

City Council Meeting
10 N. Public Square
June 21, 2018
6:00 P.M. – Work Session
7:00 P.M. – Council Meeting

I. Opening Meeting

Invocation by Council Member Calvin Cooley.

Pledge of Allegiance led by Council Member Cary Roth.

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; Taff Wren, Council Member Ward Six; Tamara Brock, Assistant City Manager; Meredith Ulmer, City Clerk and Keith Lovell, City Attorney.

II. Regular Agenda

A. Other

1. Swearing in of the New City Manager

Cartersville City Clerk Meredith Ulmer swore in New City Manager Tamara Brock. Mrs. Brock's term will begin June 28, 2018.

B. Council Meeting Minutes

1. June 7, 2018

Council Member Gary Fox made a motion to approve the June 7, 2018 Council Minutes the motion was seconded by Council Member Cary Roth, and carried unanimously. Motion carried unanimously. Vote: 6-0.

C. Contracts/Agreements

1. Rotary Club of Etowah for July 4, 2018 Celebration

Mayor Santini recused himself, left the room, and Mayor Pro Tem Cooley continued with the item.

Tamara Brock. City Manager stated this is a contract between the City of Cartersville and the Rotary Club of Etowah for the July 4th celebration at Dellinger Park. Additionally, JRM Management Services, Inc. has contracted with the Rotary Club of Etowah to coordinate this

event.

Motion to approve the Rotary Club of Etowah for July 4, 2018 Celebration was made by Council Member Jayce Stepp, and seconded by Council Member Cary Roth. Motion carried unanimously. Motion carried unanimously. Vote: 6-0.

Mayor Santini entered the room, and began presiding over the meeting.

2. Contracts for Performing Services

Tom Rhinehart, Finance Department Head stated this item includes the Contracts for Performing Services for those agencies that are awarded funds each year as part of the annual budget. The dollar amount recommended is the same as last year. The agencies and amounts for this year are:

- Cartersville-Bartow Library/ \$454,500
- Cultural Arts Alliance/ \$51,000
- Juvenile Court/ \$15,000
- Bartow Health Access/ \$2,000
- Good Neighbor Homeless Shelter/ \$2,000
- Summer Hill Learning Center/ \$1,200
- Eddie Lee Wilkins Youth Association/ \$18,000
- Bartow-Cartersville Joint Development Authority/ \$173,960

Council Member Stepp made a motion to approve the Contracts for Performing Services and the motion was seconded by Council Member Cooley. Motion carried unanimously. Vote: 6-0.

D. Bid Award/Purchases

1. Audit Firm Replacement

Mr. Rhinehart stated on May 29, 2018, the City was advised by our current audit firm, Carr, Riggs, and Ingram, that their audit fees were increasing by \$20,000. Carr, Riggs and Ingram have been doing the audit for four years without an increase, but \$20,000 cannot be justified. Due to the increase the City contacted another audit firm: Adam Fraley with Mauldin and Jenkins, LLC and asked if their firm went up on their audit fees; after a conversation with Mr. Adam Fraley it was determined the fees do not increase, and they would have time to audit the City before the year end. After reaching out to other customers this firm has a positive reputation.

Mr. Rhinehart has discussed this firm with both the City Manager and City Attorney and it is recommended for the City to select Adam Fraley with Mauldin and Jenkins, LLC. Mr. Rhinehart requested pricing on multi-year audit services which is less expensive than a one year contract and recommended the FY 2018, FY 2019, and FY 2020 audit services be awarded to Mauldin and Jenkins in the amount of \$55,000, \$57,000, and \$59,000 respectively. Our legal

counsel has reviewed this agreement.

A motion to approve the audit firm replacement with Adam Fraley with Mauldin and Jenkins, LLC was made by Council Member Wren and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0.

E. Second Reading of Ordinances

1. Amendment to Utilities Ordinance Regarding Water/Sewer Rates

Mr. Rhinehart stated the proposed fiscal year 2018-19 budget includes an increase in the Water and Sewer Fund to help address the maintenance and capital issues of the water fund. The increase is as follows: a 7.5% increase in the residential water and sewer rates.

The 7.5% increase will allow the water department to continue the maintenance of the existing water and sewer system as well as update/expand the system to fulfill the needs of existing customers. For residential customers, the water and sewer rate increase equates to \$0.66 per 100 cubic feet used for city residents. The total estimated increase for a residential water and sewer customer is \$2.24 per month on 7000 gallons consumed.

With the proposed increase 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. Mr. Rhinehart recommend approval of the proposed water and sewer rate increases to begin July 1, 2018.

A motion to approve Amendment to Utilities Ordinance Regarding Water/Sewer Rates was made by Council Member Cary Roth and seconded by Council Member Gary Fox. Motion carried unanimously. Vote 6-0.

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 13-18

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 IV. WATER SERVICE Section 24-64 (a), (b), (c), (d), (e), and (f) Water and Sewage Rate and Section 24-147 (a.) Sewage Rates** is hereby amended by deleting said Section 24-64 (a), (b), (c), (d), (e), and (f), and Section 24-147 (a) in their entirety and replacing them with the following:

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

(a.) Water Monthly Billing	City	Outside City
Minimum bill according to meter size:		

5/8" or 3/4"	\$ 9.45	\$ 16.67
3/4" full flow	\$ 14.18	\$ 24.27
1"	\$ 22.06	\$ 39.43
1 1/4" or 1 1/2"	\$ 44.10	\$ 72.79
2"	\$ 85.06	\$150.13
4"	\$157.51	\$293.43
6"	\$245.71	\$424.62
8"	\$315.03	\$586.88
Plus consumption as follows:		
(i) Residential Meters		
(a) 0 – 8 consumptions per month	\$1.95/100 cu. ft.	\$3.76/100 cu. ft.
(b) 9 – 14 consumptions per month	\$3.08/100 cu. ft.	\$3.86/100 cu. ft.
(c) 15 – 19 consumptions per month	\$4.66/100 cu. ft.	\$4.66/100 cu. ft.
(d) 20 + consumptions per month	\$6.50/100 cu. ft.	\$6.50/100 cu. ft.
(ii) Apartments, Multiples & Commercial Meters	\$3.21/100 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	\$1.95/100 cu. ft.	\$3.76/100 cu. ft.

(b.) Sewage Monthly Billing	City	Outside City
Minimum bill according to meter size:		
5/8" or 3/4"	\$ 9.45	\$ 9.45
3/4" full flow	\$ 14.18	\$ 14.18
1"	\$ 22.06	\$ 22.06
1 1/4" or 1 1/2"	\$ 44.10	\$ 44.10
2"	\$ 85.06	\$ 85.06
4"	\$157.51	\$157.51
6"	\$245.71	\$245.71
8"	\$315.03	\$315.03
Plus consumption	\$2.14/100 cu. ft.	\$4.15/100 cu. ft.

(c)	Tap Fees—Prior to the issuance of a tap, the following fees are required:				
	(in inches)	Water Tap Inside City	Water Tap Outside City	Sewer Tap Inside City	Sewer Tap Outside City
	3/4	\$1,100.00	\$1,200.00	\$950.00	\$1,200.00

1	1,200.00	1,400.00	1,000.00	1,300.00
1½	2,200.00	2,400.00	1,150.00	1,600.00
2	2,500.00	2,700.00	1,200.00	1,900.00
4	3,000.00	3,200.00	1,775.00	3,050.00
6	3,500.00	3,700.00	2,150.00	3,800.00
8	4,000.00	4,200.00	2,620.00	4,740.00
Multi-unit, per unit	1,100.00	1,200.00	950.00	1,200.00

Other provisions:

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.

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.		
	<i>Water Capacity Fee (in inches)</i>	<i>City</i>	<i>Outside City</i>
	¾	\$1,020.00	\$930.00
	1	\$1,700.00	\$1,540.00
	1½	\$3,500.00	\$3,090.00
	2	\$5,590.00	\$4,940.00
	3	N/A	\$7,410.00
	4	\$10,100.00	\$9,030.00
	6	\$15,600.00	\$14,450.00
	8	\$20,280.00	\$18,780.00
	multi-unit/per unit	\$1,020.00	\$930.00
	<i>Sewer Capacity Fee (in inches)</i>	<i>City</i>	<i>Outside City</i>
	¾	\$1,300.00	\$1,260.00
	1	\$2,160.00	\$2,520.00
	1½	\$4,320.00	\$4,030.00

2	\$6,910.00	\$8,050.00
3	N/A	\$10,040.00
4	\$13,470.00	\$13,050.00
6	\$20,200.00	\$19,580.00
8	\$26,260.00	\$25,454.00
multi-unit/per unit	\$1,300.00	\$1,260.00

Other provisions:

Apartments and hotels per unit calculations.

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

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):

- (a) Restaurant;
- (b) Lounge;
- (c) Car wash;
- (d) Lobby;
- (e) Full kitchen (not part of restaurant);
- (f) Linen Laundry;
- (g) Guest Laundry;
- (h) Swimming Pool.

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

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.

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):

- (a) Restaurant;
- (b) Lounge;

- (c)Car wash;
- (d)Lobby/Waiting Room;
- (e)Full kitchen (not part of restaurant);
- (f)Linen Laundry;
- (g)Guest Laundry;
- (h)Swimming Pool.

(e.) Unmetered Private fire service charges – Monthly Billing	City	Outside City
In Inches:		
2	\$ 19.57	\$ 37.67
4	\$ 29.36	\$ 56.51
6	\$ 39.13	\$ 75.36
8	\$ 78.27	\$150.71
10	\$195.66	\$376.77
12	\$293.50	\$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.

Sec. 24-147. Sewage rates.

(a.) Sewage Monthly Billing	City	Outside City
Minimum bill according to meter size:		
5/8" or 3/4"	\$ 9.45	\$ 9.45
3/4" full flow	\$ 14.18	\$ 14.18
1"	\$ 22.06	\$ 22.06
1 ¼" or 1 ½"	\$ 44.10	\$ 44.10
2"	\$ 85.06	\$ 85.06
4"	\$157.51	\$157.51
6"	\$245.71	\$245.71
8"	\$315.03	\$315.03
Plus consumption	\$2.14/100 cu. ft.	\$4.15/100 cu. ft.

This Ordinance shall become effective on July 1, 2017.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the ____ day of June 2017.

ADOPTED this the ____ day of June 2017. Second Reading.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Meredith Ulmer
City Clerk

2. Budget Ordinance for the Fiscal Year 2018-2019

Mr. Rhinehart stated the proposed budget is a balanced budget and increased \$15,204,655 over the fiscal year 2017-18 budget. The budget did change slightly to reflect changes in the general fund and the addition of the Tax Allocation District Fund, Kroger on Main Street, which was left out in error in the May meeting. With these changes being made, the total budget increase equates to a 9.05% increase over the FY 2017-18 budget. The proposed budget includes salary adjustments in all departments, no increase in the City's property tax millage rate, school system funding, no increase in staff, an increase in health insurance premiums for both the City and the employees, and an increase in the residential water and sewer rates.

Budget comparison by type for the FY 2019 proposed budget compared to the FY 2018 budget includes: personnel expenses increase by \$783,900 (salary adjustments, increase in personnel, and health insurance premiums); operating expenses increased \$5,178,645; purchase of commodities increased by \$1,048,885; school board appropriation decreased by \$30,710; BID tax expenses increased by \$10,000; debt service expenses increased \$1,250,430 (new gas department debt, new water and sewer debt, new TAD debt); capital expenses increased \$6,963,505 (increased water and sewer capital expenses and gas capital expenses), and transfers to the general fund remain the same. Tom Rhinehart recommended approval of the proposed FY 2018-19 budget as presented.

A motion to approve Budget Ordinance for the Fiscal Year 2018-2019 was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote 6-0.

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 14-18

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 2018 – 2019 budget.

2018 - 2019 Budget Summary

<u>General Fund</u>	<u>Revenues</u>	<u>Expenditures</u>
Revenues	\$40,710,640	
Expenditures:		
Legislative		\$17,393,885
Administration		\$ 1,070,510
Finance Dept.		\$ 1,230,705
Customer Service Dept.		\$ 802,720
Police		\$ 5,728,975
Fire		\$ 7,179,850
Municipal Court		\$ 266,795
Public Works		\$ 2,453,160
Recreation		\$ 3,235,790
Planning & Development		\$ 1,134,120
Downtown Development Authority		\$ 214,130
<u>Special Revenue Funds</u>		
GO Park Bonds Series 2014	\$ 2,175,600	\$ 2,175,600
SPLOST – 2003	\$ 200,000	\$ 200,000
SPLOST – 2014	\$ 5,439,180	\$ 5,439,180
DEA	\$ 336,190	\$ 336,190
State Forfeiture	\$ 3,000	\$ 3,000
Hotel/Motel Tax	\$ 840,000	\$ 840,000
Motor Vehicle Rental Tax	\$ 78,500	\$ 78,500
Grant Funds	\$ 0	\$ 0
Impact Fees	\$ 0	\$ 0
Business Improve Dist Tax	\$ 33,000	\$ 33,000
Development Fees	\$ 5,000	\$ 5,000
Tax Allocation District	\$ 181,200	\$ 181,200
<u>Enterprise Funds</u>		
Fiber Optics	\$ 2,120,110	\$ 2,120,110
Electric	\$49,126,240	\$49,126,240
Gas	\$35,962,150	\$35,962,150
Solid Waste	\$ 2,649,715	\$ 2,649,715
Stormwater	\$ 1,597,000	\$ 1,597,000
Water & Sewer	\$40,113,000	\$19,271,770
Water Pollution Control Plant		\$14,991,835
Water Treatment Plant		\$ 5,849,395

Internal Service Fund
Garage

\$ 1,572,820

\$ 1,572,820

BE IT AND IT IS HEREBY ORDAINED.

ADOPTED, this ____ day of June 2018. First Reading.

ADOPTED this ____ day of June 2018. Second Reading.

/s/

Matthew J. Santini, Mayor

ATTEST:

/s/

Meredith Ulmer, City Clerk
City Clerk

3. Supplemental Series 2018 Bond Ordinance

Keith Lovell, City Attorney stated this is supplemental information to the previous Water Bond adopted in April 2018 and includes pricing, debt and schedule of repayment. This is the second reading of the item.

A motion to approve Supplemental Series 2018 Bond Ordinance was made by Council Member Cary Roth and seconded by Council Member Calvin Cooley Motion carried unanimously. Vote 6-0.

Ordinance 15-18

SUPPLEMENTAL SERIES 2018 BOND ORDINANCE

A SUPPLEMENTAL SERIES 2018 BOND ORDINANCE TO SET THE TERMS OF THE CITY OF CARTERSVILLE, GEORGIA'S WATER AND SEWER REVENUE BONDS, SERIES 2018, INCLUDING PRINCIPAL AMOUNTS, INTEREST RATES, MATURITY DATES, AND REDEMPTION PROVISIONS, AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City of Cartersville, Georgia (the "City") adopted its Master Bond Ordinance (the "Original Ordinance") on April 19, 2018, authorizing the issuance and sale of its Water and Sewer Revenue Bonds, Series 2018 (the "Series 2018 Bonds") for the purposes of (i) refunding all of the City's Water and Sewerage Revenue Bond, Series 2012, outstanding in the principal amount of \$6,620,000, and (ii) financing the costs of making additions, extensions, and improvements to the City's existing water and sewer system; and

WHEREAS, certain capitalized terms used in this Supplemental Series 2018 Bond Ordinance (this “Supplemental Ordinance”) shall have the meaning given to them in the Original Ordinance; and

WHEREAS, the Original Ordinance provides that the Series 2018 Bonds (1) shall be issued in an original aggregate principal amount to be specified in a Supplemental Ordinance to be adopted by the Governing Body, but which shall not in any event exceed a maximum aggregate principal amount of \$65,000,000; (2) shall bear interest at the rates per annum to be specified in a Supplemental Ordinance to be adopted by the Governing Body (but which shall not in any event exceed a maximum per annum rate of interest of 6.00%), computed on the basis of a 360-day year consisting of twelve 30-day months, payable on December 1, 2018, and semiannually thereafter on each June 1 and December 1 of each year and shall mature on June 1, in the years (with a term not exceeding 40 years) and in the principal amounts to be specified in a Supplemental Ordinance to be adopted by the Governing Body (provided the principal of and interest on the Series 2018 Bonds payable in any Bond Year shall not in any event exceed a maximum amount of \$4,250,000), unless earlier called for redemption; (3) that mature on June 1 of the years to be specified in a Supplemental Ordinance to be adopted by the Governing Body will be Term Bonds; and (4) will be subject to optional and mandatory redemption prior to maturity as specified in a Supplemental Ordinance to be adopted by the Governing Body;

NOW, THEREFORE, the City Council of the City of Cartersville, Georgia hereby ordains as follows:

Ratification of Prior Actions. All actions heretofore taken by the Governing Body and the officers and agents of the City directed toward the issuance and sale of the Series 2018 Bonds be and the same are hereby ratified, approved, and confirmed.

Series 2018 Bond Details. The Series 2018 Bonds shall be issued in the original aggregate principal amount of \$57,305,000 and shall be designated “City of Cartersville, Georgia Water and Sewer Revenue Bonds, Series 2018.” The Series 2018 Bonds shall bear interest at the rates per annum set forth below, computed on the basis of a 360-day year consisting of twelve 30-day months, payable on December 1, 2018, and semiannually thereafter on each June 1 and December 1 of each year and shall mature on June 1, in the years and in the principal amounts as follows, unless earlier called for redemption:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2019	\$475,000	4.00%
2020	315,000	4.00
2021	325,000	4.00
2022	1,075,000	5.00
2023	1,180,000	5.00
2024	1,240,000	3.25
2025	1,280,000	5.00
2026	1,345,000	5.00
2027	1,410,000	5.00
2028	1,480,000	5.00
2029	1,555,000	5.00

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2030	1,635,000	3.00
2031	1,685,000	5.00
2032	1,770,000	5.00
2033	1,855,000	4.00
2034	1,930,000	3.25
2035	1,995,000	4.00
2036	2,070,000	4.00
2037	2,155,000	4.00
2038	2,240,000	4.00
2043	12,620,000	4.00
2048	15,670,000	5.00

The Series 2018 Bonds that mature on June 1, 2043 and June 1, 2048 are Term Bonds.

Optional and Mandatory Redemption of Series 2018 Bonds. (a) The Series 2018 Bonds maturing on or before June 1, 2028 may not be called for optional redemption prior to maturity. The Series 2018 Bonds maturing on or after June 1, 2029 are subject to redemption prior to maturity at the option of the City on or after June 1, 2028, in whole at any time or in part on any Interest Payment Date, at the redemption price of 100% of the principal amount thereof plus accrued interest on such redemption date.

(b) In addition, the Series 2018 Bonds that are Term Bonds are subject to mandatory redemption prior to maturity on June 1 of the years, in the amounts, and at the prices provided below.

As and for a sinking fund for the retirement prior to maturity of the Series 2018 Bonds, there shall be deposited in the Principal Account from the Revenue Fund an amount sufficient to redeem the following principal amounts of the Series 2018 Bonds maturing on June 1, 2043 and June 1, 2048, on the dates (each such date being referred to as a “mandatory redemption date”) specified:

Series 2018 Bonds Maturing June 1, 2043

<u>June 1 of the Year</u>	<u>Principal Amount</u>
2039	\$2,330,000
2040	2,425,000
2041	2,520,000
2042	2,620,000
2043+	2,725,000

+ Final Maturity

Series 2018 Bonds Maturing June 1, 2048

<u>June 1 of the Year</u>	<u>Principal Amount</u>
2044	\$2,835,000
2045	2,980,000
2046	3,125,000
2047	3,285,000
2048+	3,445,000

+ Final Maturity

The City shall redeem such an aggregate principal amount of the Series 2018 Bonds at a redemption price equal to the principal amount thereof plus the interest due thereon to the mandatory redemption date.

Sale of Series 2018 Bonds. The City shall sell the Series 2018 Bonds to the Underwriter for the price of \$62,575,838.20. The Chief Officer is hereby authorized to execute and deliver, on behalf of the City, a purchase contract between the City and the Underwriter, providing for the sale of the Series 2018 Bonds. The execution and delivery of a purchase contract by the Chief Officer shall constitute conclusive evidence of the ratification, confirmation, and approval by the City of the terms and conditions of the purchase contract.

Official Statement. The use and distribution of the Preliminary Official Statement and the Official Statement with respect to the Series 2018 Bonds shall be and is hereby authorized, ratified, confirmed, and approved, and the execution and delivery of the Official Statement in final form shall be and is hereby authorized, ratified, confirmed, and approved. The Chief Officer is hereby authorized and directed to ratify, confirm, approve, execute, and deliver the Official Statement on behalf of the City, and the execution of an Official Statement by the Chief Officer shall constitute conclusive evidence of the Chief Officer's ratification, confirmation, approval, and delivery thereof on behalf of the City.

Continuance and Effect of Original Ordinance. The City hereby confirms the existence and applicability of the Original Ordinance and ratifies, restates, and reaffirms its representations, warranties, covenants, and agreements and all of the applicable terms, conditions, and provisions as set forth in the Original Ordinance and as supplemented and amended by this Supplemental Ordinance. Except where otherwise expressly indicated in this Supplemental Ordinance, the provisions of the Original Ordinance are to be read as part of this Supplemental Ordinance as though copied verbatim herein, and provisions of this Supplemental Ordinance shall be read as additions to, and not as substitutes for or modifications of (except as otherwise specifically provided herein), the provisions of the Original Ordinance. Except as expressly amended, modified, or supplemented by this Supplemental Ordinance, all of the terms, conditions, and provisions of the Original Ordinance shall remain in full force and effect. In executing and delivering this Supplemental Ordinance, the City shall be entitled to all powers, privileges, and immunities afforded to the City and shall be subject to all the duties, responsibilities, and obligations of the City under the Original Ordinance.

Effective Date. This Supplemental Ordinance shall take effect immediately upon its adoption and approval.

Repeal of Conflicting Ordinances and Resolutions. Any and all ordinances and resolutions, or parts of ordinances or resolutions, if any, in conflict with this Supplemental Ordinance are hereby repealed.

Bond Ordinance Constitutes a Contract. This Supplemental Ordinance supplements and amends a contract with the Bondholders binding the City, and therefore it is proper and appropriate for the Chief Officer to execute the same on behalf of the City and for the Attesting Officer to attest the same.

CITY OF CARTERSVILLE, GEORGIA

(SEAL)

By: _____
Mayor

Attest:

City Clerk

F. Public Hearing – 1st Reading of Zoning/Annexation Requests

1. SU18-02, Special Use Permit for Outdoor Storage. Location: 929 N. Tennessee Street. Applicant: Treasure Chest Outlet. Zoning: Multi-Use District.

Randy Mannino, Planning and Development Head stated the Treasure Chest Outlet has been operating at 927 N. Tennessee St. for several years. Recently, the owner purchased 929 N. Tennessee St. immediately adjacent to the existing store for staging and outdoor storage of outdoor products. Currently, the outdoor products are being temporarily stored on an adjacent property and consist of a broad selection of concrete fountains, bird baths, statuary and clay pots. Treasure Chest Outlet wishes to store these items in the outdoor space between the 927 and 929 buildings.

Text Amendment, T18-03, approved by City Council on 5/3/18, allows outdoor storage of landscape supplies on non-residential properties in side and rear yards in the M-U district with a Special Use permit.

Mayor Santini opened the floor to a public hearing for anyone wishing to come forward to speak for or against SU18-02.

Tim Garnto, representing Treasure Chest Outlet came forward to answer any questions.

Public hearing was closed.

This is a first reading and requires no action at this time.

G. Other

1. Change in City Ordinance 3.9 (False Alarms for Home/Business Security Systems)

Mr. Lovell stated the necessity of the alarm ordinance (3.9) change is to allow invoicing of excessive false alarms as opposed to issuing citations. This is accomplished by changing the wording in the current ordinance from a “fine” to a “fee.” Fines indicate a citation must be issued to repetitive offenders of the ordinance. The ordinance change also identifies a flat fee for the fourth and subsequent false alarms within a 30-day period. The current ordinance has a fine ranging from \$200-\$500 and the new ordinance sets the rate at a flat fee of \$200. Mr. Lovell recommended the approval to change Ordinance 3.9.

This is a first reading and requires no action at this time.

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 3 – ALARM SYSTEMS. SECTION 3-9. – SERVICE CHARGE RATES. IS HEREBY AMENDED BY DELETING SAID SECTION AND REPLACING IT AS FOLLOWS:

1.

Sec. 3-9. - Service charge rates.

Service charge rates for alarm systems connected pursuant to this chapter shall be as follows:

- (1) For the first violation of this section at any premises in a month, there shall be no charge.**
- (2) For the second violation of this section at any premises in a month, there shall be a service charge of fifty dollars (\$50.00).**
- (3) For the third violation of this section at any premises in a month, there shall be a service charge of one hundred dollars (\$100.00)**
- (4) For the fourth and any subsequent violation of this section at any premises in a month, there shall be a service charge of two hundred dollars (\$200.00).**
- (5) Service charges are not applicable to state, local or federal government agencies.**
- (6) Service charges shall be billed by the City and are payable as indicated on said invoice.**

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

H. Bid Award/Purchases

1. Property & Casualty & Workers Compensation Insurance Renewal for FY 2018-2019

Mr. Porta stated in fiscal year 2016-17, the City made the switch to Travelers and Liberty Mutual Insurance to cover City buildings, equipment and vehicles. At renewal this year, insurance agents Apex Insurance and Terry Watkins Insurance have received a renewal from Travelers and Liberty Mutual Insurance with an increase of \$89,834 or 20.6%. The reasons for the large increase are due primarily from property assets that are being added to the policy at the Water & Sewer Department. Within the past year, Liberty Mutual had a representative onsite to inspect a number of City facilities and based on this inspection, property values for City assets have increased and several assets at the Water Treatment Plant and Water Pollution Control Plant were added individually to the insurance property list, which in effect increased the property values. Also, due to increases in the City budget and the number of vehicles in the City's fleet, the insurance premium increased over the prior year. The proposed annual premium is \$525,842 and is recommended for your approval.

Since July 20, 2007, the City has been self-insured with a high deductible for workers' compensation coverage. This means that the City pays the first dollar of every workers' compensation claim up to \$500,000. Through the promotion of a safe work environment and City departments conducting safety training meetings, the City has had low insurance claims. Midwest Casualty Company provides insurance coverage for any claims that may exceed the \$500,000 deductible. There is a proposed increase in premium of \$8,826 per year and is due to higher payroll costs and an increase from the insurance company. The renewal premium for Midwest Casualty Company is \$64,447 annually based on a two-year rate guarantee. Mr. Porta recommended for approval.

A motion to approve Property & Casualty & Workers Compensation Insurance Renewal for FY 2018-2019 was made by Council Member Wren and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0.

2. One Beacon Insurance Deductible

Mr. Porta stated the City has received an invoice from One Beacon Insurance related to a January 2016 lawsuit against the city. The deductible invoice amount that is due is \$6,084.82 and is recommended for your approval.

A motion to approve One Beacon Insurance Deductible was made by Council Member Calvin Cooley and seconded by Council Member Jayce Stepp. Motion carried unanimously. Vote 6-0.

3. Travelers Insurance Deductible Invoice

Mr. Porta stated the City has received an invoice from Travelers Insurance related to three auto accidents involving City vehicles. The deductible invoice amount due is \$12,201.85 and is recommended for your approval.

A motion to approve the Travelers Insurance Deductible Invoice was made by Council Member Jayce Stepp and seconded by Council Member Gary Fox. Motion carried unanimously. Vote: 6-0.

4. Civic Plus Annual Fee

Rebecca Bohlander, Public Relations Manager stated this is the annual fee for Civic Plus, the City of Cartersville website host, in the amount of \$13,873.73. It is a budgeted item and is recommended for approval.

A motion to approve the Civic Plus Annual Fee was made by Council Member Roth and seconded by Council Member Hodge. Motion carried unanimously. Vote: 6-0.

5. Underground Cable Fault Locator

Don Hassebrock, Electric Department Head stated the Electric Department needs to purchase a Cable Fault Locator to replace the one that recently failed. Due to the age of the locator, it is not economically feasible to rebuild this unit. Because of the locators unexpected failure, it was not an expenditure in the capital budget. Mr. Hassebrock has proposed to use the funds that are budgeted for another piece of equipment to purchase the locator. The purchase of the original budgeted piece of equipment will be postponed one year. Mr. Hassebrock recommended that Council approve the purchase of the Von Company Underground Cable Fault Locator from the low-cost bidder, Morgan Advanced Products, for the price of \$27,482.76.

Motion to approve the Underground Cable Fault Locator purchase from Morgan Advanced Products was made by Council Member Roth and seconded by Council Member Fox. Motion was approved unanimously. Vote: 6-0.

6. WPCP Grit Auger Rebuild

Bob Jones, Water Department Head stated the grit collection auger is part of the larger grit collection system that is at the headworks of the wastewater plant. This system removes sand, grit and other abrasive material from the waste stream to prevent damage to downstream treatment systems. This equipment lives a very hard life just by the nature of what it does.

The current grit auger system is in need of repair. Time and the harsh environment in which it works have taken a toll. Bids were requested for labor to install new gear boxes, chains and drive components and to fabricate a new auger tray from the following: P&W Machine \$6,085.42; Southern Machine & Fabrication \$10,750.00; L&L Industries: No Bid. Bob Jones recommended approval of the P&W Machine bid of \$6,085.42.

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

7. WPCP Belt Filter Press 3 PLC

Mr. Jones stated the Water Pollution Control Plant (WPCP) uses three Ashbrook Simon-Hartley 2-meter belt filter presses to dewater residual solids produced as a by-product of wastewater treatment. The two oldest presses had their control systems rebuilt last year. Belt Filter Press #3 (BFP3) installed in 1999 did not.

BFP#3 still uses the same relay logic system that was state of the art at the time of installation. This system is largely obsolete now. The electromechanical components (switches, sensors, wire terminals) are corroded from spending 19 years in a damp often saturated environment. The components are becoming increasingly less reliable and more difficult to work on due to age.

Bids were requested from the following three companies for the installation of a Programmable Logic Controller (PLC) to monitor, manage and run this unit: Hero Electric \$12,750.00; Fox Systems, Inc. \$13,953.38; Pipeline & Controls No Bid. Bob Jones recommended approval of the Hero Electric bid in the amount of \$12,750.00.

Motion to approve the purchase of the WPCP Belt Filter Press 3 PLC from Hero Electric was made by Council Member Roth and seconded by Council member Cooley. Motion carried unanimously. Vote: 6-0.

8. WPCP Tree Planting

Mr. Jones stated the Water Pollution Control Plant (WPCP) planted approximately 150 Green Giant Arborvitae shrubs to act as a screen of the plant from the new walking trail circa 2010, but several have died due to drought. Mr. Jones would like to replace the dead trees and add 15 – 20 additional plants to enhance the screen between us and the walking trail. Proposals

were requested from the following to provide labor and plant stock for 60 plants: Tidwell Lawn Care \$10,800.00; Pro Lawn Landscape \$11,400.00; T&T Landscape \$13,500.00. Mr. Jones recommended approval of the Tidwell Lawn Care bid in the amount of \$10,800.00.

Motion to approve the purchase of WPCP Tree Planting from Tidwell Lawn Care was made by Council Member Cooley and seconded by Council Member Fox. Motion carried unanimously. Vote: 6-0.

I. Engineer Services

1. Jimmy Donn Crane Sewer Relocation

Mr. Jones stated during inspection of aerial sewer crossings, a defect was found in a sewer mainline crossing Pettit Creek behind Jimmy Donn Crane's material processing yard off Peeples Valley Road. The 12-inch line has an exposed joint in the middle of the stream. This joint is not restrained and could separate causing a spill into the creek.

Rindt-McDuff Associates (RMA) has provided a task order to design a reroute of the 12-inch line into our existing 36-inch sewer main nearby. The work will require the installation of approximately 600 linear feet of new 12-inch main. Every effort will be made to install the new line below the creek bottom to prevent collection of debris and damage to the line in the future.

RMA proposes a fee of \$66,340.00 to provide all design, bidding and construction oversight services for the project. Mr. Jones recommended approval of their proposal.

A motion to approve Jimmy Donn Crane Sewer Relocation by Rindt-McDuff Associates was made by Council Member Fox and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0.

2. Waterford Sewer Relocation

Jason Laxon, Water Department Engineer stated the 36-inch sewer main which services all of downtown weaves through the Waterford Subdivision on the way to the wastewater plant. The condition is exacerbated by high flows due to heavy rainfall. Eventually, the pipe will no longer be able to resist these forces and the joint in the middle of the crossing will fail. This pipe is one of three main trunk lines that carry approximately 6 million gallons per day (MGD) of sewer. Due to its location, failure of the pipe would cause an immediate discharge to the Etowah river via the ditch crossing.

Rindt-McDuff Associates were asked to provide a proposal for designing a relocation of the main to eliminate the aerial crossing. Their proposed fee of \$66,650.00 includes all design, permitting, bidding and construction oversight services for the project. Mr. Laxon recommended approval of this proposal in the amount of \$66,650.00.

Motion to approve the Waterford Sewer Relocation by Rindt-McDuff Associates was made by Council Member Roth and seconded by Council Member Cooley. Motion carried

unanimously. Vote: 6-0.

J. Discussion

1. Go Bond Projects/Budget

Greg Anderson, Parks and Recreation Department Head stated as of May 28, 2018, \$8,220,136.82 has been expended toward the GO Bond Park Renovation projects.

These projects are funded as follows:

\$7,995,000.00 (GO Bonds)
\$1,710,000.00 (grants)
\$9,705,000.00 Totaled spendable funds

As of today, this leaves \$1,484,863.18 in GO Bond funds remaining.

The total amount committed toward the following on-going projects: (these are approximate amounts)

\$400K remaining payments for Phase II buildings, plus Change-Orders
\$51,956.78 committed/paid for Dellinger Park Front Entrance, plus 3-signs (\$21,000)

This leaves approximately \$981,004.40 in GO Bond funds for remaining projects.

GO Bond Projects remaining include:
(Based on original budget estimates)

Dellinger Park – Trail renovation	\$200,000.00
Tennis/Basketball Lighting	\$100,000.00
Additional tennis parking	\$30,000.00
Tennis Court Reno/Repair	\$385,000.00
Outdoor Exercise Area	\$50,000.00
Maintenance Shop Renov.	\$100,000.00
Park Entrance Sign 1 (estimate)	\$7,000.00 (out to bid)
Park Signage (venues)	\$10,000.00
Sports Complex, Athletic fields	\$520,000.00 (renovation)
Sam Smith Park – Entrance signs (2)	\$14,000.00 (estimate – out to bid)
Total	\$1,416,000.00 (remaining projects)

CPRD priorities & new proposed budget – complete on-going projects

1. Already bid park Entrance Signs - \$21,000.00 estimated
2. Bid field/court lighting for Dellinger – Tennis (Ct. 6,7,14), Basketball and Sports Complex – F#2, F#3, F#4 – \$375,000.00

3. Dellinger Park Trail - \$150,000.00
4. Bid Dellinger Park Tennis & Basketball/440-yd Track – Court/Crack Repair/Striping - \$275,000.00
5. Bid Park Signage (venues) - \$10,000.00
6. Bid Dellinger Park Maintenance Shop Addition - \$75,000.00
7. Bid Sports Complex – field renovation (fencing, scoreboards) remaining amount (\$75,000+/-)
8. Outdoor Exercise Area - \$50,000.00 Drop
9. Tennis Additional parking - \$30,000.00 Drop

Mr. Anderson stated that this is an updated on-going progress report of the GO Bond projects and up-coming projects/budget plus a remaining project list he prioritized from a list compiled by staff and volunteers.

A motion to add three items to the Agenda was made by Council Member Stepp and seconded by Hodge. Motion carried unanimously. Vote 6-0.

Added Items:

1. Water and Sewer Bond

Mr. Rhinehart stated that he recommended approval of the Water and Sewer Bond Resolution to update the existing Georgia Fund One account to authorize investments. This would allow the bond company to hold the funds until it can be invested.

Motion to approve the Water and Sewer Bond Resolution was made by Council Member Jayce Stepp and seconded by Gary Fox. Motion carried unanimously. Vote 6-0.

2. Dabb's Property

Mr. Lovell requested authorization of the Mayor and City Clerk to execute the license and purchase agreement for the Dabb's Property to permit them to continue earthmoving operations in which they are doing for the Church next door for a six-month period. The license and purchase agreement would be signed at closing.

Motion to approve the execution of the license and purchase agreement for the Dabb's Property was made by Council Member Roth and seconded by Fox. Motion carried unanimously. Vote 6-0.

3. Nelson and Mullins Letter of Conflict

Keith Lovell stated that the City's Bond Council, Nelson and Mullins, was hired to represent one of the pharmaceutical companies that is included in our opioid litigation complaint that the City is involved in along with numerous other cities and they have asked the City to sign a waiver of the conflict letter.

Motion to approve to sign the waiver of conflict letter was made by Council Member Fox and seconded by Roth. Motion carried unanimously. Vote 6-0.

K. Monthly Financial Statement

1. April 2018 Financial Report

Tom Rhinehart, Finance Department Head stated the financial report from April 2017 and comparing it to April 2018. Mr. Rhinehart went over changes in expenses, revenues, SPLOST funds, and comparison of each department.

With no further business to come before Council a motion to adjourn the meeting was made by Council Member Stepp and needing no second. Motion carried unanimously. Vote: 6-0.

Meeting Adjourned

/s/


Matthew J. Santini
Mayor

ATTEST:

/s/


Meredith Ulmer
City Clerk



City Council Meeting
Date: April 19, 2018
6:00 P.M. Work Session 7:00 P.M.

MOTION TO ENTER INTO A CLOSED MEETING OF A CITY COUNCIL

City Council member Fox makes the following motion:

- (1) That this Mayor and City Council now enter into closed session as allowed by O.C.G.A. § 50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing the following:

Property acquisition.
- (2) That this body, in open session, adopt a resolution authorizing and directing the mayor or presiding officer to execute an affidavit in compliance with O.C.G.A. § 50-14-4, and that this body ratify the actions of the council taken in closed session and confirm that the subject matters of the closed session were within exceptions permitted by the open meetings law, said resolution to be in the form as attached hereto.

This motion was seconded by City Council Member Cooley.

Motion Approved

Council discussed the purchase of the Dabbs Property in an amount of \$200,000 per acre and for the closing to be completed by the City Attorney. This was agreed upon unanimously with none opposing. Vote: 6-0.

Those voting in favor of the motion for closure: Council Members: Hodge, Wren, Stepp, Fox, Roth and Cooley

Those voting against the motion for closure: Council Members: none.


Matthew J. Santini, Mayor

AFFIDAVIT

Personally appeared before the undersigned attesting officer, duly authorized to administer oaths, Matt Santini who, after being duly sworn, deposed and on oath states the following:

- (1) I was the presiding officer of a meeting of the Mayor and City Council of Cartersville held on the 19th day of April, 2018.
- (2) That it is my understanding that O.C.G.A. § 50-14-4(b) provides as follows:
When any meeting of an agency is closed to the public pursuant to subsection (a) of this Code section, the chairperson or other person presiding over such meeting shall execute and file with the official minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting or the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception.
- (3) The subject matter of the closed meeting or closed portion of the meeting held on the 19th day of April 2018, which was closed for the purpose(s) of property acquisition as allowed by O.C.G.A., Title 50, Chapter 14, was devoted to matters within those exceptions and as provided by laws.
- (4) This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A. § 50-14-4(b) that such an affidavit be executed.

FURTHER, AFFIANT SAYETH NOT.

This 19th day of April 2018.

/s/ 
Matthew J. Santini
Mayor

Sworn to and subscribed before me this
19th day of April 2018



/s/ 
Notary Public
My Commission Expires:

4-24-2020

Motion to adjourn: Wren
Second: Stepp

Vote: 6-0.

