

City Council Meeting
10 N. Public Square
January 4, 2018
6:00PM. – Work Session
7:00PM. – Council Meeting

I. Opening Meeting

Invocation by Council Member Tonsmeire.

Pledge of Allegiance led by Council Member Tate.

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; Louis Tonsmeire, Sr., Council Member Ward Three; Calvin Cooley Council Member Ward Four; Dianne Tate, Council Member Ward Five; Taff Wren, Council Member Ward Six; Sam Grove, City Manager; Meredith Ulmer, City Clerk and David Archer, City Attorney.

II. Regular Agenda

A. Council Meeting Minutes

1. December 7, 2017 & December 21, 2017 City Council Minutes

A motion to approve the December 7, 2017 City Council Meeting Minutes as presented was made by Council Member Wren and seconded by Council Member Cooley. Motion carried unanimously. Vote 6-0.

B. Swearing in of Elected Officials

The officials elected November 7, 2017 for Ward 1 - Kari Hodge, Ward 3 - Cary Roth, Ward 5 - Gary Fox and Mayor - Matt Santini were sworn in by the City Clerk.

Motion to add an item to the agenda was made by Council Member Stepp and seconded by Council Member Wren. Motion carried unanimously. Vote: 6-0.

Added item: Mayor Pro Tem

Because Council Member Tate did not run for reelection, she is no longer serving on Council as Mayor Pro Tem. This position needs to be filled. Council Member Stepp stated he would like to make a motion to nominate Council Member Cooley as Mayor Pro Tem. The motion was seconded by Council Member Wren and carried unanimously. Vote: 6-0.

C. Proclamations

1. Proclamation – 12 & Under GRPA State Champs

Greg Anderson, Parks and Recreation Department Head stated Cartersville Parks and Recreation Department is an agency member of Georgia Parks and Recreation Association. The City youth all-star teams participate in the 5th District tournaments for the opportunity to qualify for State GRPA and an opportunity to vie for a state championship against other Recreation Agency's All-Star teams.

Cartersville sent 3-Football All-Stars teams and the 12 & Under team was one of the teams that travelled to Savannah and won a GRPA State Football Championship. Cartersville Parks and Recreation Department would like to have Cartersville City Council recognize this TEAM Championship for the 12 & Under team and express our gratitude to all the players, coaches and parents for representing the City of Cartersville with great sportsmanship and community pride.

The Mayor dedicated the proclamation to the team. Coaches and players came forward to be congratulated and recognized.

D. Appointments

1. Recreation Advisory Board

Mr. Anderson stated there are four appointees to the Recreation Advisory Board whose terms expired December 31, 2017: Ward 1 - Brian Thomas would like to serve another term. Ward 3 - Kathy Hays; Ward 5 - Tommy Hall is willing to continue serving. Rick Kollhoff will continue to serve as the Mayor's appointee. The new terms will expire 12/31/21, with the exception of the Mayor's appointee, which will serve a two-year term.

Motion to approve all recommended Recreation Advisory Board Members was made by Council Member Cooley and seconded by Council Member Wren.

2. Convention and Visitors Bureau

Sam Grove, City Manager stated Jeff Watkins' current term will expire 12/31/17, but he will continue serving on the CVB Board. Tom Shinall is willing to serve on the CVB Board to replace Kathy Lyles, whose current term expires 12/31/17. The new terms will expire 12/31/19. The re-appointment and appointment are recommended.

Motion to appoint and reappoint all recommended members to the Convention and Visitors Bureau was made by Council Member Hodge and seconded by Council Member Cooley. Motion carried unanimously. Vote: 6-0.

3. Bartow-Cartersville Second Joint Development Authority

Mr. Grove stated Greg Frisbee and Lamar Pendley are willing to continue serving on the Bartow-Cartersville Second Joint Development Authority if Council chooses to reappoint them. Their new term would expire 12/31/21.

Motion to approve the reappointments of Greg Frisbee and Lamar Pendley to the Bartow-Cartersville Joint Development Authority was made by Council Member Wren and seconded by Council Member Cooley. Motion carried unanimously. Vote: 6-0.

E. Second Reading of Ordinances

1. Amendment to Building Permit Ordinance

Dan Porta, Assistant City Manager stated in June, the City Council approved an amendment to the Building Permit Fee ordinance. As Planning and Development began to apply the new Building Permit Fees with the new CityView Permitting software, it became evident that the City did not address permit fees for remodeling of existing structures. Therefore, the permit fees are being amended to address building remodels and the City recommends approval of the ordinance amendment.

A motion to approve the amendment to the Building Permit Ordinance was made by Council Member Hodge and seconded by Council Member Roth. Motion carried unanimously. Vote: 6-0.

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 01-18

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, that the Code of Ordinances, City of Cartersville, Georgia is hereby amended by making the following amendment to CHAPTER 17. PLANNING AND DEVELOPMENT. ARTICLE V. PERMIT FEES. Section 17-77 – Building Permits in its entirety and replacing it as follows:

Sec. 17-77. – Building Permits.

(a) The following fees shall be assessed prior to the issuance of a building permit as follows:

- 1) Moving fee \$100.00**
- 2) Demolition fee \$50.00**
- 3) Fire Sprinkler fee \$100.00**

(b) All other building permit fees are as follows:

- 1) Residential Building Permit – New Construction - International Code Council (ICC) Rate for Residential Construction as shown in following table dated August 2017, as amended from time to time by the ICC, multiplied by Residential Heated Square Footage multiplied by .0035. Shell only buildings will be calculated as shown less 20%.**

- 2) **Commercial Building Permit – New Construction – ICC Rate as shown in the following table dated August 2017, as amended from time to time by the ICC for all Commercial Groups multiplied by Commercial Building Square Footage multiplied by .003. Shell only buildings will be calculated as shown less 20%.**
- 3) **Permit Fee for Remodeling of Existing Residential and/or Commercial Buildings will be \$6.50 per \$1,000.00 of valuation/construction costs.**

Group (2015 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	233.95	225.89	220.42	211.39	198.92	193.15	204.70	181.63	174.97
A-1 Assembly, theaters, without stage	214.40	206.35	200.88	191.84	179.53	173.76	185.16	162.23	155.58
A-2 Assembly, nightclubs	182.86	177.56	173.06	166.05	156.54	152.22	160.22	141.73	136.94
A-2 Assembly, restaurants, bars, banquet halls	181.86	176.56	171.06	165.05	154.54	151.22	159.22	139.73	135.94
A-3 Assembly, churches	216.47	208.41	202.95	193.91	181.79	176.02	187.23	164.50	157.85
A-3 Assembly, general, community halls, libraries, museums	180.57	172.51	166.04	158.00	144.89	140.11	151.32	127.59	121.94
A-4 Assembly, arenas	213.40	205.35	198.88	190.84	177.53	172.76	184.16	160.23	154.58
B Business	186.69	179.79	173.86	165.19	150.70	145.02	158.70	132.31	126.48
E Educational	197.52	190.73	185.77	177.32	165.32	156.97	171.23	144.39	140.26
F-1 Factory and industrial, moderate hazard	111.86	106.71	100.58	96.68	86.77	82.81	92.61	72.75	68.09
F-2 Factory and industrial, low hazard	110.86	105.71	100.58	95.68	86.77	81.81	91.61	72.75	67.09
H-1 High Hazard, explosives	104.68	99.53	94.40	89.50	80.80	75.84	85.43	66.78	N.P.
H234 High Hazard	104.68	99.53	94.40	89.50	80.80	75.84	85.43	66.78	61.12
H-5 HPM	186.69	179.79	173.86	165.19	150.70	145.02	158.70	132.31	126.48
I-1 Institutional, supervised environment	187.63	181.26	176.01	168.60	155.33	151.11	168.69	139.15	134.82
I-2 Institutional, hospitals	314.17	307.27	301.34	292.67	277.18	N.P.	286.18	258.79	N.P.
I-2 Institutional, nursing homes	217.67	210.77	204.84	196.17	182.68	N.P.	189.68	164.29	N.P.
I-3 Institutional, restrained	212.42	205.52	199.59	190.92	177.93	171.25	184.43	159.54	151.71
I-4 Institutional, day care facilities	187.63	181.26	176.01	168.60	155.33	151.11	168.69	139.15	134.82
M Mercantile	136.25	130.95	125.45	119.44	109.43	106.11	113.60	94.63	90.83
R-1 Residential, hotels	189.35	182.99	177.74	170.33	156.80	152.58	170.42	140.62	136.29
R-2 Residential, multiple family	158.84	152.48	147.23	139.81	127.05	122.83	139.91	110.87	106.54
R-3 Residential, one- and two-family	148.17	144.14	140.42	136.90	131.89	128.41	134.60	123.40	116.15
R-4 Residential, care/assisted living facilities	187.63	181.26	176.01	168.60	155.33	151.11	168.69	139.15	134.82
S-1 Storage, moderate hazard	103.68	98.53	92.40	88.50	78.80	74.84	84.43	64.78	60.12
S-2 Storage, low hazard	102.68	97.53	92.40	87.50	78.80	73.84	83.43	64.78	59.12
U Utility, miscellaneous	80.38	75.90	71.16	67.61	60.99	57.00	64.60	48.23	45.92
N.P. means Not Permitted									

(c) Re-inspection fee of \$25.00 for each site visit.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become effective on January 4, 2018 and be made a part of the Code of Ordinances, City of Cartersville, Georgia, and the sections of this ordinance may be renumbered or alphabetized to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED
First Reading this the 7th day of December 2017.
ADOPTED this the 4th day of January 2018.

/s/_____
Matthew J. Santini
Mayor

ATTEST:

/s/_____
Meredith Ulmer
City Clerk

F. Resolutions

1. Annual Update Adoption of CIE & STWP in accordance with the impact fee requirements

Randy Mannino, Planning and Development Department Head stated Cartersville adopted Impact Fees in the last quarter of 2006. Said fees became effective starting in January of 2007. In accordance with the Development Impact Fee Regulations as outlined by the State, the City is required to file an annual update to the Capital Improvements Element (CIE) of the Comprehensive Plan because the City collects said impact fees and/or have an adopted impact fee ordinance. As you are aware, the City held the required public hearing for the updated information on November 16, 2017, and Council also approved a resolution allowing this item to be transmitted to the Northwest Georgia Regional Commission (NWGRC) and the Department of Community Affairs (DCA) for their review and approval. They have approved the document, and the City is required to formally adopt it. Staff recommends that Council approve this resolution adopting the Annual Update.

Motion to approve the Annual Update Adoption of Capital Improvements Element and Short Term Work Program was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 6-0.

Resolution No. 01-18

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 November 16, 2017 at 7:00 P.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 4th OF JANUARY, 2018.

Mayor, City of Cartersville, Georgia

ATTEST:

City Clerk

G. Public Hearing - 1st Reading of Zoning/Annexation Requests

1. Z17-03: Rezoning of Tax parcel ID #C030-0002-028 (Gentilly Blvd). MU (Multi-Use) to OC (Office-Commercial) for the construction of a medical office.

Mr. Mannino stated on August 2, 2007, the current Harbin Clinic site, 150 Gentilly Blvd was rezoned from M-U to OC per Z07-1, to allow for a larger building than that allowed in the MU district. Site plans were approved for a 3-story, 75,000sf building on 10-9-07. Construction was completed in 2008. Harbin Clinic wishes to expand their operations to the West of the current location to include a new building with parking on an approximate 5.3 acre parcel. The applicant, Tilley Properties Inc, is requesting that this parcel be rezoned from M-U to O-C to allow for a multi-story building approximately 34,000 square feet in size. The current zoning, M-U, prohibits buildings larger than 20,000 sq. ft. Staff recommends approval. Planning Commission recommends approval. (6-0)

Mayor Santini opened the floor to a public hearing welcoming anyone who would like to speak for or against Z17-03 to come forward.

Mr. Karl Lutjens of Cartersville, GA came forward on behalf of Z17-03. Mr. Lutjens is the engineer on the project and wanted to make himself available for questions if needed. With

no questions, and with no one else coming forward the public hearing was closed.

2. T17-01: Text Amendment to the Alcohol Ordinance. Chapter 26, Zoning, Article II- Interpretations and Definitions; Article IX- Commercial District Regulations; and, Article X- Commercial District Regulations.

Mr. Mannino stated the Zoning Ordinance must be amended to accommodate said use to different non-residential zoning categories. The changes are as follows: Specify such facilities to the H-I, L-I, G-C, O-C, M-U, & DBD districts. Staff recommends approval and Planning Commission recommends approval, (6-0), with the following condition: Brewpubs may be located not less than one hundred (100) yards from the property line of a Daycare Facility.

Mayor Santini opened the floor for public hearing stating anyone who would like to speak for or against T17-01 please come forward. Mr. Mannino of Marietta, GA and Planning and Development Department Head came forward and stated he would like to speak for the text amendment, because it originated from staff. With no one else coming forward to speak for or against T17-01 the public hearing was closed.

H. Contracts/Agreements

1. November 7 General Election Invoice

Meredith Ulmer, City Clerk stated the Bartow County Board of Elections invoice for the November 7th General Municipal Election is \$10,566.13. The Resolution and original estimated amount of \$9,146.00 was approved by the City Council on October 5, 2017. Due to higher turnout than expected and additional personnel costs in the Cartersville jurisdiction and lower turn out rates in surrounding jurisdictions the invoice to the City of Cartersville was high than expected. This is a budgeted item and recommended for approval.

Council Member Cooley made motion to approve the payment of the November 7 General Election to the Bartow County Board of Elections in the amount requested. The motion was seconded by Council Member Wren. Motion carried unanimously. Vote: 6-0.

2. Lose & Associates

Mr. Anderson stated Cartersville Parks and Recreation is currently under contract with Lose and Associates for construction administration services for our current building project, Phase II Recreation Buildings for \$37,500. A letter was requested from Lose & Assoc. stating a per hour charge for specific administration services. Mr. Anderson stated they would like to take over construction administrative services for the remainder of these building projects as this would provide cost savings to the City. Lose and Associates proposed hourly service agreement, with a not to exceed price of \$15,000 and request that Mayor Santini be approved to sign any related documents. It is recommended for approval.

Motion to approve the contract with Lose & Associates was made by Council member

Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 6-0.

3. IGA for 2020 SPLOST

Mr. Porta stated as 2018 begins, Bartow County needs to get the Intergovernmental Agreement (IGA) with all municipalities finalized in order to move forward with a May 2018 election for voters to decide about the one penny special purpose local option sales tax. If the City Council agrees with the projects, then approval of the IGA is recommended.

Motion to approve the SPLOST with the reduction of 1 million dollars from the Parks and Recreation budget and with the addition of 1 million dollars to Automatic Meter Reading was made by Council Member Wren and seconded by Council Member Fox. Motion carried unanimously. Vote: 6-0.

I. Bid Award/Purchases

1. Fiber Connection to Bartow County Jail

Mr. Porta stated several months ago the AT&T fiber connection to the 911 Operations at Bartow County Jail was cut and 911 calls had to be re-routed to Polk County. Due to this Bartow County has requested that the City provide a diverse redundant fiber connection to the County Jail. The cost from NCI who the City has used in the past is \$65,000 which Bartow County has agreed to pay for. The City will have another \$7,875 in fiber cable costs which will be recouped in 17 months as the City will be receiving \$485 per month to provide them a monthly backup fiber connection. Mr. Porta recommended approval of the purchase of fiber cable from Utilicom and installation by NCI.

Motion to approve Fiber Connection to Bartow County Jail was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote: 6-0.

2. New World Software Annual Maintenance Invoice

Mr. Porta stated as part of the 2014 SPLOST, Bartow County, Cartersville and other local municipalities selected New World Systems for the public safety software. The new software went live in February 2017 and as part of the software agreement, annual maintenance coverage has been agreed to by all users. Prior to using the New World Software, Cartersville Police used USA Software and the Fire Department used Firehouse Software and had paid a couple of thousand dollars more for annual maintenance for this software than the \$34,751.77 for the New World Software maintenance. The 2018 annual maintenance cost to the city by Bartow County for New World Software is recommended for your approval.

Motion to approve the payment of New World Software Maintenance Invoice was made by Council Member Hodge and seconded by Council Member Cooley. Motion carried unanimously. Vote: 6-0.

3. Everbridge - Mass Communication System

Rebecca Bohlander, Communications and Public Relations Manager stated the annual renewal fee for our mass communication system with Everbridge is in the amount of \$6,825. This item is recommended for approval.

Motion to approve the Everbridge Mass Communication System cost in the amount of \$6,825.00 was made by Council Member Cooley and seconded by Council Member Fox. Motion carried unanimously. Vote: 6-0.

4. Transformer Purchase

Don Hassebrock stated The Electric Department needs to purchase a transformer to replace the one used for Coosa Valley Credit Union. The Electric Department received four bids and are recommending Council approval to purchase the ERMCO transformer from Gresco for \$6,165.00. This is a budgeted item in the FY17-18 Budget.

Motion to approve the purchase of a transformer for the Electric Department was made by Council Member Hodge and seconded by Council Member Cooley. Motion carried unanimously. Vote: 6-0.

5. Sugar Valley Road Bridge Repair

Tommy Sanders, Public Works Department Head stated Public Works is seeking approval for bridge repairs from Quality Time Construction of Cartersville for a not to exceed price of \$32,000. This work consists of cleaning rust, rewelding bridge joints, and repairing beams that have section loss by welding plates on these areas. Earlier this year, Public Works bid out a bridge replacement at this location and the bids were in excess of \$500,000, which was significantly higher than the budgeted amount in the 2014 SPLOST. Public Works looked at repair instead of replacement as this contractor has specific bridge experience and is someone that has done very high quality work for the City in the past. Publics Works recommended approval of award to Quality Time Construction for a not to exceed price of \$32,000. Funding will be from 2014 SPLOST.

Motion to approve the Sugar Valley Bridge Repair from Quality Time Construction as presented was made by Council Member Stepp and seconded by Council Member Fox. Motion carried unanimously. Vote: 6-0.

J. Other

1. Natural Gas Association of Georgia Dues

Gary Riggs, Gas Department Head stated the City has received the annual membership dues invoice for the Natural Gas Association of Georgia in the amount of \$5,000.00. It is recommended for Council approval for payment of these dues.

Motion to approve the payment of the National Gas Association of Georgia Dues was

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

K. Deed of Gift

1. Quitclaim Deed to Bartow County

Tamara Brock, Assistant City Manager stated Bartow County has requested a quitclaim deed from the City of Cartersville to transfer two parcels, a total of 4 acres, located on Monroe Crossing and Allatoona Dam Road to the County. The County requested this in order to assist Advocates for Children in applying for a Community Development Block Grant (CDBG). Advocates for Children is pursuing CDBG funds in the 2018 application cycle and the County will serve as its fiscal agent for the grant, therefore all the property will need to be in the County. The request is being made to support the construction of a building on the land adjacent to Advocates' administrative offices and shelter location at 49 Monroe Crossing. Ms. Brock asked for Council approval of the quitclaim deeds to transfer the properties to Bartow County.

Motion to approve the quitclaim deeds to transfer the properties to Bartow County in order to assist Advocates for Children was made by Council Member Fox and seconded by Council Member Cooley. Motion carried unanimously. Vote: 6-0.

L. Monthly Financial Statement

1. October 2017 Financial Report

Tom Rhinehart, Finance Department Head gave an overview of the budget and compared October 2016 to October 2017. Mr. Rhinehart discussed the financial report and cash position explaining the decrease in revenue, increase in expenses, increase in LOST, and numbers for each department. It is anticipated revenues will increase from the Gas Department with weather conditions.

Public Comment:

Mayor Santini stated he would like to open the floor to anyone present that had comments or questions about the recent events in the City of Cartersville that occurred at 2 Cain Drive. Mayor Santini stated he was available all night and there was no time limit for anyone wishing to come forward. Mayor Santini opened the floor for public comment:

Raquel McGee of Cartersville, GA came forward to express her concerns about how the situation at 2 Cain Drive was handled by police. Ms. McGee stated she understood the differences between City of Cartersville Police and the Bartow Drug Taskforce, but questioned the motive and constitutionality of how police initially entered the home.

Mayor Santini asked the audience if anyone else would like to come forward for public comment. With no else coming forward the Mayor closed public comment.

Council Member Stepp made a motion to adjourn.

/s/ _____

Matthew J. Santini, Mayor

ATTEST:

/s/ _____

Meredith Ulmer, City Clerk