City Council Meeting
10 N. Public Square
January 21, 2016
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 Wren

The City Council met in Regular Session with Matt Santini, Mayor presiding and the following present: Kari Hodge, Council Member Ward One; Jayce Stepp, Council Member Ward Two; Louis Tonsmeire, Sr., Council Member Ward Three; Lindsey McDaniel Council Member Ward Four; Dianne Tate, Council Member Ward Five; Taff Wren, Council Member Ward Six; Sam Grove, City Manager; Connie Keeling, City Clerk and Keith Lovell, Assistant City Attorney. David Archer, City Attorney was absent.

II. Regular Agenda

A. Swearing in of Elected Officials

Mayor Santini stated that this is the swearing in of the officials elected in the November 3, 2015 General Election.

Connie Keeling, City Clerk administered the oath of office to Lindsey McDaniel, City Council Ward 4.

B. Council Meeting Minutes

1. January 7, 2016

A motion to approve the January 7, 2016 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

Mayor Santini stated that there was an item from a previous meeting on the table to be addressed at this meeting. A motion to remove the item from the table was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

C. Public Hearing – 2nd Reading of Zoning/Annexation Requests

1. File Z15-04: Rezoning application by TPA Group (Jeff Watkins, representative) for property located at 118 Old Mill Road (approximately 63.5 acres) from R-20 (Residential) to H-I (Heavy Industrial)

Randy Mannino, Director of Planning and Development, stated that this Zoning and Annexation request had no conflicts with the other City Departments and all adjacent property owners have been notified and the required legal notices have been advertised. Mr. Mannino stated that this property is located at 118 Old Mill Road on the south side of the road near the intersection with South Erwin Street. There are no structures on this section of property proposed for rezoning. The adjacent 17 acres to the east of the subject request was annexed and zoned to H-I zoning in 2008. The applicant seeks to rezone a 63.5 acre portion of the property from R-20 to H-I with conditions for development of the highest and best use based on the application. Mr. Mannino stated that because the applicant has noted that they are seeking up to a million square feet, the request met the threshold for requiring it to proceed through the States Development of Regional Impact (DRI) review process. The Northwest Georgia Regional Commission (NWGRC) did return a favorable recommendation noting the proposed project is consistent with local and regional plans, and encouraged to review and implement comments and guidelines presented. Mr. Mannino stated that since this application had been heard the applicant had requested to downgrade from H-I (Heavy Industrial) to L-I (Light Industrial) and both parties had negotiated conditions for the development.

Mayor Santini opened the floor for a public hearing. Jeff Watkins came forward and presented a copy of the conditions, a map of the property berm, and his constitutional objections (all of which are on file at the City Clerks Office). Betty Hayes, Ted Boon, Herb Upton, and Brandon Bowen came forward to speak against the zoning. With no further comments Mayor Santini closed the public hearing. Mayor Santini stated that because zoning requests must be heard in two consecutive meetings this would be considered the first reading and a decision would be made at the next City Council Meeting on February 4, 2016.

NO ACTION REQUIRED

D. Presentations

1. Fiscal Year 2015 Audit Presentation

Tom Rhinehart, City Finance Director introduced Tom Carmichael of Carr, Riggs, and Ingram LLC to present the 2015 Audit Report. Mr. Carmichael gave the city's audit an "Unqualified Opinion" which is the cleanest audit rating a city can receive.

E. Second Reading of Ordinances

1. Recreation Advisory Board – Ordinance Revision

Greg Anderson, Parks and Recreation Department Superintendent stated that for the Recreation Board, the ordinance had placed term limits on those serving. This is the only board in the city with such limits. To be uniform on all boards Mr. Anderson proposed removing the term limits from all boards. This ordinance corrects the term limits. Mr. Anderson stated that there have been no additions or corrections since the first reading and recommended approval

A motion to approve Ordinance No. 01-16 was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 01-16

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, that the Code of Ordinances, City of Cartersville, Georgia <u>CHAPTER 15. PARKS AND RECREATION, ARTICLE II. ADVISORY BOARD. Section 15-33 – Membership (b)</u> is hereby deleted paragraph (b) in its entirety and replacing it as follows:

1.

Sec. 15-33. - Membership.

(b) Terms. Six (6) members shall be appointed on a staggered basis for terms of four (4) years. The seventh member to be appointed by the mayor shall serve a two-year term. Terms of the charter members shall be determined by lot of terms of three (3) members for four (4) and four (4) members for two (2) years. The mayor's appointee shall be one (1) of the four (4) members serving two (2) years. There are no term limits.

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 this the 7th day of January 2016.
ADOPTED this the 21st day of January 2016. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

F. Public Hearing – 1st Reading of Zoning/Annexation Requests

1. File AZ16-01: Annexation/Rezoning application by Paul Melvin King for property located at 115 Cherokee Circle (approximately 2.2 acres) from County A-1 (Agricultural) to Cartersville R-20 (Single Family Residential). (City Donut Hole Initiative)

Randy Mannino, Director of Planning and Development, stated that this Zoning and Annexation request had no conflicts with the other City Departments and all adjacent property owners have been notified and the required legal notices have been advertised. Mr. Mannino stated that this tract is approximately 2.2 acres with a single family home and is located at 115 Cherokee Circle south of the intersection with Indian Trail. This property is part of a larger donut hole of properties on Cherokee Circle and Indian Trail. The owner is selling the house on approximately 1 acre and retaining the remaining acre. Mr. Mannino stated that the Planning Commission recommended approval of both the annexation and zoning at R-20 (Single Family Residential)

Mayor Santini opened the floor for Public Hearings for the annexation and zoning and with no comments Mayor Santini closed the Public Hearings.

NO ACTION REQUIRED

G. Resolutions

1. Affordable Housing Revolving Loan Fund Disbursement to Bartow Area Habitat for Humanity

Randy Mannino, Director of Planning and Development, stated that in 2011the City established an “Affordable Housing Revolving Loan Fund” and related policies with Community Development Block Grant (CDBG) funds. Habitat for Humanity has requested $25,000 from the fund to rehab a house located at 7 Vigilant Street in the Atco area. In accordance with the policies, Habitat has submitted an application for the project and the resolution is necessary to approve the application and project. Mr. Mannino recommended approval of this resolution.

A motion to approve Resolution No. 02-16 was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

Resolution No. 02-16

RESOLUTION AUTHORIZING THE FILING OF THE BARTOW AREA HABITAT FOR HUMANITY APPLICATION WITH THE CITY OF CARTERSVILLE AFFORDABLE HOUSING REVOLVING LOAN FUND PROGRAM (RLF PROGRAM), REQUESTING UP TO $25,000 TO PROVIDE HOMEOWNERSHIP OPPORTUNITIES TO LOW AND MODERATE INCOME PERSONS WHILE MITIGATING CONDITIONS OF SLUM AND BLIGHT.

WHEREAS, the City of Cartersville Affordable Housing Revolving Loan Fund Program is Authorized to Make Loans to Local Not-For-Profit Agencies which provide Homeownership Opportunities to Low- and Moderate-Income Persons while mitigating Conditions of Slum and Blight and for the Purpose of Community Improvements.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Cartersville and Bartow Area Habitat for Humanity, herein referred to as the "Applicant",

1. **That Robin Hooker, acting in her official capacity as Director of the Bartow Area Habitat for Humanity, is authorized to execute and file an application on behalf of the Applicant, a local nonprofit, with the City of Cartersville Affordable Housing Revolving Loan Fund Program,**

2. **That Mathew J. Santini, acting in his official capacity as Mayor of the City of Cartersville, is authorized to execute and file such applications and assurances or any other documents required by the City of Cartersville Affordable Housing Revolving Loan Fund Program,**

3. **That the Director is authorized to execute a loan contract agreement on behalf of the Applicant with the City of Cartersville Affordable Housing Revolving Loan Fund Program,**

4. **That the Applicant, while making application to or receiving loans from the City of Cartersville Affordable Housing Revolving Loan Fund Program will comply with local, state and federal statutes, regulations, executive orders and administrative requirements as required by said agencies.**

Adopted this the 21st day of January, 2016.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

H. Other

1. Lien release for 35 Opal Street which was part of the first-time homebuyer program.

Randy Mannino, Director of Planning and Development stated that this is part of the first time home buyer program. The current property owner at 35 Opal Street has reached the 5 year forgivable loan period and has requested that the city release the $10,000 lien. Mr. Mannino recommended approval and that the Mayor and City Clerk be authorized to execute the quitclaim deed.

A motion to approve the lien release for 35 Opal Street was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

2. Natural Gas Association of Georgia Dues

Gary Riggs, Gas Superintendent stated that this is the invoice for the 2016 Natural Gas Association of Georgia dues in the amount of $5,000. Mr. Riggs recommended approval.

A motion to approve the invoice as presented was made by Council Member Hodge and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

I. Contract/Agreements

1. Lease Approval – Location for Gas Department Equipment

Gary Riggs, Gas Superintendent stated that this is a lease to store materials and equipment from the old Administrative and Shop building located at 4 Cook Street. Mr. Riggs stated that he had located a building at 15 Postelle Street owned by Tilley Properties at a cost up to $36,000 per year. Mr. Mannino recommended approval of this lease subject to being reviewed and approved by the City Attorney and City Manager.

A motion to approve this lease subject to being reviewed and approved by the City Attorney and City Manager was made by Council Member Stepp and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

2. Approval of MOU with Department of Community Affairs

Lillie Reed, Downtown Development Director stated that Cartersville has been a member of the Georgia Main Street Program since 1987. To remain in good standing with the program, both the DDA Board and the City must sign a yearly Memorandum of Understanding with the Georgia Department of Community Affairs. The term of the agreement is for 2016 with an ending date of December 31, 2016. Ms. Reed recommended approval.

A motion to approve the Memorandum of Understanding was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

J. Bid Award/Purchases

1. Travelers Insurance Deductible

Dan Porta, Assistant City Manager stated that the city has received an invoice from Travelers Insurance for a lawsuit against the city from a date of loss of November 2012. Travelers Insurance the City's insurer when this lawsuit was filed and they are still working on the city's behalf in this matter. Mr. Porta stated that the city's deductible for this type of loss is $25,000 and the current amount due to Travelers is $5,108 and recommended approval.

A motion to approve invoice from Travelers was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

2. Everbridge – Mass Communication System

Rebecca Bohlander, Communications and Public Relations Manager stated that this is the renewal of the Everbridge Mass Communication System. Ms. Bohlander stated that there is no cost increase over last year and recommended approval.

A motion to approve the invoice to Everbridge was made by Council Member Tonsmeire and seconded by Council Member Wren. Motion carried unanimously. Vote 6-0

3. Self Contained Breathing Apparatus Bottles

Scott Carter, Fire Chief stated that this is a continuation and completion of a three year replacement project that began in FY2013-14. There are only two vendors who can supply the Self Contained Breathing Apparatus that the City uses and Chief Carter recommended approval of the low bid from MES (Municipal Emergency Services, Inc.) for 38 bottles at $880 each for a total of $33,440.

A motion to approve the low bid from MES was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0

4. Purchase of 20yd Rear Loader Garbage Truck

Tommy Sanders, Public Works Director stated that bids were requested for a 20 Cubic Yard Rear Loader Garbage Truck to replace a 1991 model truck that has terminal engine failure.

A committee that included end users and garage personnel evaluated the bids and recommended the lowest responsive bid that met every specification. Mr. Sanders recommended approval of the Heil PT-1000 body on a 2017 Kenworth T-370 Truck/Chassis from Carolina Environmental Systems in the amount of $140,332.88.

A motion to approve the purchase from Carolina Environmental Systems was made by Council Member Stepp and seconded by Council Member Wren. Motion carried unanimously. Vote 6-0

5. Primary #2 Screw Pump – Gearbox Installation Labor

Bob Jones, Water and Sewer Superintendent that this is a price to install a gearbox, modifications to mounting base plate and motor mounts that will need to be fabricated for the Primary #2 Screw Pump. Mr. Jones recommended the low bid from P & W Machine Shop in the amount of $7,200.

A motion to approve the low bid from P & W Machine Shop was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

6. Purchase of Various Department Vehicles

Tom Rhinehart, Finance Director stated that bids had been solicited for seven vehicles for various departments and recommended the overall low bid from Pioneer Ford in the amount of $186,145.

A motion to reject all bids and give vendors one week to return bids to be represented at the February 4, 2016 City Council Meeting was made by Council Member Stepp and seconded by Council Member Wren. Motion failed. Vote 6-0

A motion to approve the overall low bid from Pioneer Ford to be purchased through Lease Pool was made by Council Member Stepp and seconded by Council Member Wren. Motion carried unanimously. Vote 6-0

7. Conditioner #5 Recirculation Pump at WPCP

Bob Jones, Water and Sewer Superintendent stated that the current recirculation pumps for conditioner 5 were installed in 2006. These pumps mix and move concentrated sludge through the solids handling treatment train of the plant. The pumps have been problematic since their installation and now one is completely worn out. Bids were requested for a replacement "hard metal" pump rated for severe duty solids handling. Mr. Jones recommended the purchase of the Morris/Grundfos pump from Goforth-Williams, Inc in the amount of $37,540.71.

A motion to approve the purchase from Goforth-Williams, Inc. was made by Council Member Hodge and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

8. WTP Filter Rehab Design

Bob Jones, Water and Sewer Superintendent stated that an inspection of filter #2 was conducted and revealed a significant loss of media through the filter underdrain. The presence of filter media under the structure indicates the underdrain is beginning to fail. Mr. Jones stated that there is no indication a catastrophic failure is imminent, but it is prudent to start the rehabilitation process now. Mr. Jones proposed doing the engineering portion to be prepared should there be an unexpected failure. Mr. Jones stated that he had contacted Wiedeman and Singleton Engineers for the rehabilitation of filter 4 -6 in filter #5 in 2012 and the project was successfully executed and both design and construction came in under budget, therefore he has contacted the same firm to do the design for this filter and the proposed fee is the exact same as in 2012. Mr. Jones recommended approval for Wiedeman and Singleton Engineers to do the engineering at a cost of $58,260.

A motion to approve the engineering by Wiedeman and Singleton Engineers was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

9. Rebuild Pre-Mix Mixer

Bob Jones, Water and Sewer Superintendent stated that one of the mixers in the pre-mix tank needs to be rebuilt. In the past the Water Department has used various companies for this type repair to save money but it has caused more problems than it solved. For this reason Mr. Jones recommended that Flygt (original equipment manufacturer) do the work at a cost of $5,840.83.

A motion to approve Flygt to rebuild the Pre-Mix Mixer was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

10. WTP – Utility Vehicle

Bob Jones, Water and Sewer Superintendent stated that bids were requested for a two seat UTV with a minimum payload of 1,000 lbs. Bids were returned and Mr. Jones recommended the low bid from Taylor Farm Supply in the amount of $7,475.

A motion to approve the purchase from Taylor Farm Supply was made by Council Member Wren and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

K. Monthly Financial Statement

1. November 2015 Financial Report

Tom Rhinehart, Finance Director presented the November 2014 monthly financial statement with comparisons from the previous year of November 2013 by fund, along with supplemental financial information comparing the year to date revenues and expenses for each fund and a report of cash position through November 2015. No action is needed by Council

After announcements a motion to adjourn the meeting was made by Council Member Stepp and needing no second. Motion carried unanimously. Vote 6-0

Meeting Adjourned

/s/ ___________________________
Matthew J. Santini
Mayor

ATTEST:
/s/ ______________________________
Connie Keeling
City Clerk