City Council Meeting
November 2, 2017
10 N. Public Square
6:00 P.M. – Work Session
7:00 P.M. – Council Meeting

I. Opening Meeting

Invocation by Council Member Tonsmeire.

Pledge of Allegiance led by Council Member Cooley.

The City Council met in Regular Session with Dianne Tate, Mayor Pro-Tem Council Member Ward Five 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; Taff Wren, Council Member Ward Six; Sam Grove, City Manager; Meredith Ulmer, City Clerk and Keith Lovell, City Attorney.

Absent: Mayor Matthew Santini

II. Regular Agenda

A. Council Meeting Minutes

1. October 19, 2017

A motion to approve the October 19, 2017 City Council Meeting Minutes as presented was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote: 5-0.

B. Commendation/Recognition

1. Facility Naming – Tom Gooch

Greg Anderson, Parks and Recreation Department Head stated a letter was received from Cartersville Little League President Ben Genrich on behalf of the Little League Board of Directors requesting the naming of Hicks Park Concession/Little League building after Cartersville Little League volunteer, Tom Gooch. Mr. Gooch passed away in August and was a longtime volunteer. Mr. Gooch coached the Crackers, was on the Board of Directors and Commissioner of the Georgia State Little League District 1 The Little League's letter of request was presented to the Recreation Advisory Board at the previous regular scheduled meeting on October 4, 2017 and was unanimously approved. Mr. Anderson made the recommendation to Mayor and City Council that the Hicks Park Little League building be named in honor of Tom Gooch.

Mayor Protem Tate presented a proclamation to Mr. Gooch's family.

A motion to approve the Hicks Parks Little League building be named after Tom Gooch was made by Council Member Cooley and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote:5-0.

C. Other

1. Time Change for December 7, 2017

The first Council Meeting in December conflicts with the annual Christmas Parade. The Council has traditionally opted to change the evening meeting to a morning meeting.

A motion to approve the Time Change for the December 7, 2017 City Council Meeting was made by Council Member Stepp and seconded by Council Member Wren. Motion carried unanimously. Vote: 5-0.

D. Resolutions

1. Resolution to Create Festival Zones

Lillie Read, Downtown Development Authority(DDA) Manager stated she is requesting the creation of two festival zones. One at the request of the merchants Under the Bridge for their open house event on November 16. The other for the DDA Christmas Karaoke event on December 16. Staff recommends approval of these festival zones.

Motion to approve the creation of a Festival Zone on November 16 for the Under the Bridge and December 16 for the Christmas Karaoke was made by Council Member Hodge. This motion was seconded by Council Member Stepp. Motion carried unanimously. Vote: 5-0.

Resolution No. 17-17

of the

City of Cartersville, Georgia

WHEREAS, the Cartersville City Council approved a Festival Ordinance in 2014; and

WHEREAS, the Downtown Development Authority (DDA) wishes to establish a Festival Zone for the following events to be held downtown:

November 16	**Under the Bridge Open House Event**
December 16	**DDA Christmas Karaoke Event**

WHEREAS, the DDA Board recommends that these events be designated a controlled Festival Zone; and

WHEREAS said Festival Zone will allow those of 21 years and older, who show proof of identification and receive a wristband, be allowed to consume purchased alcoholic beverages within the Festival Zone; and

WHEREAS, DDA board and staff will, in conjunction with event staff and volunteers, keep those with alcoholic beverages inside the allotted Festival Zone; and

WHEREAS, the Director of Planning and Development will receive all necessary proposals and applications prior to each event with the understanding that alcoholic beverages will only be sold by an approved alcohol-license holding businesses.

NOW, THEREFORE BE IT RESOLVED by the City of Cartersville that the aforementioned events, as planned and implemented by the DDA, and approved by the Director of Planning and Development, be designated a Community Festival Zone.

ADOPTED this the 2nd day of November, 2017.

/s/__________________
Matt Santini
Mayor

ATTEST:

/s/__________________
Meredith Ulmer
City Clerk

E. First Reading of Ordinances

1. Occupational Tax Certificate Ordinance

Meredith Ulmer, City Clerk stated this is a correction to City ordinance in order to be State compliant. This request changes the late fee to 10% as permitted by the State.

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 17 – PLANNING AND DEVELOPMENT. ARTICLE V. – PERMIT FEES. SEC. 17.81. – OCCUPATIONAL TAX is hereby amended by deleting it in its entirety and replacing it as follows:

Sec. 17-81. - Occupational tax.

(a) Occupation tax levied.

(1) An occupation tax shall be levied upon those businesses and practitioners of professions and occupations with one (1) or more locations or offices in the corporate limits of the city and/or upon the applicable out-of-state businesses with no location or office in Georgia pursuant to O.C.G.A. § 48-13-7 based upon the following criteria: The number of employees of the business or practitioner as of January 1 of the tax year, or if not available, the previous years' average number of employees, or for a new business, the estimated average number of employees for that year.

(2) Occupation tax schedule:

(i) Number of employees—The tax rate determined by number of employees for each business, trade, profession, or occupation is as follows and will be developed and updated from time to time by the mayor and city council. A ten (10%) percent late fee will be assessed after ninety (90) days from the due date.

	Number of Employees	Tax Liability
Class 1	0—1	90.00
Class 2	2—5	180.00
Class 3	6—10	240.00
Class 4	11—50	335.00
Class 5	51—100	405.00
Class 6	101—200	675.00
Class 7	201—500	1,015.00
Class 8	501—1,000	1,685.00
Class 9	1,001 or more	3,000.00

(ii) A business with multiple locations in the city will not be assessed more than three thousand dollars ($3,000.00) for their occupational tax fee for all their locations combined.

(iii) The number of employees includes part-time employees who will be treated as equivalent to full-time employees based upon their applicable percentage of work in comparison to a full-time employee

(b) Professionals as classified in O.C.G.A. § 48-13-9(c), paragraphs (1) through (18).

(1) Practitioners of professions as described in O.C.G.A. section 48-13-9(c)(1) through (18) shall elect as their entire occupation tax one (1) of the following:

(i) The occupation tax based on number of employees as set forth in this section.

(ii) A fee of two hundred dollars ($200.00) per practitioner who is licensed to provide the service, such tax to be paid at the practitioner's office or location. The per-practitioner fee applies to each person in the business who qualifies as a practitioner under the state's regulatory guidelines and framework.

(iii) This election is to be made on an annual basis and must be done by January 30 of each year.

(iv) Enforcement and collection of the fee and penalties imposed for violations required under this section shall be in accordance with this chapter unless other methods are specified by state law.

Attorneys are not required to pay their occupation tax or otherwise register, or comply with the terms of the occupational tax as a precondition of practicing law.

(c) A transfer fee of ten dollars ($10.00) is allowed if a licensed business is moved to another location with the same owners and operations upon notification of the administrator pursuant to Chapter 10 of the City of Cartersville Code of Ordinances. In the event notice is not given, an additional ten (10) percent fee shall be charged for the transfer.

(d) For all motor vehicles used in a commercial manner, an additional fee of ten dollars ($10.00) per vehicle shall be assessed.

(e) All fees pursuant to this section shall be paid prior to the issuance of a license.

(f) Interest shall be assessed against all delinquent occupational taxes, regulatory fees, and administrative fees, assessed on occupational taxes at a rate of one and one-half (1.5%) percent per month.

First Reading held the 2nd of November, 2017

Second Reading held the _____ of November 2017.

/s/___________________
Matt Santini
Mayor

ATTEST:

/s/___________________
Meredith Ulmer
City Clerk

2. **Pension Amendment**

Dan Porta, Assistant City Manager stated Human Resources proposes an amendment to the Pension Plan in order to update the Mortality Rate Table. The City would like to update this information from 1983 to current unisex data provided by the Department of Labor.

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 16 - PERSONNEL, ARTICLE II. – EMPLOYEE BENEFITS, DIVISION 2. – RETIRE PLAN. SEC. 16-51. – ADOPTED; SHORT TITLE; DEFINITION is hereby amended by deleting it in its entirety and replacing it as follows:

Sec. 16-51. - Adopted; short title; definition.

(a) The Cartersville Retirement Plan was created on April 15, 1973 with Lincoln National Life Insurance Company, Fort Wayne, Indiana, and in 2011 the plan's assets have been transferred over to Benefit Trust Company, a Kansas company, a copy of which is on file in the office of the city manager. The retirement plan and all of its business shall be transacted and all of its funds shall be invested by WRS; and all of its cash, securities and other property shall be held in trust by Benefit Trust Company, for the purposes set forth in this plan.

(b) As used in this division, "retirement plan" or "plan" means the Cartersville Retirement Plan as incorporated in subsection (a).

(c) That the second amendment to the plan most recently adopted and restated on April 28, 2011, is adopted as amended and restated as of the date of the adoption by the City Council of the City of Cartersville being January 5, 2017. A copy of the second amendment to plan is kept by and maintained at the city clerk's office. This plan covers employees hired before January 1, 2017.

(d) This Third Amendment to the City of Cartersville Pension Plan is adopted November 16, 2017, which shall be effective December 1, 2017. A copy of said Plan shall be kept by and maintained in the City Clerk's Office.

(e) That the 2017 Pension Plan is adopted as of the date of the adoption by the City Council of the City of Cartersville being January 5, 2017. A copy of the 2017 Pension Plan is kept by and maintained at the city clerk's office. This plan covers employees hired on or after January 1, 2017.

(f) This First Amendment to the City of Cartersville 2017 Pension Plan adopted November 16, 2017, shall be effective December 1, 2017. A copy of said Plan is kept by and maintained by the City Clerk's Office.

(g) Upon adoption of an amendment to the pension plan, the proper officers of the employer and the pension board are hereby authorized and directed to take each other and further action on the advice of counsel, including the making of additional

amendments not inconsistent with the general tenor of the foregoing, so that the plan, as amended, continues to meet the qualification requirements of Section 401(a) of the Internal Revenue Code of 1986, as amended (the "Code"), and the implementing trust thereunder continues to be tax-exempt under said Code, and the 2017 Plan satisfies the qualification requirements of Section 401(a) of the Code, and the implementing trust thereunder is tax-exempt under said Code.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: ______________________

SECOND READING: ______________________

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MATTHEW J. SANTINI, MAYOR

ATTEST: ____________________________

MEREDITH ULMER, CITY CLERK

F. Easements

1. Georgia Power Easement

Mr. Porta stated the Georgia Power Company would like to purchase an easement for property that is located on the northwest corner of Oak Hill Cemetery near the Public Safety Headquarters. The easement is in a drainage area of the cemetery and will not have any higher use for the city. There are no cemetery plots over the easement. The easement has been reviewed by the City Attorney. Georgia Power is offering $5,500 for this easement and the Public Works Director approves of granting this easement to Georgia Power Company.

Motion to approve the Georgia Power Easement was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote: 5-0.

G. Bid Award/Purchases

1. Employee Wellness Program

Mr. Porta stated City staff has worked with the Shaw Hankins Employee Benefits Broker to review and interview some employee wellness companies. The purpose of an employee wellness program is to establish a work environment that promotes healthy lifestyles, decreases the risk of disease, and to enhance the quality of life for our employees. After meeting with some companies, if the City Council would like to move forward with an employee wellness program, the recommendation would be to go with Corporate Health Partners (CHP). CHP has provided several options for employee wellness programs.

Option #1 is approximately $31,000 and would have employees to complete a Health Risk Assessment, biometric screening and 30 minutes of personal results coaching (one time).

Option #2 would have CHP provide a wellness team to conduct healthy break and wellness challenges with employees at an estimated cost of $37,860.

Option #3 would be a combination of options #1 and #2 at an estimated cost of $66,696.

Option #4 is called Prima Light and would be a combination of options #1 and #2 plus follow up coaching sessions of 5 times for high risk participants and 3 times for medium risk participants at an estimated cost of $123,460.

Option #5 is called the Prima Program and would be a combination of options #1 and #2 plus follow up coaching sessions of 10 times for high risk participants, 5 times for medium risk participants and 1 time for low risk participants at an estimated cost of $140,740.

The cost of the employee wellness program can be shared by the City and employees and be factored into the monthly insurance premium. Note that the Fire Department already has an extensive employee fitness evaluation that is conducted annually and these employees would not need to participate in the CHP program, which will help to reduce the overall cost of the CHP wellness program.

A motion to approve the Employee Wellness Program Option #3 was made by Council Member Tonsmeire and seconded by Council Member Cooley. Motion carried unanimously. Vote 5-0.

2. Software License Agreement

Randy Mannino, Planning and Development Director respectfully requested the purchase of a Software License Agreement. Additional users need to be supplied for the newly hired employees in Planning and Development since the original purchase of the software. After negotiations, the price went from $10,000 to a total of $6,500; there is an annual maintenance fee of $1,430.00.

A motion to approve the Software License Agreement and the maintenance cost was made by Council Member Stepp and seconded by Council Member Wren. Motion carried unanimously. Vote:5-0.

3. Bucket Truck Purchase

Don Hassebrock, Electric Department Head stated the Electric Department is requesting the purchase of a Bucket Truck to replace the existing 2001 model bucket truck #504. The new vehicle will be used for line work, repairing traffic signals and loaned to the FiberCom

Department as needed. The Electric Department consulted the Garage prior to writing the truck specifications to ensure the City purchased a quality vehicle that met their standards.

Mr. Hassebrock stated approval is recommended for the purchase of the truck from Altec Inc. which had the low bid of $148,546.00. This is a budgeted item.

Motion to approve the purchase of the Bucket Truck was made by Council Member Cooley and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote:5-0.

4. Residential Garbage Truck Purchase

Tommy Sanders, Public Works Director stated The Solid Waste Division of Public Works opened bids for an 8-10 Cubic Yard Side Load Residential Garbage Truck. This truck is needed to replace Truck #6230, a 2001 model truck that has terminal engine and packer failure. Public Works had 12 bids from 7 different companies ranging from $76,517.70 to $136,017. A committee that included end users and the City Garage evaluated the bids and recommended the second lowest responsive bid that met every specification: the New Way Mamba body on a 2018 Ford F-550 from Wade Ford for $76,575.00; this bid is recommended. The purchase was budgeted and budgeted for $100,000.00.

Motion to approve the purchase of a Residential Garbage Truck from Wade Ford through lease pool in the amount of $76,575.00 was made by Council Member Tonsmeire and seconded by Council Member Cooley. Motion carried unanimously. Vote:5-0.

5. Commercial Garbage Truck

Mr. Sanders stated the Solid Waste Division of Public Works recently opened bids for a 40 Cubic Yard Rear Load Commercial Garbage Truck. This truck is needed to replace Truck #6253, a 2001 model truck that has exceeded its viable life expectancy. The City had 13 bids from 7 different companies ranging from $208,177.00 to $255,795.73. A committee that included end users and the City Garage evaluated the bids and recommended the bid that met every specification with the shortest delivery time, 30 days, the Heil Half Pack body on a 2018 Ford Mack from Carolina Environmental for $242,630.00. This purchase was budgeted and the budgeted amount for this item was $245,000.00. The City recommends the bid from Carolina Environmental.

Motion to approve the purchase of a Commercial Garbage Truck from Carolina Environmental through lease pool in the amount of $242,630.00 was made by Council Member Wren. This motion was seconded by Council Member Stepp. Motion carried unanimously. Vote: 5-0.

6. Main Street Sewer Lift Station - #2 Pump Repair

Bob Jones, Water Department Head stated the #2 pump of in the Main Street Sewer Lift Station has failed. A new pump will cost around $15,000. Our existing pump can be rebuilt by replacing the damaged impeller and replacing worn or damaged parts. Because of the impeller replacement, this is a sole source repair. Mr. Jones recommended approval of the Xylem, Flygt Products, repair quote in the amount of $5,349.14, this is a budgeted item.

Motion to approve the purchase of the Xylem, Flygt Products, repair in the amount of $5,349.14 was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote: 5-0.

7. Waterford Sewer Lift Station #2 Backup Pump

Mr. Jones stated the Waterford Subdivision is served by two sewer lift stations. The pump station is designed to work with Flygt pumps. In order to have an on the shelf spare the Water Department requested a quote from Xylem Flygt Products for an identical pump to the three already installed. The provided quote is $9,689.30. Approval is recommended. This is a budgeted item.

Motion to approve the purchase of a spare pump from Xylem Flyght Products in the amount of $9,689.30 was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote: 5-0.

H. Engineering Services

1. WTP Master Plan – Facility Assessment

Mr. Jones stated in the recently updated Metropolitan North Georgia Water Planning District Water Resources Plan, the City of Cartersville Water Treatment Plant is shown as serving approximately 85% of the water needs for Bartow County in 2025 and 88% of need in 2050. In order to meet this need, the City needs a detailed plan for how this facility will be expanded to meet new demand as well as maintained. If the volumes of the District plan are to be believed, they will likely exceed the capacity of our current WTP campus.

A comprehensive WTP Master Plan is a prudent step toward meeting our future obligation to both City of Cartersville and Bartow County residents. That plan will be developed in two parts. The first will be a thorough Facility Assessment. The assessment will determine the following critical information about existing assets.

Wiedeman and Singleton Engineering (WSE) has prepared the proposal for the needed scope of work. WSE was the original design firm for the WTP and have designed multiple upgrade projects over the past decade. Given their long history with the plant and intimate understanding of plant operations, they are uniquely qualified to produce this plan.

WSE has proposed a fee of $74,042.00 to complete a facility assessment. Mr. Jones recommended approval of their proposal. This is a budgeted item.

Motion to approve the Water Department Facility Assessment by Wiedeman and Singleton Engineering in the amount of $74,042.00 was made by Council Member Tonsmeire and seconded by Council Member Taff. Motion carried unanimously. Vote: 5-0.

Council Member Tonsmeire made a motion to add an item to the agenda, it was seconded by Council Member Stepp. Motion was approved unanimously. Vote: 5-0.

Mr. Anderson came forward and stated at a previous Council Meeting he recommended the amount $406,302.00 to be approved in order to replace the Aubrey Street Pool. Mr. Anderson stated the amount should have been $407,202.00, there is a difference of about $900.00. Mr. Anderson respectfully requested approval of the corrected bid price of $407,202.00 from Aqua Design Systems.

Motion to approve the bid price of $407,202.00 from Aqua Design Systems was made by Council Member Stepp and seconded by Council Member Wren.

Council Member Stepp made a motion to adjourn, and needing no second Council adjourned.

Meeting Adjourned

/s/
Matthew J. Santini, Mayor

ATTEST:

/s/ Meredith Ulmer
Meredith Ulmer, City Clerk

CITY OF CARTERSVILLE INCORPORATED GEORGIA CORPORATE SEAL 1850