

City Council Meeting
10 N. Public Square
June 6, 2019
6PM. – Work Session
7PM. – Council Meeting

I. Opening Meeting

Invocation by Council Member Cooley.

Pledge of Allegiance led by Council Member Hodge.

The City Council met in Regular Session with Matt Santini, Mayor presiding and the following present: Kari Hodge, Council Member Ward One; Cary Roth, Council Member Ward Three; Calvin Cooley Council Member Ward Four; Taff Wren, Council Member Ward Six; Tamara Brock, City Manager; Meredith Ulmer, City Clerk and Keith Lovell, City Attorney.

Absent: Jayce Stepp, Ward Two; Gary Fox, Ward Five

II. Regular Agenda

A. Council Meeting Minutes

1. May 16, 2019

A motion to approve the May 16, 2019 City Council Meeting Minutes as presented was made by Council Member Wren and seconded by Council Member Cooley. Motion carried unanimously. Vote: 4-0.

B. Appointments

1. Alcohol Control Board

Randy Mannino stated the terms of 3 Alcohol Control Board members expire this month. These are at large appointments with 3-year terms. Christine Brown, Ric Napps and Rick Kollhoff are willing to continue to serve if re-appointed. Their new terms will expire June 3, 2022.

Motion to approve the recommended Board Members for another term was made by Council Member Wren and seconded by Council Member Cooley. Motion carried unanimously. Vote: 4-0.

2. Board of Zoning Appeals

Mr. Mannino stated the terms of the Ward 1 appointment, Kevin McElwee, Ward 3 appointment, Patrick Murphy, Ward 4 appointment, Malcolm Cooley and Ward 5 appointment, Linda Brunt all expire in June. All of these members are willing to continue serving if re-

appointed. These are four year appointments and their new terms will expire June 1, 2023.

Motion to approve the recommended Board Members for another term was made by Council Member Roth and seconded by Council Member Hodge. Motion carried unanimously. Vote: 4-0.

3. Development Authority of Cartersville

Tamara Brock, City Manager stated Mike Fields, Brian Edwards and Beth Tilley are willing to serve another term on the Development Authority of Cartersville if reappointed. Their new terms will expire May 11, 2023.

Motion to approve the recommended Board Members was made by Council Member Cooley and seconded by Council Member Wren. Motion carried unanimously. Vote: 4-0.

4. Etowah Area Consolidated Housing Authority

Ms. Brock stated Lehmann Smith has agreed to serve another five-year term on the Etowah Area Consolidated Housing Authority if reappointed. Mr. Smith's new term will expire on April 1, 2024.

Motion to approve the recommended Board Member Lehmann Smith was made by Council Member Wren and seconded by Council Member Cooley. Motion carried unanimously. Vote: 4-0.

C. Resolutions

1. Voiding Certificate of Dedication

Keith Lovell, City Attorney stated this resolution voids the Certificate of Dedication for the Brentwood Senior Development, and it is recommended for your approval.

Motion to approve voiding the Certificate of Dedication was made by Council Member Wren and seconded by Council Member Cooley. Motion carried unanimously. Vote: 4-0.

RESOLUTION NO: _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, IN THE STATE OF GEORGIA, VOIDING THE CERTIFICATE OF DEDICATION AND MAINTENANCE AGREEMENT WITH BRENTWOOD SENIOR I, LP

WHEREAS, on May 16, 2019, the Certificate of Dedication and Maintenance Agreement between the City and Brentwood Senior I, LP for the Brentwood Senior Development was signed and accepted by the City, a copy of which is attached hereto; and

WHEREAS, on March 26, 2019 Brentwood Senior I, LP for the Brentwood Senior Development provided the City with a Maintenance Bond for a period of eighteen months for the water and sewer at the Brentwood Senior Development; and

WHEREAS, on May 9, 2019, an Easement was filed providing the City with the necessary easement for the water and sanitary sewer utilities at the Brentwood Senior Development; and

WHEREAS, the Brentwood Senior Facility is within the County and not the City, and the Certificate of Dedication and Maintenance Agreement is not proper or necessary and should be voided, as the proper instruments for this development, the Easement and Maintenance Bond are in place.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, IN THE STATE OF GEORGIA, AS FOLLOWS:

that the Mayor and City Council of the City of Cartersville void the Certificate of Dedication and Maintenance Agreement with Brentwood Senior I, LP for the Brentwood Senior Development.

BE IT AND IT IS HEREBY RESOLVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, this ____ day of June, 2019.

/s/ _____
Matthew J. Santini, Mayor
City of Cartersville, Georgia

ATTEST:

/s/ _____
Meredith Ulmer, City Clerk
City of Cartersville, Georgia

D. Public Hearing – 2nd Reading of Zoning/Annexation Requests

1. File AZ19-02

Randy Mannino, Planning and Development Department Head stated Steeden Preferred Properties, LLC has submitted an application for the Annexation and Zoning of a property located at 232 Euharlee Road. The property is proposed to be rezoned from Unincorporated A-1 (Agriculture) to R-20 (Single Family Residential). Said property contains approximately 9.7 acres. Planning Commission approved rezoning (6-0) with the condition to limit future lots in subdivision to three (3) lots for the 9.7 acres (6-0).

Zoning Public Hearing: Steve Nunley came forward to speak for the application.

Annexation Public Hearing: No one came forward.

A motion to approve File AZ19-02 annexation was made by Council Member Wren and seconded by Council Member Hodge. Motion carried unanimously. Vote: 4-0.

A motion to approve File AZ19-02 rezoning was made by Council Member Wren and seconded by Council Member Hodge. Motion carried unanimously. Vote: 4-0.

Please see Exhibit A for 232 Euharlee Rd plat.

Ordinance
of the
City of Cartersville, Georgia

Ordinance No.

Petition No. AZ19-02

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 Steeden Preferred Properties, LLC. Property is located at 232 Euharlee Road. Said property contains 9.7 acres located in the 4th District, 3rd Section, Land Lot 639 as shown on the attached plat Exhibit "A". Annexation 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 May 2019.

ADOPTED this 6th day of June 2019. Second Reading.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Meredith Ulmer
City Clerk

Ordinance
of the
City of Cartersville, Georgia

Ordinance No.

Petition No. AZ19-02

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 Steeden Preferred Properties, LLC. Property is located at 232 Euharlee Road. Said property contains 9.7 acres located in the 4th District, 3rd Section, Land Lot 639 as shown on the attached plat Exhibit "A". Property is hereby rezoned from County A-1 (Agriculture) to R-20 (Single-Family Residential) with the following conditions: limiting the property to a total of 3 lots. 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 May 2019.

ADOPTED this 6th day of June 2019. Second Reading.

/s/ _____
Matthew J. Santini
Mayor
ATTEST:

/s/ _____
Meredith Ulmer
City Clerk

E. Second Reading of Ordinances

1. Alcohol Ordinance Amendments

Mr. Mannino stated the proposed alcohol ordinance amendments will allow for the on-site consumption and packaged sales of malt beverages and wine without meeting the food sales requirement. Said amendments only pertain to the Downtown Business District, and restrict the total wine and malt beverage sales to no more than 35% of the establishments' annual gross revenues.

The Alcohol Control Board (ACB) did hear a similar version of said amendments at their March 13, 2019 board meeting in conjunction with proposed amendments affecting "Cigar Bar"

guidelines. The ACB did move forward with the Cigar Bar amendments, but noted they were not ready to proceed with the other changes.

Motion to approve the alcohol ordinance amendments was made by Council Member Wren and seconded by Council Member Hodge. Motion carried unanimously. Vote: 4-0.

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 4 – ALCOHOLIC BEVERAGES. ARTICLE I. – IN GENERAL. DIVISION 1. – GENERALLY. SECTION 4-1. – DEFINITIONS is hereby amended by deleting the definition of Wine Specialty Shop contained therein, and replacing it as follows:

1. Sec. 4-1. – Definitions.

Wine and Craft Beer Specialty Shop means a retail establishment that provides malt beverages and wine for on-premises consumption and off-premises consumption as regulated and defined by Section 4-59(6).

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 the sections of this Ordinance may be renumbered and/or alphabetized accordingly to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____
SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
MEREDITH ULMER, CITY CLERK

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 4 – ALCOHOLIC BEVERAGES. ARTICLE II. – LICENSING REQUIREMENTS. DIVISION 2. – APPLICATION AND ISSUANCE. SECTION 4-59. – POURING LICENSES LIMITED TO CERTAIN ESTABLISHMENTS is hereby amended by amending the existing paragraph (a) only and creating a new paragraph (a)(6) and (b) for said Section (4-59) and adding it as follows:

1. Sec. 4-59. - Pouring licenses limited to certain establishments.

(a) No application for a pouring license shall be considered from, and no license shall be granted to an applicant whose premises for a pouring outlet is anything other than a restaurant, hotel, motel, private club, lounge, retail cigar shop, store, or supermarket as defined in this chapter. It is the intention of this division that wine and malt beverages for consumption on the premises be sold only at bona fide restaurants, hotels, motels, private clubs, retail cigar shops, wine and craft beer specialty shops, and supermarkets under the restrictions herein set out, and not at walk-in bars or sham establishments, as follows:

(6) Specialty Shop as defined in the Code, may be issued an on-premises consumption and package license for the sale of malt beverages and wine without meeting the requirements that forty-five (45%) percent of its gross annual sales be derived from the sale of prepared meals or food, pursuant to the following:

a. No less than sixty-five (65%) percent of the annual gross revenue shall be derived from the sale of non-alcoholic retail goods and merchandise, and no more than thirty-five (35%) percent of its annual gross revenues shall be derived from the sale of malt beverage and wine for on-premises consumption and off-premises package sales.

b. Said establishment shall not be required to meet the requirement that forty-five (45%) percent of its annual gross sales shall be derived from the sale of prepared meals or food.

c. Free samples of wine shall not exceed one and one half (1.5) ounces nor shall any individual be offered more than three (3) samples within a calendar day.

d. Sampling or tasting of wine is only permitted within a designated area of the establishment, as indicated on their application.

**e. Craft beer is defined as beer produced by the following:
Beer having an Annual production of 6 million barrels of beer or less.
Or if less than 25 percent of the craft brewery is owned or controlled (or equivalent economic interest) by a beverage alcohol industry member that is not itself a craft brewer.**

f. Said establishments are only allowed in the Downtown Business District.

(b) Reporting Requirements.

(1) All establishments licensed under this Chapter shall be required by November 1 of each calendar year to turn in third quarter reports which at a minimum indicate the percentage of alcohol sales on-premises and off-premises, including food, retail, and other required categories of its gross revenues.

(2) The Director of Planning and Development or his designee shall review the gross income figures from each establishment which shall provide such information at the end of the third quarter of each calendar year, and at any other time requested to do so by the

Director of Planning and Development or his designee, and determine if the annual sales meet the required ratio and make appropriate recommendations to the Alcohol Control Board.

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 the sections of this Ordinance may be renumbered and/or alphabetized accordingly to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____
SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
MEREDITH ULMER, CITY CLERK

F. Budget

1. Budget Ordinance for the Fiscal Year 2019-20

Mr. Rhinehart stated based on recommended changes from the Council regarding the budget presentation made on May 14, 2019, the fiscal year 2019-20 budget ordinance is being proposed. The proposed budget is a balanced budget and decreased \$17,859,190 over the fiscal year 2018-19 budget and equates to a 9.75% decrease. The proposed budget includes salary adjustments in all departments, a 1.0 mill increase in the City's property tax millage rate, an increase in staff, an increase in health insurance premiums for both the city and the employees, an increase in the city residential water and sewer rates, a decrease in the out of the city residential sewer rates, an increase in the monthly base water and sewer rates, an increase in fire service monthly charges for all pipe sizes, an increase in surcharges for high strength waste, and an increase in the gas base monthly rates.

Budget comparison by type for the FY 2020 proposed budget compared to the FY 2019 budget include: personnel expenses increase by \$1,706,965 (salary adjustments, increase in pension cost, and health insurance premiums); operating expenses increased \$1,287,800; purchase of commodities decreased by \$1,806,610; BID tax expenses decreased by \$9,725; debt service expenses decreased \$1,918,030; capital expenses increased \$925,815 (increase in water and sewer capital expenses, and decrease in gas capital expenses), and transfers to the general fund remain the same. Approval of the proposed FY 2019-20 budget as presented was recommended.

This is a first reading and does not require a vote until the second reading.

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 2019 – 2020 budget.

2019 - 2020 Budget Summary

General Fund	Revenues	Expenditures
Revenues	\$26,655,300	
Expenditures:		
Legislative		\$ 1,672,070
Administration		\$ 1,162,355
Finance Dept.		\$ 1,343,285
Customer Service Dept.		\$ 780,170
Police		\$ 6,129,280
Fire		\$ 7,545,010
Municipal Court		\$ 308,275
Public Works		\$ 2,568,170
Recreation		\$ 3,762,450
Planning & Development		\$ 1,171,600
Downtown Development Authority		\$ 212,635
Special Revenue Funds		
GO Park Bonds Series 2014	\$ 964,000	\$ 964,000
SPLOST – 2003	\$ 100,000	\$ 100,000
SPLOST – 2014	\$ 2,770,000	\$ 2,770,000
SPLOST - 2020	\$ 1,200,000	\$ 1,200,000
DEA	\$ 330,680	\$ 330,680
State Forfeiture	\$ 3,000	\$ 3,000
Hotel/Motel Tax	\$ 1,030,000	\$ 1,030,000
Motor Vehicle Rental Tax	\$ 95,000	\$ 95,000
Grant Funds	\$ 2,384,070	\$ 2,384,070
Business Improve Dist Tax	\$ 23,275	\$ 23,275
Development Fees	\$ 5,000	\$ 5,000
Tax Allocation District	\$ 182,000	\$ 182,000

Enterprise Funds

Fiber Optics	\$ 2,218,200	\$ 2,218,200
Electric	\$47,128,390	\$47,128,390
Gas	\$28,847,030	\$28,847,030
Solid Waste	\$ 2,978,000	\$ 2,978,000
Stormwater	\$ 1,528,800	\$ 1,528,800
Water & Sewer	\$45,330,345	\$16,142,550
Water Pollution Control Plant		\$23,497,130
Water Treatment Plant		\$ 5,690,665
Internal Service Fund		
Garage	\$ 1,511,065	\$ 1,511,065

BE IT AND IT IS HEREBY ORDAINED.

ADOPTED, this ____ day of June 2019. First Reading.
ADOPTED this ____ day of June 2019. Second Reading.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Meredith Ulmer
City Clerk

G. First Reading of Ordinances

1. Amendments to the Utilities Ordinance Regarding Gas Rates

Tom Rhinehart, Finance Department Head stated the Gas Department has proposed an increase to the fixed monthly base rates for all customers as the last adjustment was in July 2015. The increase will allow the Gas Department to continue maintaining the existing gas infrastructure as well as update/expand the system to fulfill the needs of existing and future customers.

The proposed increases are as follows: Residential customers increase from \$10/month to \$15/month; Commercial customers increase from \$15/month to \$20/month. The proposed gas rate increases beginning July 1, 2019 is recommended for approval

This is a first reading and does not require a vote until the second reading.

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 Code of Ordinances, City of Cartersville, Georgia is hereby amended by making the following amendments to CHAPTER 24. UTILITIES. ARTICLE II. RATES, CHARGES, BILLING AND COLLECTION PROCEDURES. Section 24-221 - Gas system firm rate schedule - Residential, Section 24-222 - Same – Commercial, Section 24-223 – Same – Industrial, Section 24-224 – Gas system transport rate schedule – Industrial, and Section 24-225 – Gas system interruptible rate schedule - Industrial are hereby amended by deleting Section 24-221, Section 24-222, Section 24-223, Section 24-224, Section 24-225, and Section 24-231, Paragraph (h) in their entirety and replacing them as follows:

- Sec. 24-221. - Gas system firm rate schedule—Residential.
 - (a) *Availability.* Available in all areas served by the city's natural gas system where sufficient capacity is available, subject to the city's service rules and regulations.
 - (b) *Code 40 - firm - residential - year round (water heater).*
Applicability. This rate is applicable to all residential customers with year round consumption. No gas may be resold or transported to other premises.

Monthly service charge	\$ 15.00
1st 25 therms @	0.175
Next 175 therms @	0.111
Over 200 therms @	0.083
Plus PGCI	

- (c) *Code 40A - firm - residential (excess flow valve) - year round (water heater).*
Applicability. This rate is applicable to all residential customers with year round consumption and an excess flow valve installed on their service line. No gas may be resold or transported to other premises.

Monthly service charge	\$ 15.00
Monthly maintenance charge	5.00
1st 25 therms @	0.175
Next 175 therms @	0.111
Over 200 therms @	0.083
Plus PGCI	

(d) **Code 47 - firm residential - heat only.**

Applicability. This rate is applicable to all residential customers that do not have year round consumption. No gas may be resold or transported to other premises.

Monthly service charge	\$ 15.00
All consumption @	0.20
Plus PGCI	

(e) **Code 47A - firm residential - (excess flow valve) heat only.**

Applicability. This rate is applicable to all residential customers that do not have year round consumption and have an excess flow valve installed on their service line. No gas may be resold or transported to other premises.

Monthly service charge	\$ 15.00
Monthly maintenance charge	5.00
All consumption @	0.20
Plus PGCI	

(Ord. No. 17-94, 5-12-94; Ord. No. 11-99, 2-18-99; Ord. No. 21-09, § 1, 3-19-09)

• **Sec. 24-222. - Same—Commercial.**

(a) **Availability.** Available in all areas served by the city's natural gas system where sufficient capacity is available, subject to the city's service rules and regulations.

(b) **Code 41 - firm - commercial - year round (Water heater).**

Applicability. This rate is applicable to all commercial customers with year round consumption. No gas may be resold or transported to other premises.

Monthly service charge	\$20.00
1st 25 therms @	0.175
Next 175 therms @	0.111
Over 200 therms @	0.083
Plus PGCI	

(c) **Code 48 - Firm - Commercial Heat Only.**

Applicability. This rate is applicable to all commercial customers that do not have year round consumption. No gas may be resold or transported to other premises.

Monthly service charge	\$20.00
All consumption @	0.20
Plus PGCI	

(Ord. No. 17-94, 5-12-94)

(d) **Code 41A - firm - commercial (excess flow valve and/or curb valve)-year-around (Water heater).**

Applicability. This rate is applicable to all commercial customers with year round consumption and an excess flow valve/or curb valve installed on their service line. No gas may be resold or transported to other premises.

Monthly service charge	\$20.00
Monthly maintenance charge....	5.00
1st 25 therms @	0.175
Next 175 therms @	0.111
Over 200 therms @	0.083
Plus PGCI	

(e) **Code 48A - Firm - Commercial (excess flow valve and/or curb valve) Heat Only.**

Applicability. This rate is applicable to all commercial customers that do not have year-round consumption and have an excess flow valve and/or curb valve installed on their service line. No gas may be resold or transported to other premises.

Monthly service charge	\$20.00
Monthly maintenance charge....	5.00
All consumption @	0.20
Plus PGCI	

(Ord. No. 17-94, 5-12-94; Ord. No. 16-15, 6-18-15; Ord. No. 10-17, § 1, 4-20-17)

• **Sec. 24-223. - Same—Industrial.**

(a) **Availability.** Available in all areas served by the city's natural gas system where sufficient capacity is available, subject to the city's service rules and regulations.

(b) **Code 42 - firm - industrial - heat only.**

Availability. Available in all areas served by the city's natural gas system where sufficient capacity is available, subject to the city's service rules and regulations.

(c) **Code 42 - firm - industrial - heat only.**

Applicability. This rate is applicable to all industrial customers that have winter heating requirements. No gas may be resold or transported to other premises.

Monthly service charge	\$100.00
All consumption @	0.20
Plus PGCI	

(d) **Code 43 - Firm - Industrial Process.**

Applicability. This rate is applicable to all industrial customers with year round consumption. No gas may be resold or transported to other premises.

Monthly service charge	\$100.00
1st 100 decatherms @	1.31
All over 100 decatherms @	0.95

Plus PGCI	
During cold weather months of October through April, all gas over the summer average (June, July, August) will be \$2.00/decatherm. (Ord. No. 17-94, 5-12-94)	

• Sec. 24-224. - Gas system transport rate schedule—Industrial.

(a) **Availability.** Available in all areas served by the city's natural gas system where sufficient capacity is available, subject to the city's service rules and regulations.

(b) **Code 44 - Small Transport.**

Applicability. This rate is applicable to all customers with a minimum average consumption of one hundred (100) decatherms per day and using less than twenty thousand (20,000) decatherms on an annual monthly average. No gas may be resold or transported to other premises.

Monthly service charge	\$200.00
1st 1,500 decatherms @	0.80
Next 1,500 decatherms @	0.70
Next 15,000 decatherms @	0.60
Next 82,000 decatherms @	0.48
All additional decatherms @	0.36
Capital improvements	0.178/DT
Storage fee	0.30/DT
Plus PGCI	

(c) **Code 46 - large transport.**

Applicability. This rate is applicable to all customers with a minimum average consumption of one hundred (100) decatherms per day and using more than twenty thousand (20,000) decatherms on an annual monthly average. No gas may be resold or transported to the premises.

Monthly service charge	\$200.00
1st 20,000 decatherms @	0.55
Next 80,000 decatherms @	0.488
Next 200,000 decatherms @	0.345
All over 300,000 decatherms @	0.14
Capital improvements	0.178/DT
Storage fee	0.30/DT
Plus PGCI	

(d) **Code 49 - industrial incentive.**

Applicability. This rate is applicable to all customers with a minimum average consumption of three thousand (3,000) decatherms per day and using more than one

hundred thousand (100,000) decatherms on an annual monthly average. No gas may be resold or transported to other premises.

Monthly Service Charge	\$200.00
1st 25,000 decatherms @	0.46
Next 75,000 decatherms @	0.38
Next 200,000 decatherms @	0.126
All over 300,000 decatherms @	0.12
Capital improvements	0.178/DT
Storage fee	0.30/DT
Plus PGC III	

(Ord. No. 17-94, 5-12-94; Ord. No. 11-99, 2-18-99)

• **Sec. 24-225. - Gas system interruptible rate schedule—Industrial.**

(a) **Availability.** Available in all areas served by the city's natural gas system where sufficient capacity is available, subject to the city's service rules and regulations.

(b) **Code 45 - interruptible.**

Applicability. This rate is applicable to all industrial customers with a minimum consumption of one hundred (100) decatherms per day. No gas may be resold or transported to other premises.

Monthly service charge	\$100.00
1st 1,500 decatherms @	0.80
Next 1,500 decatherms @	0.70
Next 15,000 decatherms @	0.60
Next 82,000 decatherms @	0.48
All additional decatherms @	0.36
Plus PGCI	

(c) **Code 45A - interruptible asphalt manufacturing facility.**

Applicability. This rate is applicable to all asphalt manufacturing facilities. All gas must be purchased from the City of Cartersville. No gas may be resold or transported to other premises.

Monthly service charge	\$200.00
1st 1,500 decatherms @	0.80
Next 1,500 decatherms @	0.70
Next 15,000 decatherms @	0.60
Next 20,000 decatherms @	0.48
Capital improvements	0.178/DT
Plus PGCI	

It is the intention of the city council and it is hereby ordained that the provisions of Ordinance No. 17-94 shall become and be made part of the Code and the sections of said ordinance may be renumbered to accomplish such intention.

(Ord. No. 17-94, 5-12-94; Ord. No. 38-09, § 1, 6-2-09)

Secs. 24-226, 24-227. - Reserved.

Secs. 24-231.- Generally, Paragraph (h)

h) A capital improvement charge of \$0.0178/therm shall be applied to all purchased gas costs.

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 or alphabetized to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED

First Reading this the day of.

ADOPTED this the day of. Second Reading.

/s/_____
Matthew J. Santini
Mayor

ATTEST:

/s/_____
Meredith Ulmer
City Clerk

2. Amendment to Utilities Ordinance Regarding Water/Sewer Rates

Mr. Rhinehart stated the proposed fiscal year 2019-20 budget includes several changes in the Water and Sewer Fund rates to address the maintenance and capital issues of the water fund. First, residents inside the city limits will have a 5% increase to the base tier rate, from \$9.45/month to \$9.92/month. This will be an increase of \$2.73 per month for the average residential customer based on 7,000 gallons consumed. Second, the budget proposes a 4% decrease to the sewer rate for residents outside the city limits. The current charge is \$4.15/month and the new proposed amount is \$3.98/month. Third, the budget proposes a 5% increase in the fire service monthly charges for all pipe sizes. Finally, the budget proposes an increase in the surcharge for high strength waste. This fee increase is due to the cost to treat waste water and the city has not increased this fee since 1999.

With these proposed increases in the water and sewer rates, the City of Cartersville

residents will remain one of the lowest in the surrounding municipalities. The increase is needed to maintain the existing system and plan for any necessary future expansions. I recommend approval of the proposed water and sewer rate increases to begin July 1, 2019.

This is a first reading and does not require a vote until the second reading.

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 III. EXTENSIONS Section 24-44 CHARGES (h) and (i), ARTICLE IV. WATER SERVICE Section 24-64 WATER AND SEWAGE RATE and Section 24-147 SEWAGE RATES** is hereby amended by deleting said Section 24-44 paragraphs (h) and (i), Section 24-64 and Section 24-147 in their entirety and replacing them with the following:

1.

Sec. 24-44. - Charges.

(h) Wastewater discharges between three hundred (300) mg/L and eight hundred fifty (850) mg/L of BOD will be assessed a surcharge. Enforcement shall be initiated for BOD discharges exceeding eight hundred fifty (850) mg/L. Wastewater discharges between three hundred (300) mg/L and one thousand five hundred (1,500) mg/L of TSS will be assessed a surcharge. Enforcement shall be initiated for TSS discharges exceeding one thousand five hundred (1,500) mg/L.

(1) BOD

a.	0—300 mg/l	0.00/lb.
b.	301—850 mg/l	0.45/lb.
c.	851 mg/l	0.45/lb. plus enforcement

(2) TSS

a.	0—300 mg/l	0.00/lb.
b.	301—1,500 mg/l	0.25/lb.
c.	1,501 mg/l	0.25/lb.

		plus enforcement
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(3) These became effective on July 1, 2019.

- (i) For samples with an average COD value that is greater than two and one-half (2.5) times average BOD surcharges will be based on COD. For samples with an average COD value that is less than two and one-half (2.5) times average BOD, surcharges will be based BOD. Wastewater discharges between seven hundred fifty (750) mg/l and two thousand five hundred (2,500) mg/l will be assessed a surcharge on COD as applicable. Enforcement shall be initiated in addition to surcharge for discharges exceeding two thousand five hundred (2,500) mg/l.**

(1) COD

a.	0—750 mg/l	0.00/lb.
b.	750—2,500 mg/l	0.20/lb.
c.	2,501 mg/l	0.20/lb. plus enforcement

2.

Sec. 24-64. Water & Sewage Utility Rates.

(a.) Water Monthly Billing	City	Outside City
(1) Minimum bill according to meter size:		
(i) 5/8" or 3/4"	\$ 9.92	\$ 16.67
(ii) 3/4" full flow	\$ 14.89	\$ 24.27
(iii) 1"	\$ 23.16	\$ 39.43
(iv) 1 ¼" or 1 ½"	\$ 46.31	\$ 72.79
(v) 2"	\$ 89.31	\$150.13
(vi) 4"	\$165.39	\$293.43
(vii) 6"	\$258.00	\$424.62
(viii) 8"	\$330.78	\$586.88
(2) Plus consumption as follows:		
(i) Residential Meters	\$2.05/100 cu. ft.	\$3.76/100 cu. ft.
(a) 0 – 8 consumptions per month	\$3.08/100 cu. ft.	\$3.86/100 cu. ft.
(b) 9 – 14 consumptions per month	\$4.66/100 cu. ft.	\$4.66/100 cu. ft.
(c) 15 – 19 consumptions per month	\$6.50/100 cu. ft.	\$6.50/100 cu. ft.
(d) 20 + consumptions per month		

(ii) Apartments, Multiples & Commercial Meters	\$3.37/100 cu. ft.	\$4.57/100 cu. ft.
(iii) Irrigation System Meters	\$4.66/100 cu. ft.	\$4.66/100 cu. ft.
(iv) Industrial and All Other Meters	\$2.05/100 cu. ft.	\$3.76/100 cu. ft.

(b.) Sewage Monthly Billing	City	Outside City
(1) Minimum bill according to meter size:		
(i) 5/8" or 3/4"	\$ 9.92	\$ 9.92
(ii) 3/4" full flow	\$ 14.89	\$ 14.89
(iii) 1"	\$ 23.16	\$ 23.16
(iv) 1 ¼" or 1 ½"	\$ 46.31	\$ 46.31
(v) 2"	\$ 89.31	\$ 89.31
(vi) 4"	\$165.39	\$165.39
(vii) 6"	\$258.00	\$258.00
(viii) 8"	\$330.78	\$330.78
(2) Plus consumption	\$2.25/100 cu. ft.	\$3.98/100 cu. ft.

(c.)	Tap Fees—Prior to the issuance of a tap, the following fees are required:				
(1)	(in inches)	Water Tap Inside City	Water Tap Outside City	Sewer Tap Inside City	Sewer Tap Outside City
(i)	¾	\$1,100.00	\$1,200.00	\$950.00	\$1,200.00
(ii)	1	1,200.00	1,400.00	1,000.00	1,300.00
(iii)	1½	2,200.00	2,400.00	1,150.00	1,600.00
(iv)	2	2,500.00	2,700.00	1,200.00	1,900.00
(v)	4	3,000.00	3,200.00	1,775.00	3,050.00
(vi)	6	3,500.00	3,700.00	2,150.00	3,800.00
(vii)	8	4,000.00	4,200.00	2,620.00	4,740.00
(viii)	Multi-unit, per unit	1,100.00	1,200.00	950.00	1,200.00

(2) Other provisions:

(i) For commercial taps and industrial taps (service or sprinklers and residential sprinklers) the fee shall be the cost of installation plus ten (10) percent on materials and one hundred fifty (150) percent on labor (percentages double for outside city) the estimate to be paid in advance.

(ii) If developer installs residential taps and meter settings on property to city specifications, then the fee for the city to set meter shall be the cost of metering equipment and installation

(d.)	Capacity fees—A capacity fee for water and/or sewer service shall be requested for each new tap or on any increase in volume with respect to an existing tap.		
(1)	<i>Water Capacity Fee (in inches)</i>	<i>City</i>	<i>Outside City</i>
(i)	¾	\$1,020.00	\$930.00
(ii)	1	\$1,700.00	\$1,540.00
(iii)	1½	\$3,500.00	\$3,090.00
(iv)	2	\$5,590.00	\$4,940.00
(v)	3	N/A	\$7,410.00
(vi)	4	\$10,100.00	\$9,030.00
(vii)	6	\$15,600.00	\$14,450.00
(viii)	8	\$20,280.00	\$18,780.00
(ix)	multi-unit/per unit	\$1,020.00	\$930.00
(2)	<i>Sewer Capacity Fee (in inches)</i>	<i>City</i>	<i>Outside City</i>
(i)	¾	\$1,300.00	\$1,260.00
(ii)	1	\$2,160.00	\$2,520.00
(iii)	1½	\$4,320.00	\$4,030.00
(iv)	2	\$6,910.00	\$8,050.00
(v)	3	N/A	\$10,040.00
(vi)	4	\$13,470.00	\$13,050.00
(vii)	6	\$20,200.00	\$19,580.00
(viii)	8	\$26,260.00	\$25,454.00
(ix)	multi-unit/per unit	\$1,300.00	\$1,260.00

(3) Other provisions:

(i) Apartments and hotels per unit calculations.

(a) All hotel and apartment units with refrigerator and stove are to be calculated as a single (1) unit (¾" water meter equivalent) for capacity fees.

(b) All hotel and apartment units without refrigerator and stove are to be calculated as one-half unit ($\frac{3}{4}$ " water meter equivalent) for capacity fees. The following, if part of an apartment or hotel and served by a single meter are to be considered a separate unit for capacity fees. The capacity fee will be calculated as a single (1) unit based on meter size. If the following are served by a master meter, they are considered to be a separate unit to be calculated as a single (1) unit ($\frac{3}{4}$ " water meter equivalent):

- (1) Restaurant;
- (2) Lounge;
- (3) Car wash;
- (4) Lobby;
- (5) Full kitchen (not part of restaurant);
- (6) Linen Laundry;
- (7) Guest Laundry;
- (8) Swimming Pool.

(ii) Assisted Living Facility, Nursing Home, and Hospital per unit calculations.

(a) All resident/patient rooms with refrigerator and stove are to be calculated as a single (1) unit ($\frac{3}{4}$ " water meter equivalent) for capacity fees.

(b) All patient rooms without refrigerator and stove are to be calculated as one-half unit ($\frac{3}{4}$ " water meter equivalent) for capacity fees. The following, if part of a nursing home, assisted living facility, or hospital and served by a single meter are to be considered a separate unit for capacity fees. The capacity fee will be calculated as a single (1) unit based on meter size. If the following are served by a master meter, they are considered to be a separate unit to be calculated as a single (1) unit ($\frac{3}{4}$ " water meter equivalent):

- (1) Restaurant;
- (2) Lounge;
- (3) Car wash;
- (4) Lobby/Waiting Room;
- (5) Full kitchen (not part of restaurant);
- (6) Linen Laundry;
- (7) Guest Laundry;
- (8) Swimming Pool.

(e.) Unmetered Private fire service charges – Monthly Billing	City	Outside City
(1) In Inches:		
(i) 2	\$ 20.55	\$ 37.67
(ii) 4	\$ 30.83	\$ 56.51
(iii) 6	\$ 41.09	\$ 75.36

(iv) 8	\$ 82.18	\$150.71
(v) 10	\$205.44	\$376.77
(vi)12	\$308.18	\$565.15

(f.)	Fire hydrant flow test.	City	Outside City
		\$250.00	\$250.00

Any new or upgraded fire services will be required to install full flow meters and will pay the normal monthly minimum on meter service. This fee will be in lieu of the sprinkler charges referred in subsection (e) above.

3.

Sec. 24-147. Reserved.

4.

This Ordinance shall become effective on July 1, 2019.

5.

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 alphabetized accordingly and 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

H. Contracts/Agreements

1. MOU with DCA for Main Street Program

Lillie Read, Downtown Development Manager stated this is an annual renewal for participation in the Main Street Program as an accredited Main Street Community. This will be our 32nd year as a Main Street Community. Staff recommends approval of this MOU.

A motion to approve MOU with DCA for Main Street Program was made by Council Member Cooley and seconded by Council Member Wren. Motion carried unanimously. Vote: 4-0.

2. Adairsville Intergovernmental Agreement

Tommy Sanders, Public Works Department Head stated this Intergovernmental Agreement with the City of Adairsville allows for the City of Cartersville Public Works to perform street sweeping of approximately 28 lane miles of GDOT routes within the corporate limits of the City of Adairsville once every four months. The City of Adairsville has agreed to reimburse the City of Cartersville for our costs, which are outlined in the agreement.

Public Works recommends approval of this IGA pending the approval of this IGA by the City of Adairsville on June 13, 2019.

A motion to approve Adairsville Intergovernmental Agreement was made by Council Member Roth and seconded by Council Member Cooley. Motion carried unanimously. Vote: 4-0.

I. Bid Award/Purchases

1. Garbage Truck Repair

Mr. Sanders stated the Garage sent the Automated Side Loader Garbage Truck to CES, INC. in Austell for a rebuild of the Python Arm that reaches out and retrieves and dumps the curbies. This is normal wear and tear and is expected about every three years of service. The total costs are \$10,220.35 and CES is the sole source because they are the manufacturer's local shop for repairs to this equipment. This is a budgeted item that is recommended for approval.

A motion to approve Garbage Truck Repair was made by Council Member Roth and seconded by Council Member Cooley. Motion carried unanimously. Vote: 4-0.

2. Landscape Maintenance Services

Mr. Sanders stated opened bids for the landscape maintenance/mowing of the property at 155 Old Mill Road on 5/23/19. The City had 5 bidders and the low bid was Appalachian Landscape, Cartersville, GA for \$810 per mowing event. We predict approximately 22 mowing events per year so the annual amount could be up to \$17,820.

For budgetary purposes, the bidders bid on the mowing area for the Recreation Department and Gas Department with the amounts being \$425 and \$385 per event respectively.

This item is addressed in the proposed budget and is recommend for your approval.

A motion to approve Landscape Maintenance Services was made by Council Member Roth and seconded by Council Member Cooley. Motion carried unanimously. Vote: 4-0.

3. Barracuda Support Renewal

Dan Porta, Assistant City Manager stated this is a budgeted support renewal for our web filter that protects our users while visiting websites and our Barracuda SSL VPN appliance that the City uses for remote network connections. Approval is recommended of this annual renewal in the amount of \$9,121.20.

Motion to approve the Barracuda Support Renewal was made by Council Member Hodge and seconded by Council Member Cooley. Motion carried unanimously. Vote: 4-0.

4. CNP Technologies Network Core Switches Renewal

Mr. Porta stated this is a budgeted support renewal for our 11 core HP network switches that control our fiber ring. This covers all warranty and support along with access to firmware. The renewal amount is \$11,589.00 and is recommended for your approval.

Motion to approve the CNP Technologies Network Core Switches Renewal was made by Council Member Hodge and seconded by Council Member Cooley. Motion carried unanimously. Vote: 4-0.

5. Generators and Automatic Transfer Switch

Mr. Porta stated bids were sent out for three generators and one automatic transfer switch. Generators are for the new Gas Administration building, Fuel Station and Fire Station #3. Fire Station #3 also needs an automatic transfer switch. The only bid that was received that met the bid specs was from Nixon Power as follows:

Kohler 60kw Generator - Gas Dept.	\$19,591.00
Kohler 40kw Generator - Fuel Station	\$19,237.00
Kohler 60kw Generator - Fire Station #3	\$19,591.00
Automatic Transfer Switch - Fire Station #3	\$ 4,180.00
Total Purchase Price	\$62,599.00

Each item comes with a 5 year comprehensive warranty. After 5 years, the city will place these units on an annual warranty plan that is similar to the other Kohler units that we have.

Based on the small cost difference between the 40kw and 60kw generators, Mr. Porta

recommended approval of the bid from Nixon Power with a change to purchase three 60kw generators at \$19,591.00 and the ATS for \$4,180, for a total purchase price of \$62,953.00.

Council Member Cooley made a motion to approve the purchase of the Generators and Automatic Transfer Switch and it was seconded by Council Member Wren. Motion carried unanimously. Vote: 4-0.

6. Motorola Radios Quarterly Invoice

Mr. Porta stated the new county wide Motorola radio system is fully operational and the costs to maintain this system are now being shared by all end users. The City's cost for the first quarter 2019 Motorola radios is \$11,520.36 and is recommended for Council approval.

Council Member Roth made a motion to approve the Motorola Radios Quarterly Invoice and the motion was seconded by Council Member Cooley. Motion carried unanimously. Vote: 4-0.

7. Dell Computer Purchase

Mr. Porta stated Several city departments have computers and peripheral equipment budgeted in the FY 2018-19 budget and Fiber Department personnel received some proposals for these purchases. Dell Corporation has submitted a complete proposal in the amount of \$21,611.00 for 20 computers, 32 monitors and 24 sound bars. We also received a proposal from Simply NUC in the amount of \$20,289.46, however this was only for 22 computers.

One of the issues that the Fiber Department has been dealing with is trying to find a company that can supply the computer equipment since Intel Corporation has a shortage on their processing chips. As of the time of the bid, Dell Corporation can supply the city the equipment that was quoted and I recommend approval of this purchase.

Council Member Roth made a motion to approve the Dell Computer Purchase and the motion was seconded by Council Member Hodge. Motion carried unanimously. Vote: 4-0.

8. WPCP SCADA System

Bob Jones, Water Department Head stated the Water Pollution Control Plant (WPCP) uses a Supervisory Control and Data Acquisition (SCADA) system to monitor and control certain elements of the wastewater treatment process. The system optimizes aeration schedules, monitors flow in critical areas, operates critical valves and displays needed information for operation of the plant and regulatory reporting. The system unexpectedly shut down approximately 2 weeks ago. Motorola Radios (MR) Systems was called to repair the system and was able to get it running again, but could not guarantee how long it would last. The system failed again last week.

There are multiple options available for repairing the system. They range in scope from what the City has now or to go to a fully redesigned system customized to the plant the City is

building. Mr. Jones stated he did not believe the City needed the full custom system, but would like to make some enhancements based on deficiencies of the old system. Specifically, Revision 2 would add redundant workstations, upgrade to the current version of software and revise the human machine interface (HMI) to reflect the current plant. This scope will fix the current problem and alleviate compatibility issues with the new plant.

Mr. Jones requested authorization to sole source this work to MR Systems for several reasons. MR has completed multiple projects like this for the City at both the Water Treatment Plant and WPCP. MR will be the systems integrator for the WPCP Nutrient Removal Project and can ensure compatibility between this replacement system and the additional equipment being constructed. They have supplied the attached quote in the amount of \$85,992 to complete their work. Mr. Jones recommended approval of the Motorola Radio Systems quote.

Motion to approve the WPCP SCADA System was made by Council Member Roth and seconded by Council Member Hodge. Motion carried unanimously. Vote: 4-0.

J. Contracts/Agreements

1. Emergency Dredge – Mud Pond

Mr. Jones stated in April of 2019, the City received a Notice of Violation from the Georgia Department of Natural Resources Environmental Protection Division (EPD) for a Total Suspended Solids (TSS) violation related to the mud pond at the Water Treatment Plant (WTP). The mud pond is used to store settleable material removed from raw water in the first step of treatment. The WTP has been storing this material in the mud pond since the plant was originally constructed in 1971.

The pond was originally constructed as a mine tailings impoundment by New Riverside Ochre. The City purchased the pond around 1988 to secure use as a residual storage site for the WTP. It is now functionally full.

City Water needs to move solids away from the outlet structure in the southeast corner of the pond to prevent future permit violations. The solids will be moved to the northwestern corner of the pond where there is sufficient depth for storage. This limited scope of work should alleviate the immediate threat of additional permit violations and buy time until the larger dredge and removal project funded by the 2018 Revenue Bond can take place. That project is tentatively scheduled for 2021.

Given the specialized nature of this work and need for expedience to avoid future violations. Mr. Jones requested approval to sole source this work to Synagro South, LLC (Synagro). Synagro has a long history of successful projects in both water and wastewater residuals management and is uniquely qualified for this exact scope of work. Synagro has submitted the attached scope of services/proposal based on review of the site and input from staff.

Mr. Jones requested a not to exceed authorization of \$85,000 to complete this work.

Council Member Cooley made a motion to approve the Emergency Dredge – Mud Pond in an amount not to exceed \$85,000 contingent upon legal approval and Council Member Wren seconded the motion. Motion carried unanimously. Vote: 4-0.

2. CSX Encroachment Agreement Amendment

Mr. Jones stated on September 20, 2018 Council approved an Encroachment Agreement with CSX to allow construction of the Cook Street Manhole Project within their right-of-way (ROW). In paragraph 2.1 of the agreement, the fee to be paid was written as “FIFTEEN THOUSAND THREE HUNDRED AND 00/100 U.S. DOLLARS (\$15,300)”. An audit by CSX revealed this amount to be in error.

Because this is a joint project with Public Works where both sewer work and stormwater drainage work are being done in concert, the railroad struggled to properly review the plans. This confusion on their part spilled over to calculation of fees and the multiple iterations of fee calculations between CSX and Rindt-McDuff who designed the project.

CSX has agreed to accept the \$13,500 originally submitted and seeks to amend the language in the original contract to reflect the change. Council approval is recommended.

Motion to approve the CSX Encroachment Agreement Amendment was made by Council Member Hodge and seconded by Council Member Wren. Motion carried unanimously. Vote: 4-0.

Motion to add an item to the agenda was made by Council Member Roth and seconded by Council Hodge. Motion carried unanimously. Vote: 4-0.

K. Other

1. Expedited Enforcement Compliance Order

Mr. Jones presented the Proposed Expedited Enforcement Compliance Order for the City's Water Pollution Control Plant (WPCP). The Settlement Agreement in the amount of \$817 is for exceeding the permitted limit for Total Suspended Solids and for Flow during the month of February 2019.

Motion to approve the Expedited Enforcement Compliance Order was made by Council Member Wren and seconded by Council Member Hodge. Motion carried unanimously. Vote: 4-0.

Added Item: Opioid Litigation

Mr. Lovell stated he recommended approval of the executive protective order by the Court. This is a request from the judge that requires all parties involved to sign the protective order and not to leak information to the media.

Motion to approve the execution of the protective order by the court was made by

Council Member Wren and seconded by Council Member Hodge. Motion carried unanimously. Vote: 4-0.

L. Monthly Financial Statement

1. March 2019 Financial Report

Tom Rhinehart, Finance Department Head gave the March financial report comparing 2019 to 2018.

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

Meeting Adjourned

/s/ _____
Matthew J. Santini, Mayor

ATTEST:

/s/ _____
Meredith Ulmer, City Clerk