

City Council Meeting
10 N. Public Square
July 6, 2017
6:00 P.M. – Work Session
7:00 P.M. – City 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: 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; Sam Grove, City Manager; Meredith Ulmer, City Clerk and David Archer, City Attorney.

Absent: Council Member Kari Hodge; Ward One and Council Member Taff Wren; Ward 6

II. Regular Agenda

A. Council Meeting Minutes

1. June 15, 2017 Minutes

A motion to approve the June 15, 2017 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0.

B. Grant Application/Acceptance

1. Local Maintenance & Improvement Grant Application

Tommy Sanders, Public Works Department Head came forward and stated this grant application is for the Georgia Department of Transportation's Fiscal Year (FY) 2018 Local Maintenance & Improvement Grant for the amount of \$252,542.90. This grant does require a 30% match which will be funded from the 2014 SPLOST. These funds will be used for the resurfacing of city streets. Mr. Sanders recommended approval for the Mayor to sign the application, cover letter, and other associated documents.

A motion to approve the Local Maintenance & Improvement Grant Application was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 4-0.

C. First Reading of Ordinances

1. Erosion and Sediment Control Ordinance Revisions

Mr. Sanders stated in November of 2016, Council voted to change the erosion and sediment control ordinance to reflect the required changes to the model ordinance provided to the City by the Georgia Soil and Water Conservation Commission and the Georgia Environmental Protection Division (EPD). Though the model ordinances were intended to be the same, the required changes from the Georgia Soil and Water Conservation Commission did not match the required changes from the Georgia Environmental Protection Division.

In the EPD's review of our MS4 Annual Report, the EPD is requiring our definitions of Final Stabilization and Trout Stream to match their model ordinance. The changes summarized appear to be minor. These changes will reflect the correct model ordinance definitions.

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 7.5 – DEVELOPMENT REGULATIONS. ARTICLE VII. – SOIL EROSION AND SEDIMENT CONTROL. SECTION 7.5-182, paragraph 18, the definition for “Final Stabilization”, is hereby amended by deleting said Paragraph 18 in its entirety and replacing it with the following:

1.

SECTION 7.5 - 182

DEFINITIONS

The following definition shall apply in the interpretation and enforcement of this ordinance, unless otherwise specifically stated:

18.Final Stabilization: All soil disturbing activities at the site have been completed, and that for unpaved areas and areas not covered by permanent structures and areas located outside the waste disposal limits of a landfill cell that has been certified by EPD for waste disposal, 100% of the soil surface is uniformly covered in permanent vegetation with a density of 70% or greater, or landscaped according to the Plan (uniformly covered with landscaping materials in planned landscaped areas), or equivalent permanent stabilization measures as defined in the Manual (excluding a crop of annual vegetation and seeding of target crop perennials appropriate for the region) Final stabilization applies to each phase of construction.

2.

The remaining paragraphs and text of Section 7.5-182 shall remain unaltered.

3.

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

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____
SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
MEREDITH ULMER, CITY CLERK

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 7.5 – DEVELOPMENT REGULATIONS. ARTICLE VII. – SOIL EROSION AND SEDIMENT CONTROL. SECTION 7.5-182 Paragraph 45,- the definition of “Trout Streams”, is hereby amended by deleting said Paragraph 45 in its entirety and replacing it with the following:

1.

SECTION 7.5 - 182

DEFINITIONS

45. Trout Streams: All streams or portions of streams within the watershed as designated by the Wildlife Resources Division of the Georgia Department of Natural Resources under the provisions of the Georgia Water Quality Control Act, O.C.G.A. § 12-5-20, in the rules and regulations for Water Quality Control, Chapter 391-3-6 at www.epd.georgia.gov. Streams designated as primary trout waters are defined as water supporting a self-sustaining population of rainbow, brown or brook trout. Streams designated as secondary trout waters are those in which there is no evidence of natural trout reproduction, but are capable of supporting trout throughout the year. First order trout waters are streams into which no other streams flow except springs.

2.

The remaining paragraphs and text of Section 7.5-182 shall remain unaltered.

3.

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

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____

SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
MEREDITH ULMER, CITY CLERK

2. Sec 5-6 Animal Nuisance Ordinance Revision

David Archer, City Attorney stated this item was added to the agenda to correct a typographical error in the code. The word “unincorporated” needs to be changed to “incorporated.”

Ordinance no. _____

IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF CARTERSVILLE, GEORGIA THAT THE CODE OF ORDINANCES, CHAPTER 5 – ANIMALS, ARTICLE III. – GENERAL PROVISIONS. SECTION 5-6. NUISANCES IS HEREBY AMENDED BY DELETING SAID SECTION IN ITS ENTIRETY AND REPLACING IT WITH THE FOLLOWING:

1.

Sec. 5-6. Nuisance.

It shall be unlawful for any person to keep any animal on any property located within the incorporated limits of the City of Cartersville when the animal is kept in such condition to constitute a public nuisance animal, as defined by, or to constitute a menace to public health or safety.

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

3. Detention Pond Fencing

Sam Grove, City Manager stated per the discussion item from the last Council meeting about detention pond requirements two ordinances have been drafted by the City Attorney regarding the fencing requirements. Options were discussed and the general consensus was to give the developer the option of either a 4 foot fence or dependent on the property the developer could slope the land according to State standards.

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 7.5 - DEVELOPMENT REGULATIONS. ARTICLE III. - GENERAL DESIGN REGULATIONS. SEC. 7.5-66. - STORM DRAINAGE DESIGN CRITERIA. PARAGRAPH (2) DRAINAGE STRUCTURES (EXCLUDING PIPE OR CULVERTS), SUBSECTION (i) IS HEREBY AMENDED BY DELETING SAID SUBSECTION IN ITS ENTIRETY AND REPLACING THEM WITH THE FOLLOWING:

1.

(2) Drainage structures (excluding pipe or culverts):

- (i) Stormwater Management Facilities having a depth, including freeboard, greater than or equal to four (4) feet shall be fenced and have a ten-foot wide lockable gate for entrance and maintenance. The fence shall be a minimum of four (4) feet in height and shall be of the vinyl-coated chain link, decorative, or wooden privacy type. If the side slopes are 3 (horizontal) to 1 (vertical) or flatter, then safety benches with an average width of 15 feet may be used in lieu of a fence. If side slopes are 4 (horizontal) to 1 (vertical) or flatter, then a fence will not be required.**

2.

All other remaining provisions of Section 7.5-66 are to remain as is and the replacement subparagraph herein is to be made part of the permitted uses in Section 7.5-66.

3.

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

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____
SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
MEREDITH ULMER, CITY CLERK

D. Contracts/Agreements

1. Right of Entry Permit and Agreement

Mr. Grove stated this is a Right of Entry to the Douthit Ferry Road property for D3S, LLC, its agents, contractors and subcontractors, for the purpose of grading approximately one

acre of land. It will allow the developer, David Sinclair, to encroach onto some park property.

A motion to approve the Right of Entry Permit and Agreement was made by Council Member Stepp and seconded by Council Member Tate. Motion carried unanimously. Vote 4-0.

2. Williams/Transco Environmental Study

Gary Riggs, Gas Department Head stated an environmental study is needed for the 6" Expansion of the Natural Gas Main from the Williams/Transco Delivery Point to the Brown Farm Road Regulating Station. The proposal is broken down into two parts due to Georgia Power's request not to access their property until the pending license agreement is in place. The total for this environmental study performed by Tupelo Ecological Aspects, Inc. of Rome, Georgia is \$6,750.00.

Mr. Riggs recommended the City award this proposal to Tupelo Ecological Aspects, Inc. of Rome, Georgia in the amount of \$6,750.00 and execute the two-part proposal documents.

A motion to approve the Williams/Transco Environmental Study was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 4-0.

3. Williams/Transco Environmental Site Assessment Phase 1

Mr. Riggs stated Williams/Transco requires a Phase 1 Environmental Site Assessment for the proposed location of the Dalton Expansion Delivery Point. The quote for this study from Tupelo Ecological Aspects, Inc. is \$2,500.00. Mr. Riggs recommended that the City award this proposal to Tupelo Ecological Aspects, Inc.

A motion to approve Williams/Transco Environmental Site Assessment Phase 1 was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 4-0.

E. Public Hearing

1. Creation of Business Improvement District

Lillie Read, Downtown Development Authority Manager came forward and stated an ordinance for renewal for the creation of the Business Improvement District (BID) would be coming before Council soon, but a public hearing is in order first. Mayor Santini opened the floor for public comment. No one came forward to speak for or against the renewal to create the BID. Mayor Santini closed the public hearing. The ordinance will come before Council for a first hearing.

F. Bid Award/Purchases

1. Transformer Maintenance Contract

Don Hassebrock, Electric Department Head stated in 2016, ECG awarded a 3 year contract for Pad Mounted Equipment Inspection and Maintenance to Southeast Wood Pole Inspectors, Inc. (SWPI). SWPI was awarded the contract because of their low cost and dependable record of service. Mr. Hassebrock stated the department used SWPI for over eight years and had found their quality of work and workmanship very satisfactory. For the reasons stated the department would ask Council for permission to sign a two-year contract with Southeast Wood Pole Inspectors with a not to exceed price of \$30,000 in either of the contract years. A two-year contract would allow the contract to align with the next ECG 3-year bid cycle starting in July 2018. This work is a budgeted item.

A motion to approve the Transformer Maintenance Contract was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0.

2. MV-90 Metering License & Support Renewal

Mr. Hassebrock stated the Electric Department uses the Itron MV-90 System for remote data collection and billing information for our larger customers. The department annually renews the Software and Maintenance Support with Itron. Itron is the sole source provider of this software. Because of an increase in the number of meters on our larger customers the department needs to increase the tiered support from 0-50 meters to 51-100 meters. The Electric Department asked that Council approve the new agreement for the support of 51-100 meters and for the payment of \$17,640 to Itron for the License and Maintenance updates. This item is budgeted in fiscal year 2017 – 2018.

A motion to approve MV-90 Metering License & Support Renewal was made by Council Member Stepp and seconded by Council Member Tate. Motion carried unanimously. Vote 4-0.

3. Tree Trimming Contract

Mr. Hassebrock stated Electric Cities of Georgia (ECG) bids the Tree Trimming and Right-of-Way Clearing service contracts and awards a 3 year contract to the lowest, qualified bidder. The low bidder was awarded this 3 year contract for 2016 through 2018. The contract was awarded to Trees Unlimited. The Electric Department signed a contract in 2016 with Trees Unlimited. Trees Unlimited is located in Cave Springs, Georgia and has been doing work for Cartersville for over eight years. Their quality of work has been good with few customer complaints. The Electric Department has budgeted \$98,900 in Fiscal Year 2017 – 2018 for Tree Trimming and Right-of-Way clearing. The Electric Department recommended Council approve Trees Unlimited to continue with their Tree Trimming Contract for FY17-18, not to exceed \$98,900.

A motion to approve the tree trimming contract with Trees Unlimited was made by Council Member Cooley and seconded by Council Member Tonsmeire. Motion carried

unanimously. Vote 4-0.

4. Bid - #17-005 Dellinger Park Concrete Pads

Greg Anderson, Parks and Recreation Department Head stated bids were solicited for concrete forming, pouring, finishing for Dellinger Park softball fields 4, 5 and 6. Cartersville Parks and Recreation is providing concrete and aggregate for the project. The bleacher and scorer's stand pads are part of the renovation. Public Works is pouring the concrete pads for fields 1, 2 and 3 which enables bond dollars to be enhanced. All required documentation has been received. Mr. Anderson recommended the low bid of \$14,000.00 from Skene Concrete Inc. for Bid #17-005.

A motion to approve the Skene Concrete Inc Bid for the Dellinger Park Concrete Pads was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0.

5. Gymnastics Competition Floor Carpet

Mr. Anderson stated bids were solicited for the replacement of carpet for the competition floor at the Cartersville Gymnastics Center. This project is being funded with a donation from the Cartersville Twisters Booster Club. Mr. Anderson recommended the low price from The Equipment Guy, Marietta GA for a total of \$7,110.00.

A motion to approve the Gymnastics Competition Floor Carpet was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 4-0.

6. New Fire Truck

Chief Scott Carter, Fire Department stated he would like to respectfully request permission to order and purchase a new fire truck as budgeted in the Fiscal Year 2017 to 2018. This truck would be a Pierce Velocity identical to the same trucks purchased in 2013. It would replace a 1996 Pierce Saber that will be declared surplus and sold once the new truck arrives. This truck has met all construction criteria of single source provider and Detroit Drivetrain per Cartersville Fire and Cartersville City Garage specifications. The purchase of this truck will utilize the competitive bidding process through the Florida Sheriffs Association contract pricing.

After negotiated discounts, the total price of this truck is \$509,420.00 if full payment is received upon final acceptance. This amount can be decreased by an additional \$23,577.00 if the City prepays at the time of order. This would bring the total cost of this truck down to \$485,843.00. In order to do this, the department included in the contract a penalty clause of \$100.00 per day for failure to deliver this truck within the current fiscal year and a 100% performance bond will also be issued to protect the investment of our City. It will take 11 months from time of order to construct this new fire truck. Chief Carter asked for approval of a contract in the prepaid amount of \$485,843.00, prepaid to Ten-8 Fire and Safety and Pierce Fire Apparatus. Staff will come before Council in the Spring of 2018 if approved. Chief Carter stated

trade in value was \$5,000, but he believes he can get a better deal selling it to another jurisdiction. This is a budgeted lease pool project and below our budgeted amount.

A motion to approve the New Fire Truck through lease pool was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0.

7. Plan Scanner and Copier

Mr. Randy Mannino, Planning and Development Department Head stated the department utilizes a full size plan scanner and copier for reproduction, distribution, and storage of construction drawings. This equipment is vital for us to be able to get this information to all of the departments involved in the development and construction process which includes all utility departments. The current Xerox equipment is no longer serviceable as Xerox is no longer in the large format scanner and printer business. Two quotes were obtained, and it is recommended to go with the low quote from Repro Products of \$13,498 which also includes 3 years of maintenance. Repro is the current vendor and the department has received excellent service on our Xerox equipment. This is a budgeted item.

A motion to approve the Plan Scanner and Copier was made by Council Member Cooley and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0.

8. Felton Road Water Line

Bob Jones, Water Department Head stated the Water Department needs to relocate a section of water line that is in conflict with DOT road improvements being constructed by C.W. Matthews at the intersection of Tennessee Street and Felton Road. The line is in DOT right-of-way and must be relocated at City expense. The project will consist of the installation of 340 linear feet of 8 inch ductile iron water main, 20 linear feet of 6 inch water main, two new fire hydrant assemblies and one new mainline valve. Bids were received for the required work from the following: KAM Contracting \$54,965.00; T.J. Lyle & Company \$57,800.00; Kirkpatrick and Sons \$63,339.01.

Mr. Jones recommended approval of the KAM Contracting bid in the amount of \$54,965.00. The project will be paid through the Hwy 41/411 Water Main Relocation account. This is not a budgeted item.

A motion to approve the Felton Road Water Line was made by Council Member Cooley and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0.

G. Change Order

1. Interceptor Manhole Rehabilitation Fiscal Year 2017 to 2018

Mr. Jones stated that on April 20, 2017 Council approved Mechanical Jobbers to rehabilitate sewer interceptor manholes per the unit prices detailed in their bid submitted on

April 12, 2017. Since authorization, Mechanical Jobbers has repaired all but three of the designated manholes under that contract at the time of this writing. Mechanical Jobbers have worked judiciously and produced a consistently superior product at each location.

In Fiscal Year 2017 to 2018 budget \$100,000 has been allocated to combat inflow and infiltration caused by leaking defective manholes. Mechanical Jobbers has agreed to hold their April 12, 2017 unit pricing and continue working. Doing so will allow us to avoid mobilization charges and other inefficiencies in the bidding process.

Mr. Jones recommended approval of a change order to the existing contract with Mechanical Jobbers in the not to exceed amount of \$75,000 to allow them to continue repairing interceptor manholes without interruption. This level of funding will allow the repair of an additional 30 to 40 manholes. The project is a budgeted item and will be paid from the Sewer Inflow and Infiltration Study & Remodeling account.

A motion to approve the Interceptor Manhole Rehabilitation in an amount not to exceed \$75,000 was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0.

Council Member Stepp made a motion to add 2 items to the agenda. The motion was seconded by Council Member Cooley and the motion carried unanimously. Vote 4-0.

Added Items:

1. County Wide Safety Plan

Mr. Riggs came forward and stated the Georgia Public Service Commission requires a safety plan to be adopted county wide by July 12. Mr. Riggs respectfully requested approval of this safety plan pending review of the City Manager, City Attorney, and City Gas Department.

Motion to approve the Safety Plan pending review by the City Manager, City Attorney and City Gas Department was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 4-0.

2. Appointment

Mr. Grove stated he would like to formalize Tamara Brock as an Assistant City Manager and recommended Council approval of this appointment.

Motion to approve the appointment of Tamara Brock as Assistant City Manager was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 4-0.

H. Presentations

1. Citizen Survey Results

Mr. Grove presented a portion of the results from the recently completed Citizen Survey regarding Community Aspects, Aspects of Governance and Participation Aspects. Full results are available on the City of Cartersville website.

Council Member Tate and Mayor Santini thanked all City departments for their hard work during the City Independence Day celebration held at Dellinger Park.

After announcements a motion to adjourn the meeting was made by Council Member Stepp and needing no second. Motion carried unanimously. Vote 4-0.

Meeting Adjourned

/s/ 
Matthew J. Santini
Mayor

ATTEST:

/s/ 
Meredith Ulmer
City Clerk

