City Council Meeting
10 N. Public Square
January 19, 2017
6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member Tonsmeire

Pledge of Allegiance led by Council Member Hodge

The City Council met in Regular Session with Matt Santini, Mayor presiding and the following present: Kari Hodge, Council Member Ward One; 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.

Jayce Stepp, Council Member Ward Two was absent.

II. Regular Agenda

A. Council Meeting Minutes

1. January 5, 2017

A motion to approve the January 5, 2017 City Council Meeting Minutes with the correction to the Revision to Municipal Court Ordinance was made by Council Member Tate and seconded by Council Member McDaniel. Motion carried unanimously. Vote 5-0.

B. Second Reading of Ordinances

1. Alcohol Ordinance Amendment – Distance from MU for Retail Sales

Randy Mannino, Planning and Development Department Head came forward and stated this proposed amendment stemmed from the rehabilitation of the old "Wheeler" building which is a multi-tenant strip retail center located along North Bartow Street. The owner of the property has a prospective tenant who would like to open a convenience store in one of the vacant spaces which would include beer and wine. The surrounding properties are zoned Multiple Use. Mr. Mannino stated this is a commercial district and a residential district. The applicant has already proposed a minimum 100 foot separation from a residence in the Multiple Use district which is similar to the requirements for residences in the Downtown Business District. Mr. Mannino stated this amendment has been recommended by the Alcohol Control Board.

A motion to approve the Alcohol Ordinance Amendment was made by Council Member Hodge and seconded by Council Member McDaniel. Motion carried unanimously. Vote 5-0.

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 04-17

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 4. ALCOHOLIC BEVERAGES ARTICLE I. IN GENERAL. Division 4. Premises Restrictions. Sec.4-109. Distance Requirements (b)(3) is hereby amended by deleting said Section Sec. 4-109(b)(3) in its entirety and replacing it with the following:

1.

Sec.4-109. Distance Requirements

(b)(3) No retail dealer's license shall be granted to any person for any proposed location of a retail package store which is within one hundred (100) feet of any private residence which is located within a nonresidential city zoning district. The distance shall be measured in all directions from the nearest wall enclosing the proposed premises where distilled spirits are to be sold to the nearest point of any residential property line within the city; provided, however, the distance from the rear of the premises of a licensee to the property line of any residence may be reduced to not less than fifty (50) feet, if the licensee installs and maintains a buffer in accordance with the City of Cartersville Zoning Ordinance section 4.17 or a fence not less than six (6) feet in height, nor more than eight (8) feet in height. Notwithstanding anything to the contrary in this Ordinance, and only for purposes of this Section 4-109, a multi-use zoning district shall be considered a nonresidential city zoning district and any proposed location of a retail package store shall be no less than one hundred (100) feet to any private residence The zoning administrator shall determine if a fence or planted buffer is appropriate in light of the surrounding property and applicable zoning districts and standards. Once the zoning administrator has made his/her determination, the request is to be forwarded to the alcohol control board for their review and approval, approval with conditions or rejection based on the following standards.
a. Visual and lighting impact on surrounding properties.
b. Surrounding property uses.
c. Noise impact on surrounding properties.
d. Location of dumpsters, loading areas, and drive and parking configuration.

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: January 5, 2017
SECOND READING: January 19, 2017

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MATTHEW J. SANTINI, MAYOR

ATTEST: ______________________________
MEREDITH ULMER, CITY CLERK

C. Resolutions

1. Time Change for Civic Youth Day March 16, 2017

Sam Grove, City Manager stated this is an annual occurrence allowing Council to accommodate Civic Youth Day. Civic Youth Day is scheduled for March 16, 2017 at 9AM. The City Council meeting on March 16, 2017 needs to be changed from 7PM to 9AM.

A motion to approve the Time Change for Civic Youth Day was made by Council Member Tate and seconded by Council Member Wren. Motion carried unanimously. Vote 5-0.

D. Contracts/Agreements

1. Engineering Services Agreement – G. Ben Turnipseed

Bob Jones, Water Department Head came forward and stated in June of 2016 the City was approved for an Appalachian Regional Commission grant in the amount of $300,000 for the replacement of aging and undersized water mains in the downtown area. Mr. Jones stated the department has completed the preliminary administrative process and has been approved to start using grant funds. The first step is to execute the engineering services agreement with G. Ben Turnipseed Engineers in order for them to begin design of the project. Mr. Jones added this was contingent upon the language to the attorney's satisfaction and it is recommended for your approval.

A motion to approve Engineering Services Agreement with G. Ben Turnipseed was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0.

E. Bid Award

1. Downtown Water Main Replacement – Phase I Design

Bob Jones stated G. Ben Turnipseed Engineers has submitted a design proposal for services related to the Downtown Water Main Replacement Phase I. Installation of these lines will allow us to abandon approximately 1,300 feet of 100 year old pipe.

Mr. Jones stated G. Ben Turnipseed Engineers has proposed a fee not to exceed $54,000 for services through construction per their letter proposal dated January 5, 2017. Mr. Jones recommended approval of G. Ben Turnipseed Engineers for design of this project and stated this is a budgeted project.

A motion to approve the Water Department bid to G. Ben Turnipseed was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0.

2. Replacement of High Service Pumps 1 and 2 – Construction Bid Award

Bob Jones stated bids for replacement of High Service Pump 1 and High Service Pump 2 were read in public on December 1, 2016. Two bids were received from a group of seven prequalified general contractors with extensive experience completing similar projects. Mr. Jones recommended the award go to SOL Construction, LLC in the amount of $1,531,045.00. Mr. Jones stated this project was budgeted in the amount of $1,200,000.00. The additional cost will be funded by reallocating funds from various other projects.

A motion to approve the Replacement of High Service Pumps 1 and 2 was made by Council Member Wren and seconded by Council Member McDaniel. Motion carried unanimously. Vote 5-0.

3. WPCP 400Kw Generator Radiator Repair

Bob Jones stated the 400kw generator at the Water Pollution Control Plant has a bad radiator. Without backup power, an outage will cause a bypass of untreated sewage to the Etowah River. Mr. Jones recommended approval of the Cummins Power South bid for $7,957.00. This item will be paid from the Maintenance to Water Pollution Control Plant account.

A motion to approve the Water Pollution Control Plant 400k Generator Radiator Repair was made by Council Member Wren and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0.

4. Apex Drive Water Main

Bob Jones stated the Department of Transportation road improvements to the Highway 41/411 interchange have added several feet of fill dirt the Apex Drive area in addition to extensive changes in road alignment. As a result of those changes there is a need to install approximately 1,300 linear feet of water main to service the area. Mr. Jones stated bids were received on January 5, 2017 for the project and he recommended C.H. Kirkpatrick with $79,699.36. Mr. Jones stated this is a budgeted project.

A motion to approve the Apex Drive Water Main was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0.

5. Everbridge – Mass Communications System

Rebecca Bohlander, Communications and Public Relations Manager stated the City had an invoice for the renewal of the mass communication system with Everbridge. The total is $6,825.00 and it is a budgeted item.

A motion to approve payment for the Everbridge Mass Communications System was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0.

6. Optical Time Domain Reflectometer

Dan Porta, Assistant City Manager came forward and stated the Optical Time Domain Reflectometer is essential for fiber damage and quality testing. Mr. Porta stated the current unit we have is over 8 years old and damaged. The Optical Time Domain Reflectometer unit selected will be able to troubleshoot all the types of fiber that we currently have in use and is available through Graybar at a cost of $9,866.59 and is recommended for your approval. Mr. Porta stated this is a budgeted item.

A motion to approve payment for the Optical Time Domain Reflectometer was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0.

F. Other

1. Sale of Real Property

Dan Porta, Assistant City Manager stated the city advertised for bids for the sale of 23.42 acres of property located on Douthit Ferry Road and one bid in the amount of $1,701,000 was received. This property was owned by the Cartersville School System and is being sold at their request. The Cartersville School Board has approved of the winning bid and recommends approval of the sale of this property to David Dial.

A motion to approve the Sale of Real Property was made by Council Member Wren and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0.

2. Georgia Public Web Authorized Member Representative

Dan Porta stated with the passing of Lamar Greeson, a new appointee needs to be made for the city's representation on the Georgia Public Web. Mr. Porta stated he is willing to serve as the city's appointee and recommends this for your approval.

A motion to approve Dan Porta as the Georgia Public Web Authorized Member

Representative was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0.

Council Member Wren made a motion to add 3 items to the agenda. Motion seconded by Council Member Tonsmeire.

3. Bid Rejection – Parks and Recreation

Greg Anderson, Parks and Recreation Superintendent came forward and stated he recommends Council reject all 3 bids received for the athletic fields. Mr. Anderson stated he would like to later reopen and modify the bids, because he thinks the criteria set was too narrow.

Council Member Tate made a motion to approve the rejection of all bids and seconded by Council Member Wren. Motion carried unanimously. Vote 5-0.

4. Extension of TRANSCO Line – Gas Department

Keith Lovell, Assistant City Attorney stated two items needed to be considered by City Council. Mr. Lovell stated this is in order to move forward with the extension of the new TRANSCO station for the Gas Department. The first item being a property acquisition agreement with BM & K Construction. The second, a survey agreement with Smith & Smith Surveying. Mr. Lovell stated both items are within budget and they are recommended for your approval.

Council Member Tonsmeire made a motion to approve both the agreement with BM & K Construction and the agreement with Smith & Smith Surveying. Motion carried unanimously. Vote 5-0.

G. Monthly Financial Report

Tom Rhinehart, Finance Department Head came forward and presented the January 2017 Monthly Financial Statement and with comparisons from last year by fund along with supplemental financial information comparing the year to date revenues and expenses for each fund and a report of cash position.

Mayor Santini announced the 2017 Visioning Session will be January 20th – 21st.

After announcements a motion to adjourn the meeting was made by Council Member Wren and needing no second. Motion carried unanimously. Vote 5-0.

Meeting Adjourned

/s/ [signature]
Matthew J. Santini

Mayor

ATTEST:

Meredith Ulmer

Meredith Ulmer
City Clerk