exchange Agreement
- (2) The provisions in all documents outlined above are incorporated into this Tariff in their entirety. For the avoidance of doubt, Customer shall be deemed to have agreed to such provisions by applying for service under this Tariff.

- (3) The Utility will only be required to purchase energy from eligible distributed generation facilities on a first-come, first-served basis until the cumulative generating capacity of all renewable energy sources from all Customers equals the percentage of the Utility's annual peak demand in the previous year as set forth in O.C.G.A. § 46-3-56(a). Additional energy may be purchased by the Utility at its sole discretion at a cost agreed to by it and the Customer provider. The Utility shall at no time be required to purchase energy from Customers in excess of amounts required by the DG Act.
- (4) The Utility reserves the right to separate the Customer generator's equipment from City lines and facilities when, in the Utility's judgment, the continued parallel operation is unsafe or may cause damage to persons or property. Upon such separation, the Utility shall promptly notify the Customer generator so that any unsafe condition can be corrected.

2.

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MATTHEW J. SANTINI, MAYOR

ATTEST: _____
MEREDITH ULMER, CITY CLERK

F. Grant Application/Acceptance

1. LMIG FY 2020 Application

Tommy Sanders, Public Works Department Head stated Public Works is seeking permission for the Mayor to sign the Local Maintenance & Improvement Grant (LMIG) application, cover letter and any associated documents for FY 2020. The grant is for \$283,829.87 (last year was \$258,179.24) and requires a 30% match which is budgeted. The proposed projects include resurfacing of 11 city streets:

Henderson Drive, Oakdale Drive, Parr Wade Road, Mission Hills Drive, Wood Forest

Drive, Crescent Drive, Highpoint Drive, Willow Trace, Heartwood Drive, Split Oak Drive, Waterstone Court. Council approval of this item is recommended.

A motion to approve LMIG FY 2020 Application was made by Council Member Stepp and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

G. Bid Award/Purchases

1. Garbage Truck Repair

Mr. Sanders stated this invoice is for the repair of Solid Waste truck #6239, a 2015 Isuzu Garbage Truck. The total for this repair is \$9,801.20 and it is recommended for your approval. This is a budgeted item.

A motion to approve Garbage Truck Repair was made by Council Member Cooley and seconded by Council Member Stepp. Motion carried unanimously. Vote: 5-0.

Added Item: Structural Analysis by Alpha Omega Engineering

Mr. Sanders stated he recommended approval for the structural analysis by Alpha Omega Engineering for the building at the corner of Erwin and Church Street. This analysis would include a report to show the state of the structure. The cost is approximately \$14,000.

Motion to approve the structural analysis with the removal on exhibit 1 under indemnification and notifying the company that they will be subject to the open records act was made by Council Member Stepp. This motion was seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

2. Desert Aire Dehumidifier Unit for Senior Aquatic Center

Tom Gilliam, Parks and Recreation Department Head stated the City is requesting Council approval for the purchase of a dehumidifier unit including a pool boiler, 2 pumps and a plate heat exchanger for the Senior Aquatic Center. The existing unit is around 13 years old and in desperate need of being replaced.

There are only 3 companies that make these units and only 2 responded with quotes, Desert Aire and Pool Pak. We gave the companies a deadline of July 9, 2019 at 12 noon to get the quotes to us.

Mr. Gilliam recommended the purchase of this dehumidifier unit along with the pool boiler, 2 pumps and a plate heat exchanger from Desert Aire (Arrow Mechanical Inc) in the amount of \$254,165.00. This is a budgeted item.

A motion to approve Desert Aire Dehumidifier Unit for Senior Aquatic Center was made by Council Member Stepp and seconded by Council Member Roth. Motion

carried unanimously. Vote: 5-0.

3. Toro Reelmaster 3100-D

Mr. Gilliam stated the Parks & Recreation Dept received 3 quotes for a Toro Reelmaster 3100-D, Fixed 72" mower. The low quote which met all the specifications was submitted by Jerry Pate Turf & Irrigation in the amount of \$31,512.79. This is a budget item that we are recommending to Mayor & Council for approval and is \$20,487.21 under the budgeted amount for this purchase.

A motion to approve Toro Reelmaster 3100-D was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0.

4. Montessori Building Window Replacement

Dan Porta, Assistant City Manager stated the windows are in need of replacement in the city owned building at 324 W. Cherokee Avenue, currently rented and used as a Montessori School. There are 25 windows that need to be replaced, some are in worse shape than others. The Historic Preservation Commission has approved the replacement of all windows. Bids were taken from several companies and the lowest and best bid was received from Exterior Solutions in Kingston. Due to the fact that this was not a budgeted item, I recommend replacing 12 of the 25 windows at this time, at a cost of \$5,000.

A motion to approve Montessori Building Window Replacement was made by Council Member Roth and seconded by Council Member Hodge. Motion carried unanimously. Vote: 5-0.

5. Bartow County Grant Writing Services

Mr. Porta stated the City has received an invoice for six months of salary costs for shared services with Bartow County for Grant writing. The amount due at this time is \$41,109.30 and is recommended for your approval.

A motion to approve Bartow County Grant Writing Services was made by Council Member Roth and seconded by Council Member Hodge. Motion carried unanimously. Vote: 5-0.

6. Fire Station #3 – Communications Installation

Mr. Porta stated City staff have received proposals to install cabling, data racks, access control, cameras and other needed communication devices for new Fire Station #3 being constructed at 15 Charley Harper Drive. The cost of the communication equipment being purchased by the city is \$11,000. The installation will be done by Telenet Systems of Cartersville at a total cost of \$54,356.92. These items are budgeted from 2014 SPLOST and are recommended for your approval.

Communications Installation by Telenet Systems

Data Rack & Pathways	\$9,958.49
Data Infrastructure	\$9,885.16
Access Control	\$9,988.77
Access Control Gate	\$1,225.46
Paging	\$7,009.57
TV / Mounts	\$9,729.37
Cameras	\$6,560.10
Telenet Total Cost:	\$54,356.92

Fibercom Equipment	
Switches/Network Equipment	\$7,000.00
Fiber Optic Cable	\$2,500.00
Misc. (Power Strips, HDMI, Jumpers)	\$1,500.00
Fibercom Total Cost:	\$11,000.00

A motion to approve Fire Station #3 – Communications Installation was made by Council Member Stepp and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

H. Monthly Financial Statement

Tom Rhinehart, Finance Department Head came forward and compared monthly budgets from May 2019 to May 2018.

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

Meeting Adjourned



/s/ Meredith Ulmer
Meredith Ulmer
City Clerk

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

