City Council Meeting
10 N. Public Square
February 16, 2017
6:00 P.M. – Work Session
7:00 P.M. – City Council

I. Opening Meeting

Invocation by Council Member Tonsmeire

Pledge of Allegiance led by Council Member Wren

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; Lindsey McDaniel 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.

Absent: Kari Hodge; Ward One

II. Regular Agenda

A. Council Meeting Minutes

1. February 2, 2017 Minutes

A motion to approve the February 2, 2017 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Wren. Motion carried unanimously. Vote 5-0

B. Second Reading of Ordinances

1. Second Reading of Ordinances

John Dooley, Key Accounts Manager came forward and stated due to the rise of distributed generation, solar energy, interconnection request the electric department is proposing to replace our current distributed generation riders with one that will recover our fixed cost that are associated with delivering power to the distributed generation customers.

A motion to approve the Distributed Generation Rider as made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0.

Ordinance no. 05-17

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 X. ELECTRIC SYSTEM. DIVISION 2. RESERVED is hereby amended by deleting said Division in its entirety and replacing them with the following:

DIVISION 2. DISTRIBUTED GENERATION RIDER.

Sec. 24-261. Distributed Generation Rider, DGR-1.

1.

(a) *Effective Date:* Bills rendered on or after January 19, 2017.

(b) *Availability:* Applicable to Customers in all areas served by the Cartersville Electric System (the Utility) and subject to its service rules, regulations, terms, policies and procedures, as amended from time to time, which are incorporated herein by this reference, and desiring to install a distributed generation facility. Customer account(s) must be in good standing.

(1) A distributed generation facility must:

(i) Be owned (or leased) and operated by an existing Customer for production of electric energy, and

(ii) Be connected to and/or operate in parallel with the Utility's distribution facilities, and

(iii)Be intended primarily to offset part or all of the Customer's generator's requirement for electricity, and

(iv)Have peak generating capacity of not more than 10 kW for residential applications and not more than 125% of actual or expected maximum annual peak demand of the premise for commercial applications.

(v) Be installed on the customer side of the meter.

(c) *Monthly Metering Charge:*

(1).. Bi-Directional Metering Charge $2.5

OR

(2).. Single Directional

(i) .... Single-Phase $4.5

(ii) .... Poly-phase... $11.(

(3) The City of Cartersville Electric System will install single directional metering or bi-directional metering depending on the Customer's method of installation. All installed costs for metering and associated equipment will be paid by the Customer at the time service is initiated under this policy.

(4) Bi-directional metering is defined as measuring the amount of electricity supplied by the Utility and the amount fed back to the Utility by the Customer's distributed generation facility during the billing period using the same meter. Bi-directional metering shall be used where distributed generation facilities are connected to the Utility on the Customer's side of the Customer's meter.

(5) Single directional metering shall be defined as measuring electricity produced or consumed during the billing period, in accordance with normal metering practices. Single directional metering shall be used where distributed generation facilities are connected to the Utility's distribution system on the Utility's side of the Customer's meter.

(d) *Monthly Capacity Cost*: The Utility requires each Customer with a distributed generation facility to pay the monthly Stand-By Capacity charges based on the installed Nameplate Capacity Rating (in kW) of the Customer's system.

(1)	Residential	$8.0
(2)	Commercial Non-Demand	$11.
(3)	Small Power	$13.
(4)	Medium Power	$13.
(5)	Large Power	$14.
(6)	Extra Large Power	$15.
(7)	Medium Economic Development	$17.

(e) *Payment for Energy:*

(1) Bi-directional metering

(i) When electricity supplied by the Utility exceeds electricity generated by the Customer's distributed generation, the electricity shall be billed by the Utility in accordance with the applicable tariff(s).

(ii) When electricity generated by the Customer's distributed generation system exceeds electricity supplied by the Utility, the Customer shall be billed for the customer charges as described in the standard rate for that billing period and credited for excess kWh generated during the billing period at the Utility's avoided energy cost.

(2) Single directional metering

(i) For kWh's generated by Customer's distributed generation facility, Customer shall be compensated at the Utility's avoided cost of energy (kWh) as determined by the Utility. The Utility will only compensate Customer for avoided energy kWh's as determined by metered energy delivered to the Utility's distribution system.

(ii) The Customer's net bill will be calculated using the Utility calculation for avoided energy cost (as described below) credited to the Customer, netted against the billing period charges for the Customer's regular service (according to the applicable tariff) based on actual metered energy.

(3) Avoided Energy Cost

Payments by the Utility to the Customer for the billing period metered avoided energy kWh's will be computed by the Utility in its sole discretion based on the average monthly wholesale market price as determined by the Municipal Electric Authority of Georgia (MEAG Power), the Utility's Wholesale Energy provider.

(f) *Safety, Power Quality, and Interconnection Requirements:*

(1) The Customer shall be responsible for ensuring a safe and reliable interconnection with the Utility and all costs incurred therein. The Utility has available, upon request, the following documents that must be completed and approved in their entirety prior to interconnection by the Customer to the Utility's distribution system:

(i) Application for Interconnection of Distributed Generation Facility

(ii) Interconnection Agreement

(iii) Electrical Power Exchange Agreement

(2) The provisions in all documents outlined above are incorporated into this Tariff in their entirety. For the avoidance of doubt, Customer shall be deemed to have agreed to such provisions by applying for service under this Tariff.

(3) The Utility will only be required to purchase energy from eligible distributed generation facilities on a first-come, first-served basis until the cumulative generating capacity of all renewable energy sources from all Customers equals the percentage of the Utility's annual peak demand in the previous year as set forth in O.C.G.A. § 46-3-56(a). Additional energy may be purchased by the Utility at its sole discretion at a cost agreed to by it and the Customer provider. The Utility shall at no time be required to purchase energy from Customers in excess of amounts required by the DG Act.

(4) The Utility reserves the right to separate the Customer generator's equipment from City lines and facilities when, in the Utility's judgment, the continued parallel operation is unsafe or may cause damage to persons or property. Upon such separation, the Utility shall promptly notify the Customer generator so that any unsafe condition can be corrected.

Sections 24-262-265 Reserved.

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

C. Resolutions

1. Request for Festival Zone Approval for Downtown Events

Lillie Read, Downtown Development Manager came forward and presented events that the Downtown Development Authority has on the calendar. They are of varying sizes, some events have road closures associated with them. The Downtown Development Authority hosted over 20 successful events with alcohol last year and found that it improved turnout at our events significantly.

A motion to approve the 2017 Festival Zones for Downtown Events in 2017 was made by Council Member Tate and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0.

Resolution No. 03-17

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:

March 1	**Annual meeting; 6-8pm**
March 4	**Car Show; 4-8pm**
March 17/18	**Music for Pub Crawl; 7-9pm**
March 31	**Wedding; 3-7pm**
April 22	**Music and Car Show; 4-8:30pm**
May 6	**Car Show; 4-8pm**
May 13	**Art Market/Music/Taste of Cartersville; 12-7pm**
June 3	**Car Show; 4-8pm**
June 17	**Music Event; 7-10pm**
July 1	**Car Show; 4-8pm**
July 22	**Music Event; 7-10pm**
August 5	**Car Show; 4-8pm**
August 19	**Music Event; 7-10pm**
September 2	**Car Show; 4-8pm**
September 15/16	**Music Event for Pub Crawl; 7-9pm**
October 28	**Bluegrass Festival; 11:30-7:30**

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 Downtown Cartersville 2017 Events Calendar, 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 16th day of February 2017.

/s/___________________
Matt Santini
Mayor

ATTEST:

/s/___________________
Connie Keeling
City Clerk

D. Appointments

1. Confirmation of Downtown Development Authority Board Appointment

Lillie Read stated three candidates were interviewed for the DDA board and of those Michael Chitwood was chosen for recommendation to Council. Mr. Chitwood is a Cartersville native, owner of two businesses downtown, and has strong interests in developing the downtown district.

A motion to approve Michael Chitwood to the Downton Development Authority Board was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0.

E. Contracts and Agreements

1. Downtown Development Authority

Ms. Read presented a resolution to approve a Memorandum of Understanding with Sheet Metal Components for the Employment Incentive Program Grant through the Georgia Department of Community Affairs. Council signed an agreement to participate in the grant through Department of Community Affairs in December 2015. This resolution will allow the City to submit all Employment Incentive Program contract documents to the Department of Community Affairs in order to obtain the Employment Incentive Program Grant and enter into a Memorandum of Understanding with Sheet Metal Components. The resolution and Memorandum of Understanding has been reviewed by City Attorney Keith Lovell. Ms. Read stated she requests Council approval of the Memorandum of Understanding Resolution and the Employment Incentive Program Grant Resolution.

A motion to approve the Memorandum of Understanding Resolution and the Employment Incentive Program Resolution was made by Council Member Tonsmeire and seconded by Council Member Wren. Motion carried unanimously. Vote 5-0.

Memorandum of Understanding and Employment Incentive Program are available at the City Clerk's Office at 10 N Public Sq, Cartersville, GA 30120

2. Update to Water Department Agreement with Hawksley Consulting

Tamara Brock, Utility Accounts Manager came forward and stated last November Council approved the City enter into an agreement with Hawksley Consulting to explore various water billing structures throughout the United States. Since the time Council approved the agreement, Hawksley has been acquired by Stantec Consulting Services. Ms. Brock requested Council approve the assignment of the existing agreement and Task Order 1 in the name of Hawksley to Stantec Consulting Services. City Attorney Keith Lovell has reviewed the amended name documents and Task Order with no issues.

A motion to approve the change from Hawksley Consulting to Stantec Consulting Services was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0.

F. Resolutions

1. Administration

Ms. Brock stated this resolution is to approve a memorandum of understanding with Sheet Metal Components for the Employment Incentive Program Grant through the Georgia Department of Community Affairs. City Council signed an agreement to participate in the grant through the Department of Community Affairs in December 2015. This resolution will allow the City to submit all Employment Incentive Program contract documents to Department of Community Affairs in order to obtain the Employment Incentive Grant and enter into a Memorandum of Understanding with Sheet Metal Components. Ms. Brock requested Council approval.

Council Member Tonsmeire made a motion to approve the Memorandum of Understanding Resolution with Sheet Metal Components and Council Member Wren seconded the motion. Motion carried unanimously. Vote 5-0.

Resolution No. 04-17

ADOPTION RESOLUTION

CITY OF CARTERSVILLE

RESOLUTION

STATE OF GEORGIA
COUNTY OF BARTOW

WHEREAS, the Georgia Department of Community Affairs has notified the City of Cartersville and other general purpose governments that federal funds, managed by said state agency, are available to local governmental units under the Employment Incentive Program for the purpose of economic development projects that will result in employment of low and moderate income persons; and

WHEREAS, the purpose of said grant shall be construct public infrastructure including sewer, water and roadway infrastructure improvements to facilitate the expansion of Sheet Metal Components, Inc.; and

WHEREAS, the City of Cartersville is committed to working cooperatively with the Georgia Department of Community Affairs, multiple federal project participants, property owners and the citizens of Cartersville to implement the Project in accordance with federal and state guidelines as defined by Employment Incentive Program/Community Development Block Grant staff of the Georgia Department of Community Affairs in such a manner as to assure that the Project is developed, operated and maintained as a community asset designed to benefit current and future residents of the City of Cartersville; and

WHEREAS, the City of Cartersville deems the Project to be in the best interests of the citizens of Cartersville; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of Cartersville acting in his official capacity and on behalf of the Cartersville City Council is hereby authorized to submit EIP contract documents to the Georgia Department of Community Affairs in order to obtain said Employment Incentive Program Grant in order to perform those activities specified within this resolution; and

BE IT FURTHER RESOLVED, that the Mayor of Cartersville acting in his official capacity and on behalf of the Cartersville City Council is hereby authorized to enter into a Memorandum of Understanding with Sheet Metal Components, Inc., and is hereby authorized to submit or execute other construction or EIP grant related documentation as required in order to obtain said Employment Incentive Program Grant; and

BE IT FUTHER RESOLVED, that the City of Cartersville shall be committed to the operation and maintenance of infrastructure developed through the Grant resources herein specified as a part of its water/sewer inventory; and

BE IT FUTHER RESOLVED, that the Mayor of Cartersville is hereby authorized to submit or execute any and all documents as may be required to accompany said EIP contract and to provide the Georgia Department of Community Affairs any and all Support Documentation which is considered to be part of said contract or grant award process.

SO ADOPTED, this ____________________________day of _______________________ 2017.

ATTEST:	**CITY OF CARTERSVILLE, GEORGIA**
__________________________	**BY:** ________________________________
Meredith Ulmer, City Clerk	**Matthew J. Santini, Mayor**

G. Contracts/Agreement

1. Electrical Interconnection Agreement

Mr. Dooley came forward and stated the electrical customer at 191 Etowah Drive in Cartersville has installed a solar system and wishes to connect the system to Cartersville's electric grid. The agreement describes the conditions under which the City and the Owner agree that distributed generating facility may be interconnected and operated in parallel with the City's electric system. The customer has met the obligations of this agreement.

The Electric Department is asking council to approve an Interconnection and Power Exchange Agreement between the City and the customer at 191 Etowah Drive in Cartersville.

This agreement is available for viewing in the office of the City Clerk, 10 N. Public Square.

A motion to approve the Electrical Interconnection Agreement was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0.

2. Electric Department Green Energy Contract - Aquafil

Mr. Dooley stated Aquafil approached the City of Cartersville Electric Department requesting to buy Green Energy Certificates for their two plants in Cartersville. The Certificates state that the energy is produced by a Green Energy Source. The certificates will cover the total electrical consumption at both of their plants for 2016 and 2017. The purchase of the Certificates will allow Aquafil to advertise their status as a Green Company. To complete the total transaction, the City of Cartersville Electric Department will purchase these Green Energy Certificates from the Electric Cities of Georgia. Mr. Dooley stated the Electric Department is recommending approval.

A motion to approve the Electric Department Green Energy Contract between the City and Aquafil, and the purchase of the Green Energy Certificates from Electric Cities of Georgia was made by Council Member Wren and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0.

3. Green Energy Contract – Electric Cities of Georgia

Mr. Dooley stated to accommodate Aquafil's request for Green Energy Certificates the City needs to enter into a contract with Electric Cities of Georgia for the purchase of these certificates. The Electric Department is recommending approval of the agreement between Electric Cities of Georgia and the City of Cartersville.

A motion to approve the purchase of the Green Energy Certificates from Electric Cities of Georgia was made by Council Member Tonsmeire and seconded by Council Member Wren. Motion carried unanimously. Vote 5-0.

H. Bid Award/Purchases

1. Electric Department Meter Testing

Mr. Dooley stated City Electric annually has a third party contractor check the accuracy of the meters of our larger industrial and commercial customers. We test approximately 60 meters annually. Two years ago we signed a contract with M&R Services for this service. The contract will automatically renew for successive one year terms unless either party gives written notice to terminate. At the time we signed the contract M&R Services was the low bidder. The contract prices have remained the same, $105 per meter, since signing the contract. The Electric Department recommends that council approve M&R Services continuing with our meter testing in 2017 for the total price of $6,300.00.

A motion to approve Electric Department Meter Testing was made by Council Member Tonsmeire and seconded by Council Member Wren. Motion carried unanimously. Vote 5-0.

2. Compact Excavator Bids – Gas Department

Gary Riggs, Gas Department Head came forward and stated City Gas requested and received eleven bids for a compact excavator. The low bid was $65,440 from Bobcat of Atlanta. We recommend accepting the low bid and using lease pool for financing.

A motion to approve the Compact Excavator bid from Bobcat of Atlanta was made by Council Member Stepp and seconded by Council Member Wren. Motion carried unanimously. Vote 5-0.

3. N. Erwin Street Water Main – Phase III Connection

Bob Jones, Water Department Head came forward and stated the N. Erwin Street Water Main Phase III project will complete a replacement program of some of the oldest water pipe in our system. An additional benefit to the project will be greater feed volume to the Cassville Road area. Mr. Jones stated the Phase III Connection should enhance feed volume to the 10 inch connection on Goodyear Avenue which supplies virtually all of Cassville Road north of the railroad underpass at ATCO.

A total of seven bids were received for the project and publicly opened and after evaluation of all bids, the design engineering firm Sweitzer Engineering recommends award to Georgia Development Partners in the amount of $395,364.80. Mr. Jones stated he agreed with their recommendation and requests your approval. This is a budgeted project.

A motion to approve the N. Erwin Street Water Main Phase III was made by Council Member Tate and seconded by Council Member Wren. Motion carried unanimously. Vote 5-0.

I. Grant Application/Acceptance

1. Community Development Block Grant Application Resolution

Mr. Jones stated this resolution authorizes the Mayor to apply for a Community Development Block Grant. The funds, if approved, will be used to partially fund the first of a multiphase plan for replacing water mains in the ATCO Village area. Many of these water lines are original to the village and date back to 1910. The total cost for this phase is estimated to be $1,200,000 depending on the final route and design. Mr. Jones stated he recommends approval the resolution for the purpose of funding this project.

A motion to approve the Community Development Block Grant Application Resolution was made by Council Member Wren and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0.

CITY OF CARTERSVILLE

FY2017 CDBG APPLICATION

RESOLUTION 05-17

WHEREAS, the Georgia Department of Community Affairs has established the Community Development Block Grant program to assist cities and counties with improvements to public facilities, economic development, and housing in Georgia, and

WHEREAS, there exists in the City of Cartersville a need to provide water improvements in the City's FY2017 CDBG Target Area,

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council that the City supports the application for FY2017 CDBG funds and that the City will apply for these funds for water improvements in the City's FY2017 CDBG Target Area. The City commits to the required cash match for the project, $1,000 cash for the required audits and all additional cash and/or in-kind services needed to complete the project over the grant amount.

BE IT FURTHER RESOLVED that the Mayor is authorized and directed to act as the official representative of the City, to act in connection with the application, to be responsible for compliance with the applicable state and federal requirements of the program, and to provide such additional information as may be required;

BE IT FURTHER RESOLVED that the Mayor is authorized to enter into agreements for engineering and grant administration services relating to the application and subsequent grant (if funded) and to execute the application and other required documents on behalf of the City including the grant award package (if funded);

BE IT FURTHER RESOLVED that the City commits to own, operate, and maintain all proposed improvements;

BE IT FURTHER RESOLVED that the City hereby adopts the Citizen Participation Plan of the Georgia Department of Community Affairs to ensure public involvement in the CDBG process;

BE IT FURTHER RESOLVED that the City hereby acknowledges that the proposed project is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 170lu (Section 3) and in accordance with DCA's Section 3 Policy for Covered HUD Funded Activities, dated November 1, 2013, will to the greatest extent feasible, comply with all Section 3 requirements;

BE IT FURTHER RESOLVED that the City hereby acknowledges that the proposed project is subject to the requirements of Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, Section 104(b)(2) of the Housing and Community Development Act of 1974, as

amended, and Section 105(b)(3) of the National Affordable Housing Act of 1990 (NAHA). The City hereby commits to Affirmatively Furthering Fair Housing to the greatest extent feasible.

BE IT FURTHER RESOLVED that the City hereby acknowledges that the proposed project is subject to the requirements of Section 504 of the Rehabilitation Act of 1973, as amended, Title II of the Americans with Disabilities Act of 1990 (ADA), Title VI of the Civil Rights Act of 1964 and Executive Order 13166 (LAP), and the Architectural Barriers Act of 1968. The City hereby commits to comply with all Section 504 requirements to the greatest extent feasible.

BE IT FURTHER RESOLVED that the proposed water improvements are in conformance with the City's Comprehensive Plan and are not inconsistent with the City's Service Delivery Strategy;

BE IT FURTHER RESOLVED that a true and dedicated commitment has been made to the project for the successful completion of the above improvements for the citizens, especially the City's low-to-moderate income citizens;

BE IT RESOLVED this ___ day of _______________, 2017.

____

MAYOR

CERTIFICATION

I do hereby certify that the foregoing is a true and correct copy of the Resolution duly adopted by the City of Cartersville the date so stated in said Resolution. I further certify that I am the City Clerk and that said Resolution has full force and effect the ____ day of _____________, 2017.

ATTEST: **(SEAL)**

____

CITY CLERK

J. Bid Award/Purchases

1. Architectural & Engineering Services for Gas Department and Other City Facilities

Dan Porta, Assistant City Manager came forward and stated the city issued a Request for Proposal for Architectural and Engineering Services for the Gas Department and Other City Facilities that are to be constructed on Old Mill Road. Four architectural engineering firms submitted proposals for this work. A seven member Review Committee reviewed the four proposals and preliminary scored the firms and had interviews with two firms to gather additional information about the companies.

The Review Committee felt that the proposal from Pond & Company was in the best interest of the city as they have all of the key personnel all under one company which should make a seamless process on getting the plans completed that will tie in the buildings, gas storage area, fueling operation and recreation pond that will serve our staff and look nice for Old Mill Road residents. Therefore, the Review Committee recommends Pond & Company as the architectural/engineering firm for the city's facilities on Old Mill Road.

Council Member Stepp made a motion to approve the contract with Pond & Company and Council Member Wren seconded the motion. Motion passed unanimously. Vote 5-0.

Council Member Tate made a motion to add 4 items to the agenda and Council Member Tonsmeire seconded the motion. Motion passed unanimously. Vote 5-0.

2. Old Mill Road Boundary & Topographical Surveys

Mr. Porta stated the City received proposals from companies to have a boundary survey of the city property on Old Mill Road and a topographic survey including all city utilities. These surveys are needed as the City proceeds forward with working with the architectural firm and contractor. Bill Smith has provided a total cost of $13,100 for both of these surveys and Mr. Porta recommend approval of this expenditure.

A motion to approve the Topographical Survey Expenditure was made by Council Member Tate and seconded by Council Member Wren. Motion carried unanimously. Vote 5-0.

K. Other

1. General Release and Indemnity Agreement

Mr. Porta stated Terry P. Jordan and Patricia S. Jordan have signed the General Release and Indemnity Agreement in the amount of $3,000.00 that was prepared by the City Attorney. This item has previously been discussed with the City Council and is ready for approval.

Motion to approve the General Release and Indemnity Agreement was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0.

Motion to add 4 items to the agenda was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0.

L. Resolutions

1. Kenneth Robert Lynch

Keith Lovell, Assistant City Attorney stated there was an unfortunate accident on I75 in Emerson with injuries of all occupants. The City has received ante litem notices from the

Lynch's attorneys. After reviewing all details and facts of the incident, Mr. Lovell stated he did not believe the City was liable and recommended denying all claims.

Council Member Tate made a motion deny the alleged claim from Kenneth Robert Lynch and Council Member Tonsmeire seconded the motion. Motion carried unanimously. Vote 5-0.

RESOLUTION NO. 06-17

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, GEORGIA

WHEREAS, on or about January 31, 2017, the City of Cartersville received an Ante Litem Notice from Montlick & Associates, P.C. concerning Mikayla Lynch's, a minor, by and through her parents, Kenneth Robert Lynch and Jasica Benton-Lynch, alleged claim against the City relating to injuries resulting from an incident which occurred on or about August 7, 2016.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and City Council that the City of Cartersville denies the Ante Litem Notice claim submitted as referenced above based on the information currently available to it, and directs the City Attorney's Office to inform Montlick & Associates, P.C. of said denial.

BE IT AND IT IS HEREBY RESOLVED this ____ day of February, 2017.

/s/________________________
Matthew J. Santini, Mayor
City of Cartersville, Georgia

ATTEST:

/s/________________________
Meredith Ulmer, City Clerk
City of Cartersville, Georgia

2. Arianna Lynch

Mr. Lovell stated he recommended the denial of the alleged claim in regards to Arianna Lynch, a minor and daughter of Kenneth Robert Lynch and Jasica Benton-Lynch.

Motion to deny claim in regards to Arianna Lynch was made by Council Member Tonsmeire and seconded by Council member Tate. Motion carried unanimously. Vote 5-0.

RESOLUTION NO. 07-17

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, GEORGIA

WHEREAS, on or about January 31, 2017, the City of Cartersville received an Ante Litem Notice from Montlick & Associates, P.C. concerning Arianna Lynch's, a minor, by and through her parents, Kenneth Robert Lynch and Jasica Benton-Lynch, alleged claim against the City relating to injuries resulting from an incident which occurred on or about August 7, 2016.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and City Council that the City of Cartersville denies the Ante Litem Notice claim submitted as referenced above based on the information currently available to it, and directs the City Attorney's Office to inform Montlick & Associates, P.C. of said denial.

BE IT AND IT IS HEREBY RESOLVED this ____ day of February, 2017.

/s/____________________________
Matthew J. Santini, Mayor
City of Cartersville, Georgia

ATTEST:

/s/________________________
Meredith Ulmer, City Clerk
City of Cartersville, Georgia

3. Mikayla Lynch

Mr. Lovell stated he recommended Council deny the alleged claim in regards to Mikayla Lynch, also a minor and daughter of Kenneth Robert Lynch and Jasica Benton-Lynch.

A motion to deny claim in regards to Mikayla Lynch was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0.

RESOLUTION NO. 08-17

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, GEORGIA

WHEREAS, on or about January 31, 2017, the City of Cartersville received an Ante Litem Notice from Montlick & Associates, P.C. concerning Mikayla Lynch's, a minor, by and through her parents, Kenneth Robert Lynch and Jasica Benton-Lynch, alleged claim against the City relating to injuries resulting from an incident which occurred on or about August 7, 2016.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and City Council that the City of Cartersville denies the Ante Litem Notice claim submitted as referenced above based on the information currently available to it, and directs the City Attorney's Office to inform Montlick & Associates, P.C. of said denial.

BE IT AND IT IS HEREBY RESOLVED this ____ day of February, 2017.

/s/________________________
Matthew J. Santini, Mayor
City of Cartersville, Georgia

ATTEST:

/s/____________________
Meredith Ulmer, City Clerk
City of Cartersville, Georgia

4. Jasica Benton-Lynch

Mr. Lovell stated he recommended Council deny the alleged claim from Jasica Benton-Lynch.

Motion to deny the alleged claim from Jasica Benton-Lynch was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 5-0.

RESOLUTION NO. 09-17

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, GEORGIA

WHEREAS, on or about January 31, 2017, the City of Cartersville received an Ante Litem Notice from Montlick & Associates, P.C. concerning Jasica Benton-Lynch's alleged claim against the City relating to injuries resulting from an incident which occurred on or about August 7, 2016.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and City Council that the City of Cartersville denies the Ante Litem Notice claim submitted as referenced above based on the information currently available to it, and directs the City Attorney's Office to inform Montlick & Associates, P.C. of said denial.

BE IT AND IT IS HEREBY RESOLVED this ____ day of February, 2017.

/s/_______________________
Matthew J. Santini, Mayor
City of Cartersville, Georgia

ATTEST:

/s/_____________________
Meredith Ulmer, City Clerk
City of Cartersville, Georgia

M. Monthly Financial Statement

Tom Rhinehart, Finance Department Head came forward and compared the financial statement from December 2016 to the financial statement from December 2015. Mr. Rhinehart discussed differences in each fund and went over City's cash position report. Mr. Rhinehart also stated the City is waiting for a refund from the Georgia Municipal Association.

A motion to adjourn the meeting was made by Council Member Wren and needing no second. Motion carried unanimously. Vote ___________

Meeting Adjourned

/s/ Matthew J. Santini
Matthew J. Santini
Mayor

ATTEST:

/s/ Meredith Ulmer
Meredith Ulmer
City Clerk