City Council Meeting
10 N. Public Square
January 17, 2019
6:00 P.M. – Work Session
7:00 P.M. – 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; 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.

Absent: Taff Wren, Council Member Ward Six

II. Regular Agenda

A. Council Meeting Minutes

1. January 3, 2019 City Council Minutes

A motion to approve the January 3, 2019 City Council Meeting Minutes as presented was made by Council Member Fox and seconded by Council Member Hodge. Motion carried unanimously. Vote: 5-0.

B. Commendation/Recognition

1. Awards Memo

Chief McCann came forward and presented a memorandum submitted to highlight and recognize the outstanding service of several members of the Cartersville Police Department. The following were recognized: Adam Belcher, Greg Sparacio, Justin Lusian, Richard Hawley, Kelly Woodard, and Dustin Herron.

2. State Fire Marshall Authorization

Chief Carter respectfully requested authorization for the Mayor to sign a letter to the Georgia State Fire Marshal. This letter verifies the request of our City to have our Fire Marshal Staff deputized for fire scene investigations. This is an annual process that will occur the first Tuesday in February at the State Capitol during Firefighter Recognition Day. Our staff has been deputized each year since 2009. This letter is a result of a change in procedure in 2018. Council's positive consideration is appreciated.

Motion to approve the State Fire Marshall Authorization was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

C. Second Reading of Ordinances

1. Extra Large Power Incremental Growth Rider

Derek Hampton, Electric Department Head stated this new rider is an incentive for our existing largest industrial customers on the City's 'XLP' rate that continue to expand their facilities and, thus, their electrical consumption. This would allow the customer to pay a reduced cost based on wholesale market pricing with a minimal margin and standard riders and taxes. This incentive has a 5-yr duration, after which, the customer would resort back to paying in accordance with their applicable standard rate.

A motion to approve Extra Large Power Incremental Growth Rider was made by Council Member Roth and seconded by Council Member Fox. 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 3. RESERVED is hereby amended by deleting said Division in its entirety and replacing them with the following:

1.

DIVISION 3. EXTRA LARGE POWER INCREMENTAL GROWTH RIDER.

Sec. 24-266. Extra Large Power Incremental Growth Rider.

(a) *Effective Date:* Bills rendered for the month of January 2019.

(b) *Applicability*:

To all Extra-Large Power customers of CES receiving services as of July, 2018.

This rider applies to incremental (increased) consumption and demands which are defined as:

1. **Baseline: the historical interval data from 12 months prior to the start date of expansion.**
2. **Incremental Consumption: the difference between customer's consumption from current billing month and baseline consumption from the corresponding month.**
3. **Incremental Demands:**

   a. **Transmission incremental demand: the difference between customer's demand on the date and time of MEAG's system peak from the current billing month and baseline demand from corresponding month and time.**
   b. **Reserve incremental demand: the difference between customer's peak demand from current billing month and the baseline's peak demand in the corresponding month.**
4. **On a monthly basis, Incremental consumption must exceed baseline consumption by 5% in order for the incremental consumption and incremental demands to be billed at the monthly rate below.**
5. **This rider will be effective for five (5) years from the start date of expansion.**

(c) ***Type of Service*:**

1. **Single or three-phase, sixty (60) hertz, at a standard voltage.**

(d) ***Monthly Rate:***

1. **The monthly bill is calculated using the following formula.**

$Bill_{Mo.} = (Base\ Bill\ \$ + Margin\ \$ + PCA\ \$ + FCC\ \$ + ECC\ \$) + Tax\ \$$

Whereas: $Base\ Bill\ \$ = Cost_{ENERGY} + Cost_{TRANS} + Cost_{RES}$

$$Cost_{TRANS} = TBD\ KW \times Transmission\ Rate$$

$$Cost_{RES} = RBD\ KW \times Reserve\ Rate$$

$$Cost_{ENERGY} = \sum (kWh_{Hr} \times Market\ Price_{Hr})$$

$$Margin\ \$ = \sum (kWh_{Hr} \times Margin\ Rate)$$

$$PCA\ \$ = \sum (kWh_{Hr} \times PCA\ Rate)$$

$$FCC\ \$ = Base\ Bill \times FCC\ \%$$

$$ECC\ \$ = Base\ Bill \times ECC\ \%$$

2. **Definitions:**

***Bill**$_{Mo.}$* = **Customer's bill for service under this tariff in a specific month**
TBD KW = **transmission incremental demand**
Transmission Rate = **See provision for Transmission Capacity Cost**
RBD KW = **reserve incremental demand x 1.15**
Reserve Rate = **See provision for Reserve Capacity Cost**
$\sum$ = **Sum over all hours of the monthly billing period**
kWh_{Hr} = **Customer's kWh usage in the specific hour**
$Price_{Hr}$ = **MEAG Power's Posted Hourly Market Price in $/kWh**
PCA Rate= Current month PCA rate ($/kWh)
FCC Rate= Current month FCC rate (in %)
ECC Rate= Current month ECC rate (in %)
Margin Rate = $0.005/kWh
Tax $ = **Applicable state and local Sales tax(es) will apply to all components of the rate**

(e) ***Transmission Capacity Cost:***

1. Transmission capacity cost (in $/kW-month) is based on the annually budget transmission rate by MEAG multiplied by Transmission Billing Demand occurring in the applicable billing month.

(f) ***Reserve Capacity Cost:***

1. Reserve capacity cost (in $/kW-month) is a rate that is determined by MEAG multiplied by Reserve Billing Demand. For Customers without 12-month measured demand history, reserve billing demand is the monthly peak demand until a full 12-month history is established.

(g) ***Pricing Transparency:***

1. Customer shall receive an Excel bill from CES which shall illustrate exactly how the bill was computed for the particular billing month.

(f) ***Late Payments:***

1. If payment is not received by the due date printed on the bill, services are subject to late charges, service disconnect and reconnect fees and interruption of services

(g) ***Mandatory Riders:***

1. The amount calculated in this tariff is subject to increase or decrease under the provisions of the effective Future Construction Charge Rider, Environmental Compliance Charge Rider, and Power Cost Adjustment Rider.

Section 24-267-270 Reserved.

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 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. Grant Application/Acceptance

1. Grant Acceptance/Firehouse Subs

Chief Carter respectfully requested approval to accept a grant of equipment valued at $15,232.72. This equipment will be purchased by and received from the Firehouse Subs Public Safety Foundation. This equipment will be used to help with swift water issues primarily on the Etowah River. The equipment that will be purchased by The Firehouse Foundation will include Personal Flotation Devices, Rescue Bags, Helmets and Rescue Boats. We currently have approximately 7 miles of the river within our jurisdiction of response. There has been a marked increase of recreational usage on the Etowah since 2014. There were at least four incidents on the river in 2018 where rescues had to be made. This grant will allow us to be better prepared for future emergencies. There is no match required on the City's part, simply acceptance of the equipment. This is the second time that our City has been granted equipment through this foundation. The local Owner and Manager, Mr. Darryl Harris and his Firehouse Sub team, are very strong supporters of public safety in our community. Chief Carter publicly thanked Firehouse Subs for making a positive impact in our community.

A motion to approve Grant Acceptance/Firehouse Subs was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

E. Contracts and Agreements

1. Douthit Ferry Road Temporary Licensing Agreement

Dan Porta, Assistant City Manager stated when the City purchased the 25+/- acres on Douthit Ferry Road for the Water & Sewer Department, Smith Douglas Homes (SDC Gwinnett, LLC) had an agreement to remove dirt from this site from the previous land owner. This temporary agreement expired on December 31, 2018 and City staff has met with Smith Douglas Homes regarding this project and approves of this company continuing their work subject to the limitations in the attached agreement.

A motion to approve Douthit Ferry Road Temporary Licensing Agreement was made by Council Member Hodge and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

F. Bid Award/Purchases

1. Matthews Garage Repair Invoices

Mr. Porta stated a Gas Department employee was involved in an accident where the other driver was at fault. The estimated repair costs for the City vehicle is $5,848.73 and is to be reimbursed by Progressive Insurance. Since there may be additional costs incurred once the vehicle repair work is started, I am requesting approval up to $7,000 for this vehicle repair.

A Fire Department employee was involved in an accident and the repair cost was $5,381.02, with the city's portion being the $1,000 deductible. It is recommended for approval.

A motion to approve Matthews Garage Repair Invoices as presented was made by Council Member Cooley and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

2. Barracuda Message Archiver Renewal

Mr. Porta stated this quote in the amount of $8,487.60 is for the yearly support renewal for the Barracuda email archive appliance. This holds all emails sent and received by City employees. This is a budgeted item and it is recommended for approval to pay this invoice.

A motion to approve Barracuda Message Archiver Renewal was made by Council Member Roth and seconded by Council Member Cooley. Motion carried unanimously. Vote:5-0.

3. Cogsdale Corporation

Mr. Porta stated the Electric Department needs to have a new rate prepared which will require assistance from Cogsdale Corporation, our utility software company. The estimated cost for the preparation of the new rate in the utility software is $5,880 and will be paid for by the Electric Department. It is recommended for approval.

A motion to approve Cogsdale Corporation was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

4. Burnt Hickory Road Paving

Tommy Sanders, Public Works Department Head stated he respectfully requests to purchase the materials needed for the County Road Department to pave Burnt Hickory Road from West Ave to the pavement joint near 1258 Burnt Hickory Road. The total shall be a not to exceed amount of $40,000.00. This item will be funded from the 2014 SPLOST Road Maintenance item.

A motion to approve Burnt Hickory Road Paving was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

5. Dumpster Purchase

Mr. Sanders bids were solicited through proper channels for 5 each - 2 cubic yard dumpsters, 6 each - 8 cubic yard dumpsters, and 16 each - 8 cubic yard slant top dumpsters. We recommend the best bid from BWE for $23,511.00. BWE is approximately $1000 higher than the low bidder, but has faster delivery time and an extra interior coat which we feel is a superior product and worth the cost. This a budgeted item and your approval is recommended.

A motion to approve Dumpster Purchase was made by Council Member Roth and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

6. Compact Excavator Bid 18-011

Greg Anderson, Parks and Recreation Department Head stated bids were properly advertised for a compact excavator for the Parks and Recreation Department. It is recommended to approve the bid from Rhinehart Equipment Company in Rome, GA, which meets all bid specifications. The recommended bid purchase amount is $50,173.01, which includes Bobcat E35-33HP ($44,765.88) with individual attachments, 18" digging bucket ($639.56), 36" grading bucket ($662.87) and 30" flail mower ($5,714.70). This is a budgeted item.

A motion to approve Compact Excavator Bid 18-011 was made by Council Member Fox and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

7. Main Street to Center Road Easement Clearing

Bob Jones, Water Department Head bids were received on December 20, 2018 at 10:00am for clearing of the water and sewer easement between Main Street and Center Road. The scope of work will include removal of all trees, brush and vegetative growth down to a height of not more than 6 inches. The work will extend 10 feet to the outside of the centerline of each pipe for approximately 6,600 linear feet. All brush will be ground to mulch and disposed onsite or disposed of offsite at the contractor's expense.

The following bids were received: Hickory Ridge $17,280.00; UWS, Inc $32,661.25; CH Kirkpatrick $38,000.00; Brown's Clearing $38,400.00. recommend approval of the Hickory Ridge bid in the amount of $17,280.00.

A motion to approve Main Street to Center Road Easement Clearing was made by Council Member Fox and seconded by Council Member Hodge. Motion carried unanimously. Vote: 5-0.

8. WPCP – Secondary #4 Shaft Repair

Mr. Jones stated during the month of October, the Secondary #4 Screw Pump broke a 6-inch diameter drive shaft rendering the pump useless. This is 15 million gallons per day (MGD) pump and represents 30% of our total pump capacity in the secondary lift. This unit is critical during high flow periods as it is one of three 15 MGD units in the secondary. When a 15 MGD pump is down, there is no pump redundancy for flows above 20 MGD.

Flows have been in excess of 20 MGD several times since the pump broke. For that reason, the repair was deemed an emergency. Southern Machine and Fabrication (SMF) was contacted for repair as they have worked on this equipment successfully in the past. The shaft had to be manufactured by SMF as it is no longer available from the manufacturer as a replacement part. The total cost of fabricating a replacement shaft, replacing the top bearings, and installing all the equipment totaled $23,156.26. Mr. Jones recommended approval of the SMF invoice in the amount of $23,156.26.

A motion to approve WPCP – Secondary #4 Shaft Repair was made by Council Member Roth and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

9. WPCP – Nutrient Removal Construction

Mr. Jones stated for several years, we have been discussing the Water Pollution Control Plant (WPCP) Nutrient Removal Project. The project touches almost every major treatment component of the plant and is necessary because the treatment process is changing. Past plant expansions only added to the existing process.

The major elements to be constructed are as follows: Replacement of two (2) 5 million gallon per day (MGD) screw pumps with 15 MGD units, Replacement of one (1) 15 MGD screw pump with a new like size unit, Modifications to two (2) 2.5 million gallon (MG) aeration basins, Modifications to one (1) 5 MG aeration basin, Construction of one (1) aeration blower building, Construction of one (1) 135-foot diameter clarifier, Construction of three (3) tertiary filters, Construction of one (1) biosolids storage building, Construction of one (1) chemical feed building, Yard piping to support all of the above, Development of supervisory control and data acquisition (SCADA) system for process control.

Design and bidding of the project is now complete. Bids were solicited from October 4, 2018 until December 5, 2018 based on plans and specifications prepared by Hazen and Sawyer Engineers (Hazen). The following bids were received:

1. Archer Western	$37,562,882.64
2. Lane Construction Company	$38,678,151.64
3. Adams Robinson Enterprises, Inc.	$42,047,000.00
4. Crowder	$42,191,802.64

The low bid for this project is higher than the engineers cost estimate and our budget estimate. This was not entirely unexpected given the strength of the construction economy, lack of available skilled labor coupled with steel and aluminum tariffs. Despite the significant additional cost, Mr. Jones recommended approval of the Archer Western bid.

The additional cost will be funded from a combination of the following: Completed project cost underruns, Elimination of lower priority capital projects, Use of Water Department reserve funds.

A motion to approve WPCP – Nutrient Removal Construction was made by Council Member Cooley and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

G. Engineering Services

1. WPCP – Construction Engineering

Mr. Jones stated design and bidding of the Water Pollution Control Plant (WPCP)

Nutrient Removal Project has been completed by our design engineer Hazen and Sawyer (Hazen). We are now transitioning to the construction phase of the project. Hazen has prepared the attached scope of services and cost estimate for resident inspection and engineering support functions through start-up of the new plant.

Their proposed fee based on the scope of work outlined is $2,355,078. Mr. Jones recommended approval of this proposal.

A motion to approve WPCP – Construction Engineering was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

H. Change Order

1. HSPB #2 Stabilization – Change Order #2

Mr. Jones stated the High Service Pump Building Number 2 (HSPB#2) Stabilization Project is coming to a close. On 12/13/18, the Number 3 (HSP#3) and Number 4 (HSP#4) pumps were test run after reassembly. Each pump is powered by a 2,300 Volt – 1,000 horsepower motor and capable of pumping 18 million gallons per day (MGD). The medium voltage high horsepower motors that power the pumps can produce damaging amounts of heat under certain operating conditions and must be protected.

In order to protect the motors from self-destruction, a motor protection relay (MPR) is installed to constantly monitor power quality and motor component temperature. If an abnormal condition is observed, the relay cuts power to the motor and reports the issue to the operator. This is standard equipment on all high horsepower medium-to-high voltage equipment.

Our existing GE Multilin 169 and 269 MPRs are original to the building which was constructed in 1992. HSP#3 started and ran as expected, but HSP#4 did not. The fault was traced back to the Multilin monitoring HSP#3 as it was not the correct unit for that application. This change order is for installation of two Multilin 869 MPRs to bring both devices up to the current standard. The old 169 model is no longer supported by General Electric and the 269 model, while still supported, is considered obsolete.

SOL Construction has provided the attached Change Order #2 to install two new Multilin 869 MPRs. Additionally, the change order extends the contract with SOL by 60 days to accommodate the lead time for the equipment. Mr. Jones recommended approval of this change order in the amount of $22,909.00. With this second change order, the new contract total will be $1,332,600.25 and the project remains under budget.

A motion to approve HSPB #2 Stabilization – Change Order #2 was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

Council Member Hodge made a motion to add 2 items to the agenda. The motion was seconded by Council Member Cooley and carried unanimously. Vote: 5-0.

Added Item 1: Ante Litem Notice

Keith Lovell, City Attorney stated he recommended denial of the presented ante litem notice from Foy and Associates.

Motion to approve the denial of the ante litem was made by Council Member Stepp and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

Added Item 2: Ante Litem Notice

Mr. Lovell stated he recommended denial of the ante litem claim due to the fact that the investigation is ongoing.

Motion to approve the denial of the ante litem notice claim by The Zagoria Law Firm was made by Council Member Stepp and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

I. Monthly Financial Statement

1. November 2018 Financial Report

Tom Rhinehart, Finance Department Head went over the budget comparing November 2017 to November 2018. Mr. Rhinehart made some notable comments stating general revenues increased, expenses decreased and there was a LOST increase over all.

Mayor Santini called Greg Anderson, Parks and Recreation Department Head forward to recognize that this is his last Council meeting before retirement. Mayor Santini thanked Mr. Anderson for his many years of service and dedication. Mr. Anderson made his farewell remarks and received a standing ovation from the audience and City Council/staff.

Mayor Santini asked if there was anyone else present who would like to speak.

Resident came forward from 409 Grassdale Road of Cartersville, GA. Resident stated he is concerned with the proposed sidewalk on Grassdale Road and opposes it. Mayor Santini stated all property owners affected by the proposed sidewalk would be notified about the process and given opportunities to attend public meetings for them to voice their opinions.

J. None

1. Adjourn

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

Meeting Adjourned

/s/
Matthew J. Santini, Mayor

ATTEST:

/s/
Meredith Ulmer, City Clerk