

City Council Meeting
10 N. Public Square
August 2, 2018
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; 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 Keith Lovell, City Attorney.

Absent: Jayce Stepp, Council Member Ward Two

II. Regular Agenda

A. Council Meeting Minutes

1. July 19, 2018 City Council Minutes

A motion to approve the July 19, 2018 City Council Meeting Minutes as presented was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

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

1. AZ18-01: 228 E Felton Rd. Annexation/Zoning. Applicant: Janice Wynn. Lots 14 and 21 in the Roving Hills Subdivision. Approximately 0.5 acres each. Zoning: A-1 to City R-20.

Randy Mannino, Planning and Development Department Head stated the annexation and zoning request is to include the two residential properties, Lots 14 (228 E. Felton Rd) and 21, in the City Limits so future owners may utilize the Cartersville School System. This is an important selling point for the owner. The owner recently purchased both lots and is renovating the house on Lot 14 with the intention to sell both lots when the renovation is complete. Each lot is approximately 0.5 acres. All Unincorporated lots are zoned A-1 which allows for large lot, single family detached homes. The proposed R-20 city zoning is compatible with A-1 and should have no effect on the development or character of the neighborhood.

Mayor Santini opened the floor for a Zoning Public Hearing and with no one coming

forward, the hearing was closed.

Mayor Santini opened the floor for an Annexation Public Hearing, and with no one coming forward the hearing was closed.

Motion to approve the annexation was made by Council Member Hodge and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

Motion to approve the Rezoning was made by Council Member Hodge and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

Please see Exhibit A and Exhibit B for Ordinance 17-18: Petition No. AZ18-01 and Ordinance 18-18: Petition No. AZ18-01.

C. Resolutions

1. Updated Resolution for Utility Credits

Tom Rhinehart, Finance Department Head Resolution 14-18 will authorize the City Finance Director to make adjustments of up to \$60,000 as the amount of previous discrepancies from the pending criminal investigations totaled \$58,879.98.

A motion to approve the updated Resolution for Utility Credits was made by Council Member Wren and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

2. Update LGIP Resolution for Water and Sewer Bond Series 2018 Proceeds

Mr. Rhinehart stated on 6-21-18, Council approved updating an LGIP account designated for the water and sewer bond proceeds. Recently while trying to transfer funds from US Bank to the GA Fund 1 account, it was discovered that US Bank must be on the resolution since they were listed as custodian in the bond documents. Mr. Rhinehart asked for approval of the Mayor to sign the documents for US Bank to be added to the LGIP resolution.

A motion to approve Update LGIP Resolution for Water and Sewer Bond Series 2018 Proceeds was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

D. Bid Award/Purchases

1. Purchase of Remington Shotguns

Chief Frank McCann requested approval to purchase 51 Remington model #870P 12 GA. shotguns. This purchase would replace our current Shotguns (Mossberg model #500 12GA.) which were purchased in 2002. Chief McCann stated he planned on trading some of the City's current shotguns to the vendor who will hold a federal firearms license so the price will be reduced for each shotgun.

Chief McCann recommended Smyrna Police Distributors \$24,735.00-\$6,025.00 (45 working Mossberg model # 500 shotguns and 8 non-functioning Mossberg model #500 traded) = \$18,710.00. Total for 51 shotguns 18,710.00.

This is not a budgeted item; however, the City will use abandoned forfeited funds and state forfeited funds to pay for these weapons. The E-Verify and E-Save documents have been submitted to the Police Department and are on file. Chief McCann requested Council and Mayor support.

Motion to approve the purchase of the Remington Shotguns was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

2. Electric Department Tree Trimming Contract

Don Hassebrock, Electric Department Head stated Electric Cities of Georgia (ECG) bids out the Tree Trimming and Right-Of-Way clearing service contract and awards a three-year contract to the lowest, qualified bidder. The contract with Trees Unlimited is entering its third and final year. Trees Unlimited is located in Cave Springs, GA and has been doing good work for Cartersville for over ten years with few customer complaints. They dedicated extra tree trimmers to Cartersville during the snow and ice storm of December 2017.

The Electric Department has budgeted \$98,900 in FY18-19 for Tree Trimming and Right-Of-Way Clearing is recommending that Council approve this contract.

Motion to approve the Tree Trimming Contract with Trees Unlimited was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

3. Transformer Purchase

Mr. Hassebrock stated The Electric Department needs to purchase two transformers for projects at Aquafil and Piedmont Resin. For bid proposals we contacted known vendors, posted the bid on the city website and on the Georgia Procurement Registry. See attached Bid Tabulation Sheet as well as the separate bid proposals from each bidder.

The Electric Department recommends that council approve the purchase of the Ermco transformers from Gresco for both units at a total price of \$62,940.00. These transformers have the lowest unit price, the lowest TOC and shortest delivery time.

Motion to approve the transformer purchase was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

4. Cogsdale Training

Dan Porta, Assistant City Manager stated with some recent changes in the Fiber Department staff, we need to have Cogsdale, our utility billing and accounting software provider,

provide training to our new personnel. The proposed training will cost \$13,440 plus travel, lodging and meal expenses. Additional existing City staff will also take part in this training. Mr. Porta recommended approval of the Cogsdale training proposal with a not to exceed price of \$17,000.

Motion to the Cogsdale Training was made by Council Member Cooley and seconded by Council Member Fox. Motion carried unanimously. Vote:5-0.

E. Contracts/Agreements

1. GDOT Airport Grant Approval

Mr. Porta stated GDOT has announced a tentative allocation of federal funding assistance for the Cartersville-Bartow Airport for FY 2019 in the amount of \$1,597,251 with a local match of 2.5% or \$79,863. The current proposed use of these funds is for land/easement acquisition; design terrain encroachment removal and lighting; and DBE Plan update. Note that due to the delay in the Old Alabama Road Project, which impacts the airport, the Airport Authority is checking on the runway and having it core drilled. If it is determined that the runway rehabilitation needs to be done sooner than planned, the Airport Authority may request that the proposed land/easement acquisition funds be moved to runway rehabilitation.

Even though these funds are for the Cartersville-Bartow Airport, the City is the entity that grant funds flow through and must approve the grant application. I recommend approval of this grant application and request that the Mayor be approved to sign any and all documents related to this grant.

A motion to approve GDOT Airport Grant Approval was made by Council Member Wren and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

2. Southern Natural Rate Schedule Extensions

Michael Hill, Assistant Gas Department Head stated this is the agreement between the City of Cartersville Gas System and Southern Natural for the finalized rate schedule. These rates will go into effect September 1, 2018 and will be effective until August 31, 2021. Portion one rate discounts will be effective September 1, 2018 with additional discounts effective September 2019.

A motion to approve Southern Natural Rate Schedule Extensions was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

Council Member Hodge made a motion to add 1 item to the agenda. The motion was seconded by Council Member Roth, and carried unanimously. Vote: 5-0.

3. Annual EPD Water Testing Contract

Bob Jones, Water Department Head stated the EPD laboratory has performed this testing for the City annually for years. The fee is based on the population served by a water system and has been \$9,200 for past five years. Using the EPD laboratory has the benefit of streamlined reporting and being 100% method compliant.

Mr. Jones recommended payment of the invoice and authorization to contract with EPD for drinking water analysis for the period 7/1/2018 to 6/30/2019.

A motion to approve Annual EPD Water Testing Contract was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

F. Other

1. MOA Between Atlanta Regional Commission and City of Cartersville

Mr. Jones stated in 2014, the Atlanta Regional Commission (ARC), Cobb County – Marietta Water Authority and the State of Georgia sued the Army Corps of Engineers (Corps) for failing to address outstanding water supply requests dating back as far as 1981 (State of Georgia v. U.S. Army Corps of Engineers, Civil Action No. 1:14-cv-3593-RWS (N.D. Ga.)). The court found the Corps delay in responding was unreasonable and ordered all parties to determine a schedule for addressing the outstanding requests. The result of that meeting is an agreement the Corps will address the issue(s) in the next 36 months. Although not a party in the lawsuit, Cartersville did have a request that is covered by the Court's ruling. In order to be included in attorney client privileged meetings/discussions regarding the order, the City needs to execute the attached Memorandum of Agreement (MOA) and contribute to the legal fund going forward. Bartow County is included as well and will share the cost of entry equally with the City. Each party will contribute \$100,000 which will allow full rights within the working group.

In my opinion this represents the best opportunity for the City to receive additional water supply from Allatoona in decades. It should not be considered a "sure thing" by any means. Should the Corps study and determination be in our favor, there will likely be some legal action by either Alabama or Florida or both to challenge their decision. Additional raw water supply from Allatoona is critical to long range planning for both the City and Bartow County. The water from Allatoona is of much higher quality than water from the Etowah or groundwater. Should we be forced to rely on either of those sources or be forced to fund and construct a private reservoir, the impact on rates and water quality will be significant.

Mr. Jones recommend approval of the attached MOA with the ARC.

A motion to approve MOA Between Atlanta Regional Commission and City of Cartersville was made by Council Member Roth and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

Added Item: Control Panels Damaged for Settling Basin by Water Department Truck

Mr. Jones stated control panels for Number 10 Settling Basin at the Water Treatment Plant were damaged when a truck backed into them while being moved. Due to damages, the basin was shut down. Patrick Kelly Electric was contacted for the emergency repairs. Patrick Kelley quoted the City \$5,800.00 to fix the damages, and Mr. Jones recommends payment of the invoice. This is not a budgeted item, but will come from the Maintenance to Water Treatment Plant account.

Motion to approve payment to Patrick Kelley Electric in the amount of \$5,800 was made by Council Member Hodge and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

2. Festival Area – Sam Smith

Greg Anderson, Parks and Recreation Department Head stated on Saturday September 22, 2018, Atlanta Track Club (ATC) is staging the 4th annual Wing-Foot Classic at Sam Smith Park. There will be an estimated 5,000+ runners that day. With the last race being a community race, ATC wishes to conclude the day with entertainment/food and beer/wine for the community race participants and volunteers. A local caterer (Johnny Mitchell's Smokehouse) is providing the Certificate of Liability Insurance and obtaining the Special Event permit as required by State of GA and City of Cartersville's festival area ordinance. ATC has agreed to enclose an area for the festival event, provide 6-Off-Duty Cartersville Police Officers and 2-Recreation Staff for security/gate.

Mr. Anderson recommended approval of Festival Area status for Cartersville Parks and Recreation Department at Sam Smith Park provided Johnny's Mitchell's Smokehouse submits Certificate of Liability Insurance and Special Event Permit to Cartersville Parks and Recreation, 2-weeks prior to event.

A motion to approve the Sam Smith Festival Area was made by Council Member Wren and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

3. Annual Assessment for Membership in the Northwest Regional Commission

Tamara Brock, City Manager stated this is the annual dues request for membership and participation in the Northwest Georgia Regional Commission. This is for fiscal year July 1, 2018 through June 30, 2019.

A motion to approve Annual Assessment for Membership in the Northwest Regional Commission was made by Council Member Cooley and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

G. Grant Application/Acceptance

1. Grassdale Application/Acceptance

Tommy Sanders, Public Works Department Head stated he is seeking to have Rindt-McDuff Engineers prepare a concept report with typical sections, need and purpose statements, and cost estimates to use in the application for a TAP (Transportation Alternatives Program) Grant. This work would be done at the hourly rates in the Engineering Services Agreement and would not exceed \$9,900. We also seek permission for the Mayor to sign all related TAP Grant application documents necessary for the August 31, 2018 grant submittal.

The proposed project would add pedestrian/bicycle facilities to Grassdale Road from Cassville Road (SR 293) to Joe Frank Harris Parkway (SR 3/US 41).

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

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



ATTEST:

/s/ 
Meredith Ulmer
City Clerk

/s/ 
Matthew J. Santini
Mayor

Ordinance
of the
City of Cartersville, Georgia

Ordinance No. 17-18

Petition No. AZ18-01

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 Janice Wynn with Trade Wynn Custom Homes, LLC. Property is located at 228 East Felton Road. Said property contains approximately 1.05 acres; 0.5 acres/each lot located in the 4th District, 3rd Section, Land Lots 14 and 21 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.

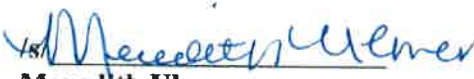
First Reading July 19, 2018.

ADOPTED August 2, 2018. Second Reading.

ATTEST:



Matthew J. Santini
Mayor



Meredith Ulmer
City Clerk

JUNE 27, 1964
SCALE 1"=100'

SECTION "C"
OF THE
WILLIAM H. FELTON
SUBDIVISION
IN LAND LOTS 119 & 120
4TH DISTRICT, 3RD SECTION
BARTOW COUNTY, GEORGIA

NOTE: A COPY OF THIS PLAT IS RECORDED
IN PLAT BOOK 5 PAGE 53.

NOTE: ALL LOT CORNERS AND BENDS ARE
MARKED WITH IRON PINS

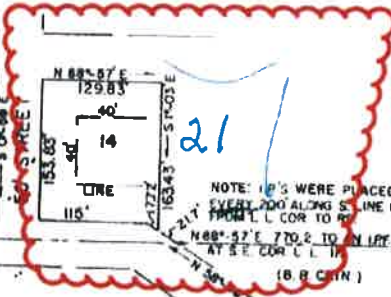
A. Lee Smith
REGISTERED LAND
SURVEYOR No. 1309
CARTERSVILLE, GA.



RESTRICTIVE COVENANTS

- 1- THIS PROPERTY TO BE USED FOR RESIDENTIAL PURPOSES ONLY.
- 2- THE MINIMUM FRONT BUILDING LINE SHALL BE 40 FEET AND SIDE LINE 15 FEET
- 3- ONLY ONE FAMILY DWELLING UNITS WITH MINIMUM OF 1000 SQUARE FEET OF FLOOR SPACE WILL BE CONSTRUCTED ON EACH LOT.
- 4- EACH UNIT SHALL HAVE A MINIMUM MARKET VALUE OF \$10,000 WHEN COMPLETED.
- 5- APPROVED OUTSIDE DISPOSAL AND INSIDE SANITARY FACILITIES WILL BE COMPLETE WITH EACH RESIDENCE
- 6- OUTSIDE OF EACH UNIT WILL BE BRICK OR BRICK VENEER, ROCK OR ROCK VENEER, FRAME OR CEDAR SIDING.

FELTON
SECTION "A"
SUBDIVISION



RECORDED JULY 5, 1964 - W.H. Bradley, C.S.R.

Ordinance
of the
City of Cartersville, Georgia
Ordinance No. 18-18
Petition No.

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 Janice Wynn of Trade Wynn Custom Homes, LLC. Property is located at 228 East Felton Road. Said property contains 1.05 acres; 0.5 acres/each lot located in the 4th District, 3rd Section, Land Lots 14 and 21 as shown on the attached plat Exhibit "A". Property is hereby rezoned from Country A-1 (Agriculture) to Single Family Residential (R-20) with the following conditions. Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

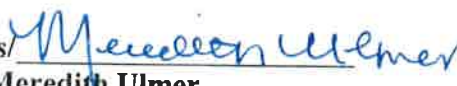
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First Reading July 19, 2018.

ADOPTED August 2, 2018. Second Reading.

/s/ 
Matthew J. Santini
Mayor

ATTEST:

/s/ 
Meredith Ulmer
City Clerk

JUNE 27, 1964
SCALE 1"=100'

SECTION "C"
OF THE
WILLIAM H. FELTON
SUBDIVISION
IN LAND LOTS 119 & 120
4TH DISTRICT, 3RD SECTION
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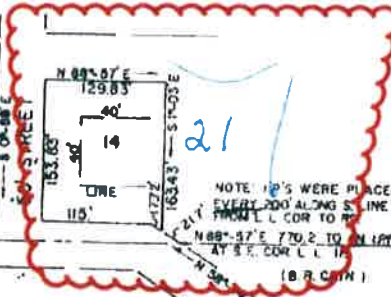
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A. Lee Smith
REGISTERED LAND
SURVEYOR No. 1309
CARTERSVILLE, GA.



RESTRICTIVE COVENANTS

- 1- THIS PROPERTY TO BE USED FOR RESIDENTIAL PURPOSES ONLY.
- 2- THE MINIMUM FRONT BUILDING LINE SHALL BE 40 FEET AND SIDE LINE 10 FEET
- 3- ONLY ONE-FAMILY DWELLING UNITS WITH MINIMUM OF 1000 SQUARE FEET OF FLOOR SPACE WILL BE CONSTRUCTED ON EACH LOT
- 4- EACH UNIT SHALL HAVE A MINIMUM MARKET VALUE OF \$10,000 WHEN COMPLETED.
- 5- APPROVED OUTSIDE DISPOSAL AND INSIDE SANITARY FACILITIES WILL BE COMPLETE WITH EACH RESIDENCE.
- 6- OUTSIDE OF EACH UNIT WILL BE BRICK OR BRICK VENEER, ROCK OR ROCK VENEER, FRAME OR CEDAR SIDING.



FELTON ROAD
SECTION "A" SUBDIVISION

RECORDED JULY 5, 1964 - WTB Blanding, C. S. S.