

City Council Meeting
10 N. Public Square
January 3, 2019
6PM – Work Session
7PM – Council Meeting

I. Opening Meeting

Invocation by Council Member Stepp.

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 David Archer, City Attorney.

Absent: Council Member Taff Wren Ward Six

II. Regular Agenda

A. Council Meeting Minutes

1. December 20, 2018

A motion to approve the December 20, 2018 City Council Meeting Minutes as presented was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

B. Proclamations

1. Recognition of 12 and Under All-Stars as GRPA State Football Champs

Cartersville Parks and Recreation Department's 12 & Under Football All-Star team won a second straight GRPA State Class "A" Championship. The coaches and team members received a Proclamation presented by Mayor Santini.

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

Added item: Ante Litem Notice

David Archer, City Attorney stated he recommended denial of the ante litem notice. The only difference between tonight's notice and last meeting's notice is that there are open record request results attached the request. The documents do not change the circumstance of the

situation.

Council Member Fox made a motion to deny the ante litem notice and the motion was seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

A copy of the ante litem notice is available in the Clerk's Office.

Added item: Wastewater Award

Bob Jones, Water Department Head came forward and stated the wastewater plant has received some awards and Ms. Ann Bennett from the Georgia Association of Water Professionals will be presenting them. Ms. Bennett came forward and gave out two awards. The first award was for Wastewater Facility of the Year and the second was the Drinking Water Award.

C. Appointments

1. Board of Zoning Appeals

Randy Mannino, Planning and Development Head the application for Patrick Murphy is attached. Council is requested to appoint Mr. Murphy to the Board of Zoning Appeals to fill the unexpired term of Allen McDaniel, term to expire June 1, 2019.

Motion to approve Patrick Murphy to replace Allen McDaniel on the Board of Zoning Appeals was made by Council Member Cooley and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

D. Resolutions

1. Community Development Block Grant (CDBG) for Tranquility House

Tamara Brock, City Manager stated this resolution authorizes the filing of a Community Development Block Grant (CDBG) application with the Georgia Department of Community Affairs (DCA) for the Tranquility House Domestic Violence Shelter.

Motion to approve the Community Development Block Grant for Tranquility House was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

Resolution No.

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS, REQUESTING UP TO \$750,000 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR THE CONSTRUCTION OR RENOVATION OF A FACILITY TO PROVIDE NON-SHELTER

SERVICES TO VICTIMS OF DOMESTIC VIOLENCE AND RENOVATION OF EXISTING SHELTER FACILITY TO INCREASE CAPACITY FOR TRANQUILITY HOUSE DOMESTIC VIOLENCE SHELTER.

WHEREAS, the Georgia Department of Community Affairs is Authorized to Make Grants to Non-Urbanized Areas for the Purpose of Community Improvements.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Cartersville herein referred to as the "Applicant",

- 1. That Matthew J. Santini in his official capacity as Mayor is authorized to execute and file an application on behalf of the Applicant, a city government, with the Georgia Department of Community Affairs,**
- 2. That the Mayor is authorized to execute and file such applications and assurances or any other documents required by the Georgia Department of Community Affairs,**
- 3. That the Mayor is authorized to execute a grant contract agreement on behalf of the Applicant with the Georgia Department of Community Affairs,**
- 4. That the City of Cartersville while making application to or receiving grants from the Georgia Department of Community Affairs will comply with state and federal statutes, regulations, executive orders and administrative requirements as required by said agencies.**

Adopted this day of January 2019.

**/s/ _____
Matthew J. Santini
Mayor**

ATTEST:

/s/ _____

City Clerk

2. Annual Update Adoption of CIE & STWP in Accordance with the Impact Fee Requirements

Mr. Mannino stated Cartersville adopted Impact Fees in the last quarter of 2006 and said fees became effective in January 2007. In accordance with the Development Impact Fee Regulations as outlined by the State, we are required to file an annual update to the Capital Improvements Element (CIE) of the Comprehensive Plan, because we collect said impact fees and/or have an adopted impact fee ordinance.

The required public hearing was held on December 6, 2018, and Council approved a resolution allowing this update to be submitted. The Northwest Georgia Regional Commission (NWGRC) and the Department of Community Affairs (DCA) have approved the document.

The City is required to formally adopt it and staff recommends that Council approve this resolution adopting the Annual Update.

A motion to approve Annual Update Adoption of CIE & STWP in Accordance with the Impact Fee Requirements was made by Council Member Fox and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

Resolution No.

ADOPTION RESOLUTION

Capital Improvements Element

WHEREAS, The City of Cartersville adopted a Capital Improvements Element as an amendment to the *Cartersville Comprehensive Plan*; and

WHEREAS, The City of Cartersville has prepared an Annual Update to the adopted Capital Improvements Element and Short Term Work Program; and

WHEREAS, the Capital Improvements Element Annual Update was prepared, submitted, and reviewed in accordance with the “Development Impact Fee Compliance Requirements” and the “Minimum Planning Standards and Procedures for Local Comprehensive Planning” adopted by the Board of Community Affairs pursuant to the Georgia Planning Act of 1989, and an advertised Public Hearing was held on December 6, 2018 at 9:00 A.M. in the City Council meeting room at Cartersville City Hall; and

BE IT THEREFORE RESOLVED, that the City Council of the City of Cartersville does hereby approve and adopt the Capital Improvements Element Annual Update attached hereto and incorporated herein as Exhibit “A” as per the requirements of the Development Impact Fee Compliance Requirements.

ADOPTED THIS DAY, THE 3rd OF JANUARY, 2019.

Mayor, City of Cartersville, Georgia

ATTEST:

City Clerk

E. Second Reading of Ordinances

1. Alcohol Ordinance Amendment - Partially Consumed Bottles of Wine

Mr. Mannino stated restaurants which are licensed to sell wine may allow customers to take partially consumed bottles home if it has been purchased with a meal, is sealed appropriately and placed properly in their vehicle.

A motion to approve Alcohol Ordinance Amendment - Partially Consumed Bottles of Wine was made by Council Member Fox and seconded by Council Member Hodge. 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 4 – ALCOHOL BEVERAGES. ARTICLE II. - LICENSING REQUIREMENTS. DIVISION 4. PREMISES RESTRICTIONS. SEC. 4-113 – 4-119. RESERVED is hereby deleted in its entirety and replaced with the following:

1.

Sec. 4-113. – Partially consumed bottles of wine poured with a meal.

- (a) Any restaurant which is licensed to sell wine for consumption on the premises may permit a patron to remove one (1) unsealed bottle of wine per patron for consumption off premises, if the patron has purchased a meal and consumed a portion of the bottle of wine which has been purchased on the premises with such meal on the restaurant's premises.**
- (b) A partially consumed bottle of wine that is to be removed from the premises must be securely resealed by the licensee or its employees before removal from the premises.**
- (c) The partially consumed bottle of wine shall be placed in a bag or other container that is secured in such a manner that it is visibly apparent if the container has been subsequently opened or tampered with, and a dated receipt for the bottle of wine and meal shall be provided by the licensee and attached to the container.**

- (d) If transporting in a motor vehicle, the container with the resealed bottle of wine shall be placed in a locked glove compartment, a locked trunk, or the area behind the last upright seat of a motor vehicle that is not equipped with a trunk.

2.

Sec. 4-114 – 4-19. - Reserved.

3.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Cartersville, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____
SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
MEREDITH ULMER, CITY CLERK

F. First 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.

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

Ordinance no. _____

Now be it and it is hereby **ORDAINED** by the Mayor and City Council of the City of Cartersville, that 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:

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.

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

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

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

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

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

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

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

$$FCC \$ = \text{Base Bill} \times FCC \%$$

$$ECC \$ = \text{Base Bill} \times ECC \%$$

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.

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

G. Contracts/Agreements

1. Electrical Interconnection Agreement – 18 Hepworth Lane

Mr. Hampton the Electric Department is requesting authorization for the Mayor to sign a standard Electrical Interconnection and Power Exchange Agreement for a new solar installation at 18 Hepworth Lane. This standard agreement is what our customers must sign if they have any type of generation that could have an effect on the quality, operation or safety of our electrical distribution system. The homeowner has submitted two signed and notarized copies which are ready for the Mayor and City Clerk to sign.

A motion to approve Electrical Interconnection Agreement – 18 Hepworth Lane was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

2. Williams/Transco Field Assessment

Michael Hill, Gas Department Head stated a field assessment for the Transco/Williams Expansion is required prior to the site completion. Tupelo Ecological Aspects, Inc. of Rome has bid this at \$1,250.00. TEA has completed numerous assessments for the City and I recommend approval of TEA to perform this assessment.

A motion to approve Williams/Transco Field Assessment was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote: 5-0.

H. Other

1. Monroe County Taxes

Mr. Hill stated the attached bill in the amount of \$5,619.16 is for our gas in storage in Monroe County. I recommend Council approval of this item.

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

I. Bid Award/Purchases

1. Hicks Park – Joe Frank Harris Field Renovation

Greg Anderson, Parks and Recreation Department Head stated as discussed in December, there was a meeting with the 2019 Cartersville Little League (CLL) president regarding their park/field priorities. Since their other needs are being addressed, the fields and fencing are the remaining priorities.

The Joe Frank Harris Field has been identified by CLL to undergo infield and drainage improvements, as well as fencing repair and/or replacement. CLL has received the attached quote from Athletic Fields, Inc. for removal of existing turf grass, laser-grade infield and surrounding areas, reset mound/plate/bases, and resod. All work is to be completed prior to the 2019 season.

Mr. Anderson recommended that CPRD pay a not-to-exceed amount of \$8,280.00 to Cartersville Little League at the time when the Joe Frank Harris Field infield/drainage project is completed. This will be paid from the remaining GO Bonds funds.

Remaining GO Bonds: \$77,282.19 (as of 12-06-2018). -12,300.00 Dellinger Trail (border/spikes) estimated cost. -\$8,280.00 JF Harris Field – Infield and drainage renovation \$56,702.19. Estimated remaining GO Bond funds.

A motion to approve Hicks Park – Joe Frank Harris Field Renovation was made by Council Member Roth and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

2. Vehicle Purchases

Tom Rhinehart, Finance Department Head stated vehicle bids were posted on the City's website and the State procurement website for 11 vehicles. A total of six vendors responded. The garage reviewed the returned bids and made recommendations for the purchases based on the best fit for the City, the low quote was not always chosen. The following are the garages recommendations:

1) Water Dept - Gerald Jones Ford would be prudent to purchase the trucks from Prater Ford located in Calhoun.

2) Parks & Recreation - Low bid for SUV was Peach State Ford. Gerald Jones was the only vendor to meet specs on the 3/4-ton truck. Prater Ford bid gasoline engine and specs called

for diesel engine.

3) Gas Dept - Low bid on medium crew cab truck was Wade Ford. However, the City has had issues with Wade Ford performing warranty work. Half ton truck low bid was Prater Ford. Half ton crew cab truck low bid was Prater Ford. Prater Ford was the only vendor to meet specs on crew cab truck. Gas Dept recommends all three vehicles be purchased from Prater Ford as they know that any warranty work will be promptly corrected by Prater Ford.

4) Electric Dept - Only vendor to meet specs was Prater Ford as all others bid on lesser truck and did not include the inverter that was in specs.

5) Solid Waste - Peach State was the low bidder and meet specs of truck and bed.

6) Public Works - Hardy Ford was low bidder and meets specs.

7) Fiber - Peach State Ford was the only vendor that bid on SUV as they still have not sold all of their fleet allotment of this type of vehicle.

In summary, six vehicles are recommended for purchase from Prater Ford totaling \$207,157.62; three vehicles recommended for purchase from Peach State Ford (Cedartown) totaling \$91,407.13; one vehicle recommended for purchase from Hardy Ford (Dallas) totaling \$22,401; and one vehicle is recommended for purchase from Gerald Jones Ford (Augusta) totaling \$37,719.60. The total purchase price for all vehicles is \$358,685.35.

A motion to approve the purchase of all vehicles, with the Parks and Recreation, Gas, Solid Waste, Public Works and Fiber vehicles being purchased through lease pool, was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote: 5-0.

Mayor Santini recused himself from the following item and Mayor Pro Tem Cooley administered the next item.

3. NCI Conduit Installation

Dan Porta, Assistant City Manager stated the Fiber Department contracted with NCI, Inc. to install conduit from Liberty Square to Tellus Drive for new service to Tellus Museum. As NCI was boring on Highway 411, they encountered some rock, which added an additional cost of \$4,200 to the installation of conduit. Also, NCI was contracted to install conduit on Tellus (Reicon) property for this company and they (Reicon) will reimburse the City for this additional expense of \$2,025. Additionally, NCI was contracted to splice and test 60 count of fiber at a cost of \$1,997. The total for this additional work was \$8,222 and is recommended for your approval.

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

Mayor Santini continued presiding over the meeting.

4. HP Network Switches

Mr. Porta stated the Fiber Department needs to purchase some HP Network Switches in order to provide redundant network connection for the new countywide radio system. The cost of the switches is \$12,138.30, which will be reimbursed by the Bartow County 2014 SPLOST Funds and is recommended for your approval.

A motion to approve HP Network Switches was made by Council Member Hodge and seconded by Council Member Stepp. Motion carried unanimously. Vote: 5-0.

5. Nixon Network Switches

Mr. Porta stated City staff received a proposal from Nixon Power for two automatic transfer switches for the new Gas Department facility and the Fuel Station, both of which will have backup generators. The cost for the two automatic transfer switches is \$9,630 and is recommended for your approval.

A motion to approve Nixon Network Switches was made by Council Member Roth and seconded by Council Member Stepp. Motion carried unanimously. Vote: 5-0.

6. Telenet Systems Work on Gas Department Facility

Mr. Porta stated over the past seven months, City staff has taken bids on various work for the new Gas Department buildings, Storage Facility and Fuel Station. Bids were taken for the installation of data cables, cable trays, access control, cameras, TV installation and conduit for cable TV. A breakdown of each bid is as follows: Cable Tray throughout buildings \$9,822.23; Installation of Cable TV conduit \$7,133.59; Vicon Cameras \$16,743.07; Access Control \$52,127.96; Data & TV Drops \$31,710.21; Televisions \$9,016.65; Total \$126,553.71. Approval of this work is recommended.

A motion to approve Telenet Systems Work on Gas Department Facility was made by Council Member Cooley and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

7. Cancer Renewal Policy

Mr. Porta stated as required under State law, the City must maintain cancer insurance coverage for Fire Department personnel. The cancer renewal policy for 2019 is \$14,688 and is recommended for your approval.

A motion to approve Cancer Renewal Policy was made by Council Member Hodge and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

Matthew Gambill, State House Representative Elect came forward to introduce himself and make himself available.

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

Meeting Adjourned

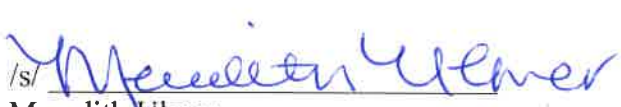
/s/


Matthew J. Santini

Mayor

ATTEST:

/s/


Meredith Ulmer

City Clerk

