

City Council Meeting
10 N. Public Square
May 2, 2019
6PM – Work Session
7PM – Council Meeting

I. Opening Meeting

Invocation by Council Member Roth.

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, Ward One, Jayce Stepp, Ward Two, Cary Roth, Council Member Ward Three; Calvin Cooley Council Member Ward Four; Gary Fox, Council Member Ward Five; Taff Wren, Council Member Ward Six; Tamara Brock, City Manager; Meredith Ulmer, City Clerk and David Archer, City Attorney.

II. Regular Agenda

A. Council Meeting Minutes

1. April 18, 2019

A motion to approve the April 18, 2019 City Council Meeting Minutes as presented was made by Council Member Fox and seconded by Council Member Cooley. Motion carried unanimously. Vote: 6-0.

B. Commendation/Recognition

1. 2020 Teachers of the Year

Mayor Santini presented the Teachers of the Year Awards.

C. Proclamations

1. Mr. Ken MacKenzie, Cartersville Middle School

Mayor Santini presented a proclamation to Cartersville Middle School Principal Ken MacKenzie for his years of dedicated service.

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

1. SU19-02: 128 Leake Street; Detached Garage with 2nd Floor Accessory Apartment

Randy Mannino, Planning and Development Department Head came forward and stated the applicant and property owner wishes to construct a three (3) bay detached garage with a one (1) bedroom accessory apartment for their personal use in the rear yard of the property. The structure will be located at the end of the driveway. The garage will be approximately 839sf. The accessory apartment will be constructed over the garage and will be approximately 642sf. Exterior stairs will provide access to the apartment. Planning Commission recommends approval 5-0.

Motion to approve SU19-02 was made by Council Member Wren and seconded by Council Member Roth. Motion carried unanimously. Vote: 6-0.

E. Bid Award/Purchases

1. Demo for 44 Weaver Street

Mr. Mannino came forward and stated the house at 44 Weaver Street has been in a state of disrepair, with a tree falling through the roof being the final act to its demise. Code enforcement has been working on getting it cleaned up for well over a year now, but due to some legalities, it has been a long and tedious process. The owner, Ella Mae Banks, died in 1982 and her estate was never probated. Her son, Allen Banks, has been paying taxes since that time, but does not have the funds to repair the home, neither does the other living child. Our only option to proceed with condemnation is to have the County appoint an Administrator (John Mroczko), and the fee was \$1,000 with an additional cost to file the Petition to Appoint in Probate Court being approximately \$200.

Judge White signed a final consent order on 04/11/19 (attached), certifying the property as sub-standard and unsafe to occupy, thus creating a nuisance and hazard. Judge White further ordered the City shall have the right to tear down, remove, clean up the building and place a FiFa upon the property for the full cost of the tear down/demolition, removal and clean-up of the building, if approved by the Mayor and City Council.

The request to Council is twofold: 1) Approve the removal and clean-up of the structure at 44 Weaver Street. 2) Because the cost came in over \$5,000, approve the expenditure to the lowest bidder. Staff recommends the approval of these items.

Motion to approve the demolition of 44 Weaver Street as recommended was made by Fox and seconded by Council Member Wren. Motion carried unanimously. Vote: 6-0.

F. First Reading of Ordinances

1. Solid Waste Ordinance Revision

Tommy Sanders, Public Works Department Head stated the Solid Waste Division recommends this ordinance revision which includes the following changes:

- An increase of \$1.50 for residential garbage collection
- Revision of commercial rate schedule to reflect the increase that was implemented in April

- Deletion of language requiring landscape contractors to haul off residential yard waste
- Deletion of yard waste pay pile rate schedule

Residential base rates have not been increased since 2008. In 2012, \$2 was added to cover implementation of the recycling program, but it has been over 10 years since the base rate increase was implemented. Bartow County Landfill tipping fees have increased annually and the market for yard waste as fuel has diminished, therefore with increased tipping fee costs and increased costs to dispose of yard waste, we need to raise rates in order to maintain the level of service we provide.

The increase should reflect on the June utility bills.

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

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, Georgia, that the Code of Ordinances City of Cartersville, Georgia CHAPTER 21. SOLID WASTE, Sec. 21-34. Billing and Sec. 21-35 Commercial and multi-dwelling units (having more than six units) collection charges are hereby amended by deleting said sections in their entirety and replacing them as follows:

Sec. 21-34 - Billing

- (a) Each residential household will be billed a monthly charge of twenty dollars and fifty cents (\$20.50) minimum for garbage collection; said fee includes the cost of collection, curbside recycling, recycling yard waste, and disposal. The monthly fee shall be eighteen dollars and fifty cents (\$18.50) for a residential household with a homestead exemption for elderly, if the proper form has been filed. Furthermore, there shall be an additional fee of eleven dollars and fifty cents (\$11.50) per month per additional cart per residence.**
- (b) Said fee may be adjusted automatically by the department to cover the increase in landfill disposal costs.**
- (c) All bills for garbage service shall be sent to customers on the billing date for utilities. These bills are due and payable at the city clerk's office on the specified date on the bills. After that date, service may be ceased until all amounts due are paid.**
- (d) A penalty of ten (10) percent shall be added to all bills for garbage service where bills are not paid on the due date as specified on the bill. If a customer is in arrears for a previous month or months, payment shall first be applied to previous bills.**
- (e) A fee of ten dollars (\$10.00) per sticker shall be charged to the customers and stickers may only be purchased in person at city hall or by mail order from the city clerk's office for the collection of the waste material referred to in section 21-33(f) of this chapter.**

Two stickers (\$20.00) are required for all appliances with refrigerant.

(f) Fees for bulk tree limbs and branch collections are described as follows and must be paid for by the customer prior to service being delivered:

(1) Zero (0) to five (5) cubic yards per week is free pickup.

Sec. 21-35 - Commercial and multi-dwelling units (having more than six units) collection charges

(a) Multi-dwelling units having more than six (6) units will be required to have a container and will be charged the following rates:

Container Size	Dumps Per Week	Monthly Rate
2 Yard1		\$85.00
2		\$120.00
3		\$148.00
4 Yard1		\$110.00
2		\$166.00
3		\$209.00
4		\$265.00
5		\$321.00
6		\$420.00
6 Yard1		\$138.00
2		\$194.00
3		\$250.00
4		\$306.00
5		\$363.00
6		\$504.00
8 Yard1		\$164.00
2		\$234.00
3		\$305.00
4		\$375.00
5		\$446.00
6		\$588.00

Extra dumps for dumpsters/containers	\$75.00
All small downtown containers	\$29.50

(b) The collection charges for commercial curbies is as follows:

Commercial Curbies	Once Per Week Pickup	Twice Per Week Pickup
1 Curbie	\$31.50	\$43.50
2 Curbies	\$36.50	\$53.50
3 Curbies	\$43.50	\$63.50

4 Curbies \$50.50 \$73.50
5 Curbies \$57.50 \$83.50

(c) Said fee may be adjusted automatically by the department to cover the increase in landfill disposal costs.

(d) All bills for garbage service shall be sent to customers on the billing date for utilities. These bills are due and payable at the city clerk's office on the specified date on the bills. After that date, service may be ceased until all amounts due are paid.

(e) A penalty of ten (10) percent shall be added to all bills for garbage service where bills are not paid on the due date as specified on the bill. If a customer is in arrears for a previous month or months, payment shall first be applied to previous bills.

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.

This Ordinance shall become effective on July 1, 2019.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 2nd day of May 2019.

ADOPTED this the 16th day of May 2019. Second Reading.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Meredith Ulmer
City Clerk

G. Resolutions

1. Taste of Cartersville Festival

Tamara Brock, City Manager stated the Bartow County Rotary Club, a non-profit entity, requested the City of Cartersville waive the fee for the employee ID card required for individuals pouring alcoholic beverages at the Taste of Cartersville Festival on May 4, 2019.

Motion to approve was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote: 6-0.

RESOLUTION NO: _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, IN THE STATE OF GEORGIA, AUTHORIZING WAIVER OF CODE OF ORDINANCE FEES FOR EMPLOYEE IDENTIFICATION CARDS FOR TASTE OF CARTERSVILLE FESTIVAL

WHEREAS, on the 4th day of May, 2019, the Bartow County Rotary Club is holding a Taste of Cartersville Festival in downtown Cartersville at which, craft beers, wine and distilled spirits shall be poured; and

WHEREAS, pursuant to City of Cartersville Code of Ordinances, Sections 4-150 and 4-151, all employees and/or individuals pouring alcoholic beverages are required to be issued an employee identification card; and

WHEREAS, the Bartow County Rotary Club is a non-profit entity and all proceeds from the event are to go to charitable organizations; and

WHEREAS, the Bartow County Rotary Club is requesting that the City of Cartersville waive the Twenty-five and No/100 (\$25.00) Dollar fee for the employee identification card, in light of the benefits being received by the City of Cartersville in the promotion of tourism for downtown Cartersville by said Taste of Cartersville Festival, and promotion of local merchants, and restaurants; and

WHEREAS, at the Taste of Cartersville Festival, beer and wine shall be served to the general public, and beer, wine, and distilled spirits shall be served in the VIP Area only.

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 adopt and approve the waiver of City of Cartersville Code of Ordinances, Section 4-151, Twenty-five and No/100 (\$25.00) Dollars employee identification card fee for the Taste of Cartersville Festival; provided however, that said individuals pouring shall be required to comply with all other requirements of the City of Cartersville Code of Ordinances and receive an employee identification card prior to pouring any alcoholic beverages. The employee identification cards issued for the Taste of Cartersville Festival shall be good for the date of May 4, 2019 only.

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

ATTEST:

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

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

H. Bid Award/Purchases

1. Tilt -N- Go Deck Trailer

Tom Gilliam, Parks and Recreation Department Head stated this is a Sole Source purchase. Parks and Recreation tried getting other quotes from other companies, but the specifications for this trailer are unlike any other in or around the Cartersville area including Atlanta.

Mr. Gilliam recommended to purchase this trailer, which is a budgeted item, from Bartow Trailer Sales Inc. for the amount of \$7,000.00.

Motion to approve tilt -n- go deck trailer purchase was made by Council Member Stepp and seconded by Council Member Wren. Motion carried unanimously. Vote: 6-0.

Motion to add two items to the agenda was made by Council Member Roth and seconded by Council Member Stepp. Motion carried unanimously. Vote: 6-0.

2. Electric Meter Testing Invoice

Derek Hampton, Electric Department Head stated the Electric Department is submitting an invoice for payment from M&R Services, Inc. This is a contractor we use to test our Electric Meters and their installations annually. It's very important to have this done to make sure we are billing our customers as accurately as possible.

The amount of the invoice is \$7,884.00 is below the budgeted amount of \$8,050. The Electric Department asks that you approve the payment of this invoice.

Motion to approve the Electric Meter Testing Invoice was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote: 6-0.

3. Courtyard by Marriott – Primary Cable

Mr. Hampton stated the Electric Department is requesting authorization to purchase the 15kV underground primary cable for the Courtyard by Marriott hotel project. This cable will allow us to serve the hotel and will also allow us to finish our primary distribution loop which increases the reliability for both the Conference Center and the hotel.

This item is available through the joint-purchasing pricing service that Electric Cities of Georgia offers, and is a sole-sourced item from Stuart C. Irby Co. Sometimes we can get pre-cut reels faster than custom reels, and those may have more footage than needed for a particular job. The quoted price for the cabling is \$23,800, so we are requesting a not-to-exceed amount of \$25,000. This is a budgeted expense.

Motion to approve was made by Council Member Fox and seconded by Council Member Cooley. Motion carried unanimously. Vote: 6-0.

4. Phase Ranger

Mr. Hampton stated the Electric Department is requesting authorization to purchase a Phase Ranger. This device would be used to definitively verify which phase a conductor is on. The only method the Electric Department currently has is to determine phasing is to start at the substation for that particular circuit, then ride the lines to the point in question while following the overhead lines and orientation of the wires as they roll repeatedly from vertical construction to flat construction, then back to vertical. This is very time-consuming since we ride the circuit 2 or 3 times to verify, and often utilize more than one person as an additional check. Crossing phases has the potential for severely bad outcomes such as safety threats, damage to equipment, and power outages.

We have obtained three prices with the lowest bid being from Morgan Advanced Products. We recommend purchasing this device from Morgan for \$9,799.93.

Motion to approve the purchase of the phase ranger was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 6-0.

Added Item:

Boring Under Parking Lot

Mr. Hampton stated he respectfully requests an amount not to exceed \$27,500 for boring under the parking lot at the Marriott site. The estimated amount is \$23-24k, but would like to request \$27,500 just in case there are any issues.

Motion to approve the boring in an amount not exceed \$27, 500 was made by Council Member Stepp and seconded by Council Member Roth. Motion carried unanimously. Vote: 6-0.

5. WTP – Washwater Tank Design

Bob Jones, Water Department stated the Water Treatment Plant (WTP) uses a 500,000 gallon prestressed concrete tank to store potable water which is used to wash filters. The tank dates back to the original construction of the WTP in 1970. In 2017, the tank was scheduled for inspection and cleaning as a matter of routine maintenance. This was the first time the tank had been inspected or cleaned since construction. The inspection revealed significant defects inside the tank.

Precon Corporation, a manufacturer and installer of prestressed concrete tanks, was asked to perform a detailed condition assessment of the tank. Precon noted concerns about the structural stability of the roof dome and segments of the tank wall. Large cracks were noted along the circumference of the tank as well as a delamination of the interior roof. In their report, they estimated only a few years of remaining reliable service.

Wiedeman and Singleton Engineers (WSE) were asked to provide a proposal for design,

bidding and construction oversight to replace the tank. They have provided the attached proposal which consists of the following phases:

Design	\$25,020
Bid	\$5,760
Construction Oversight	\$39,150
TOTAL	\$69,930

Mr. Jones recommended approval of the WSE proposal in the amount of \$69,930. Funds will be moved to a project specific account to be named "Washwater Tank Replacement" which will allow the start date of the project to be moved up approximately two months.

Motion to approve the WTP Washwater Tank Design was made by Council Member Fox and seconded by Council Member Cooley. Motion carried unanimously. Vote: 6-0.

I. Contracts/Agreements

1. Lease Agreement

Lillie Read, Downtown Development Manager came forward and stated this lease agreement is for the DDA's use of the train depot from 2019 through 2030 and is meant to bring a former lease agreement up to date that was drawn up but does not appear to have been executed by either the city or the DDA. Staff recommends approval of the lease.

Motion to approve the lease agreement with DDA was made by Council Member Fox and seconded by Council Member Cooley. Motion carried unanimously. Vote: 6-0.

2. Proposal for Etowah Bush School to Sublease Depot

Ms. Read stated the Etowah Bush School, headed by Alexis Carter-Callahan and Sean Callahan, have made proposals to the DDA regarding a sublease of a portion of the depot building that was historically the African American waiting room. They would like to use this room as a base of operations from which they would offer twice-weekly guided walking tours of downtown (the walking tour of African American history Alexis helped the DDA develop) as well as offering monthly cultural programs. The DDA Board has met regarding this proposal and recommends granting the DDA approval to execute a sublease with the Etowah Bush School.

Motion to approve the Proposal for Etowah Bush School to Sublease Depot was made by Council Member Fox and seconded by Council Member Cooley. Motion carried unanimously. Vote: 6-0.

J. Presentations

1. Possible Tenant for 19 N Erwin St

Tamara Brock, City Manager stated a presentation will be made by Shelter Beer

Company, LLC, the sole responder to our RFP for 19 N Erwin Street.

The owners of Shelter Beer Company came forward to discuss their business model and gave a presentation. Owners were Evan Kennedy, Bryan Ellis and Michael Holder and they intend to work with the City of Cartersville and be a part of the community.

The floor was opened for a public hearing and the following came forward:

Steve Landrum with Sam Jones Methodist Church came forward and stated he was not necessarily against the brewery, but wanted Council to consider the location. Mr. Landrum did not think the proposed location was appropriate for a brewery.

Kevin Labelle, Pastor of Sam Jones Methodist Church came forward and also requested Council consider the location and signage.

Megan Humphries, Douglas Street, came forward in strong support of the brewery and thought it was a great way to keep people in Cartersville instead of leaving to spend their money elsewhere.

With no one else coming forward to speak for or against the public hearing was closed.

K. Contracts/Agreements

1. City Shelter Due Diligence

A motion to approve the City Shelter Due Diligence agreement was made by Council Member Wren and seconded by Council Member Hodge. Motion carried 4-2. Council Member Roth and Council Member Cooley voted in opposition.

Added Item:

Habitat for Humanity

Tom Rhinehart, Finance Department Head came forward and stated Habitat for Humanity did not make annual payments they were supposed to from a grant in 2011. DCA was contacted in 2018 by the City in regards to this issue. DCA conducted an investigation and found Habitat for Humanity out of compliance. A payment plan with Habitat for Humanity has been arranged to be paid back in full over the next 5 years.

Mr. Rhinehart requested approval for the payment to be made to the DCA in the amount of \$128, 319.78 for the past due amounts from Habitat for Humanity.

Motion to approve Mr. Rhinehart's request was made by Council Member Stepp and seconded by Council Member Wren. Motion carried unanimously. Vote: 6-0.

Meeting Adjourned

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Meredith Ulmer
City Clerk

CITY of CARTERSVILLE

Proclamation



WHEREAS, Historic Preservation is relevant in urban, suburban and rural communities throughout the nation, providing benefits to Americans of all ages, from all walks of life and backgrounds; and

WHEREAS, Historic Preservation is an effective tool for economic development, heritage tourism, neighborhood revitalization, fostering local pride, and maintaining overall community character while enhancing livability; and

WHEREAS, the City of Cartersville is rich in historic resources, including properties in the Downtown Business District; Cherokee-Cassville Historic District; Granger Hill Historic District; Olde Town Historic District; and West End Historic District; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals preserving the tangible aspects of the past that have and continue to define our city; and

WHEREAS, National Historic Preservation Month provides the opportunity to recognize and celebrate the contributions our citizens make to historic preservation and to preserving the City's history for future generations.

NOW, THEREFORE, I, Matthew J. Santini, Mayor of Cartersville, Georgia, do hereby proclaim May 2019 as NATIONAL HISTORIC PRESERVATION MONTH, and call upon the people of Cartersville to join their fellow citizens across the United States in recognizing and participating in this observance.

*In Witness whereof I have hereunto set my
hand and caused this seal to be affixed*

Mayor

Attest: _____ City Clerk

May 16, 2019

Ordinance
of the
City of Cartersville, Georgia
Ordinance No. _____

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- (b) Said fee may be adjusted automatically by the department to cover the increase in landfill disposal costs.
- (c) All bills for garbage service shall be sent to customers on the billing date for utilities. These bills are due and payable at the city clerk's office on the specified date on the bills. After that date, service may be ceased until all amounts due are paid.
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- (b) The collection charges for commercial curbies is as follows:

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BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 2nd day of May 2019.

ADOPTED this the 16th day of May 2019. Second Reading.

/s/ 
Matthew J. Santini
Mayor

ATTEST:

/s/ 
Meredith Ulmer Samantha Fincher
Deputy City Clerk

