City Council Meeting
10 N. Public Square
September 17, 2015
6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member Tate

Pledge of Allegiance led by the City of Cartersville Little League All-Star Baseball Team.

The City Council met in Regular Session with Matt Santini, Mayor presiding and the following present: Louis Tonsmeire, Sr., Council Member Ward Three; Lindsey McDaniel Council Member Ward Four; Dianne Tate, Council Member Ward Five; Dan Porta, Assistant City Manager; Catheryn Hembree, Deputy City Clerk; and David Archer, City Attorney.

Absent: Kari Hodge, Council Member Ward One; Jayce Stepp, Council Member Ward Two; Lori Pruitt, Council Member Ward Six; Sam Grove, City Manager; Connie Keeling, City Clerk

II. Regular Agenda

A. Council Meeting Minutes

1. September 3, 2015

A motion to approve the minutes from the September 3, 2015 City Council Meeting as presented was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

B. Added Item

The Mayor asked the Council to make a motion to add a Proclamation to the agenda. Council Member Tonsmeire made a motion to add the item and seconded by Council Member Tate. Motion carried unanimously. Vote 4-0

1. Proclamation

Matthew Santini, Mayor, presented a proclamation to the Cartersville Parks and Recreation Little League All Star team for their State Championship in the 10 and Under category.

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

1. File #AZ15-04: Annexation and zoning application by Mary Harris for property located at 918 Jones Mill Rd. (approximately .43 acres) from Bartow County A-1 to City R-20.

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 includes a single family ranch home built in approximately 1970. The property owner wishes to annex her property so her grandchildren can attend City Schools. Mr. Mannino stated that city staff had no objections and the Planning Commission recommended approval.

Mayor Santini opened the floor for a public hearing. With no further comments Mayor Santini closed the public hearing. No action needed.

2. File #AZ15-05: Annexation and zoning application by Taia Harris for property located at 27 Johnson Lane (approximately 3.07 acres) from Bartow County A-1 to City R-20.

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 two adjacent tracts. Each tract includes a single family house; one build in 1987 and one in 1920. The family wishes to annex so the children can attend City Schools. Mr. Mannino stated that city staff had no objections and the Planning Commission recommended approval.

Mayor Santini opened the floor for a public hearing. With no further comments Mayor Santini closed the public hearing. No action needed.

3. File #Z15-05: Rezoning application by Randy Berrey for property located east of 1009 N. Tennessee St. (approximately 1 acres) from P-S (Professional Services) to City O-C (Office Commercial).

Randy Mannino, Director of Planning and Development, stated that this Rezoning and 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 a vacant lot between Gentilly Blvd and Collins Drive. The owner wishes to rezone the property from P-S to O-C for consistency with the adjacent tract. Mr. Mannino stated that city staff had no objections and the Planning Commission recommended approval.

Mayor Santini opened the floor for a public hearing. With no further comments Mayor Santini closed the public hearing. No action needed.

C. Resolutions

1. Dellinger Park Festival Zone

Greg Anderson, Director of Parks and Recreation, state that this request is for a "Festival Zone" permit at Dellinger Park for the purpose of having beer and wine to be served at the Disc Dog Banquet. The event will be on October 10, 2015 from 6:30-10:30pm. The zone will be located at Picnic Shelters #2 and #3. Woof Sports is sponsoring the banquet for the sponsors, dog disc participants and spouses associated with the 16th annual Dog Disc Championship. The banquet is for invited guest only. The area will be fenced off with only one exit/entrance, a police officer will be on duty, Parks and Recreation Staff will be checking ID and issuing wrist bands. Johnny Mitchell's Smokehouse will be catering and serving at the event and will meet all State and City requirements. Mr. Anderson recommended approval.

A motion to approve the Dellinger Park Festival Zone was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

Resolution 18-15

City of Cartersville, Georgia

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

WHEREAS, the Cartersville Parks and Recreation Department wishes to establish a Festival Zone at Dellinger Park for a banquet sponsored by Woof Sports for the 16th annual Dog Disc Championship on Saturday October 10, 2015 from 6:30 – 10:30pm. The banquet is open to Dog Disc sponsors, participants and their spouses and is closed to the general public.

WHEREAS, the Parks and Recreation Department recommended that Picnic Shelter #2 and Picnic Shelter #3 be established as the Festival Zone and where only invited guests 21 years and older that show proof of identification and receive a wristband, which will allow them to consume beer or wine within the Festival Zone.

WHEREAS, the Parks and Recreation Department will install a fence around the Festival Area and Cartersville Police will provide an Off-Duty police officer who will be stationed at the sole entrance and exit and Parks and Recreation Department staff will

check identification and issue the wristband. Signage will be placed at the entrance that states "NO ALCOHOLIC BEVERAGES OUTSIDE THE FESTIVAL ZONE".

WHEREAS, Johnny Mitchell's Smokehouse will be catering the banquet and is to provide a "Certificate of Liability Insurance", Special Event pouring permit from City of Cartersville and Special Event pouring permit from the State of Georgia which will allow them to serve beer and wine.

WHEREAS, the Director of Planning and Development has received the proposal and application and approved the event with the understanding alcoholic beverages will be served from 6:30 – 10:30pm on Saturday October 10 and that all plans, drawings and safety as outlined in Exhibit "A" will be adhered.

NOW, THEREFORE BE IT RESOLVED by the City of Cartersville that the October 10 event, planned, implemented by Cartersville Parks and Recreation Department, with sponsorship from Woof Sports and approved by Director of Planning and Development be designated as a Festival Zone.

ADOPTED this the 17th day of September 2015.

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

ATTEST:

/s/ Catheryn Hembree
Catheryn Hembree
Deputy City Clerk

2. Approval of the Redemption of Bonds for the Joint Development Authority

Dan Porta, Assistant City Manager, stated that this resolution allows Bartow County to make a payment towards the JDA bonds because the City SPLOST revenues have been less than expected. The County advancing the payment in order to call the bonds will save a total of $4,000,000.00 in interest over the life of the bonds. The County shall recoup this advance payment by keeping all of the funds that would otherwise have been distributed to the Second JDA pursuant to the intergovernmental contract .

A motion to approve the approval of the Redemption of Bonds for the JDA was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 4-0

Resolution No. 19-15

WHEREAS, Bartow County, the City of Cartersville and the other municipalities of Bartow County entered into an intergovernmental agreement dated August 23, 2011 in regards to the division of funds from the 2014 SPLOST; and

WHEREAS, the City of Cartersville and Bartow County obligated a portion of their SPLOST funds to pay off the $13,073,354 (and interest through November 1, 2015) principal balance of the Bartow-Cartersville Joint Development Authority, Taxable Revenue Bonds, Series 2005; and

WHEREAS, said bonds are callable on November 1, 2015; and

WHEREAS, the City's collection of SPLOST funds under the intergovernmental agreement have been less than expected; and

WHEREAS, the County has sufficient revenues from SPLOST to pay off the bonds; and

WHEREAS, the remaining balance as of November 1, 2015 is approximately $10,445,000, plus the regular payment of$994,762.50, for a total of$11,439,762.50; and

WHEREAS, in effect the County will be advancing payment of the Second Bartow-Cartersville Joint Development Authority's ("Second JDA") SPLOST payments in order to call the bonds to save a total of$4,000,000.00 in interest over the life ofthe bonds; and

WHEREAS, the City understands that the County shall recoup this advance payment to the Second IDA by keeping all of the funds that would otherwise have been distributed to the Second JDA in accordance with the intergovernmental contract. The total dollar amount remaining to be paid to the Second JDA pursuant to the intergovernmental contract that will be advanced by the County is $3,517,746.14 (through August SPLOST Cash Flow to the County), of which 19.30% or $1,758,873.07 is the City's SPLOST proceeds (reduction in proceeds under the intergovernmental contract to be paid to the Second JDA) which is dedicated to pay off the above referenced bonds; and

WHERES, upon the County recouping the advance payment, the County shall disburse proceeds as provided for in the intergovernmental agreement; and

WHEREAS, the City needs to authorize the notice of redemption attached hereto as Exhibit "A",

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED, that the Mayor and City Council (1) authorizes the County to recoup its advance payments in the sum of $1,758,873.07 as described above, to pay off the Bartow-Cartersville Joint Development Authority, Taxable Revenue Bonds, Series 2005 (2) authorizes the Mayor to execute the notice of redemption attached as Exhibit "A", and (3) authorizes the Mayor and City Clerk to sign any and all other documents necessary to accomplish the above purposes.

Adopted this the 17th day of September 2015.

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

ATTEST:
/s/ Catheryn Hembree
Catheryn Hembree
Deputy City Clerk

D. Contracts/Agreements

1. Deed of Dedication and Certificate of Dedication and Maintenance Agreement for McDonalds on Grassdale Rd.

Bob Jones, Superintendent of the Water Department, stated that minor water and sewer changes were made during the construction of a new McDonalds. This contract turns over maintenance and ownership of the new water and sewer lines to the City.

A motion to approve the deed of dedication and the certificate of dedication and maintenance agreement was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 4-0

2. Annual Firefighter Physicals

Fire Marshall, Mark Hathaway, requested funds to conduct the annual firefighter physicals with are in compliance with NFPA 1582 and OSHA 1910.156. The physical provides the annual required fitness clearance documentation and assist in monitoring the overall health and wellbeing of department personnel. There are limited organizations that can provide the exam on site. Chief Carter recommended approval to continue using Site-Med which is based in Kennesaw. This provides for a two phase physical testing that will occur at the City Headquarters and a physician who will monitor the firefighters for a year and provide assistance with the department if we any issues that may arise. The cost for the base physicals will be $19,170.00 which is an increase of $167.00 over last year. Additional testing may be required on some individuals who are on the hazardous materials response team and others that may show certain cardiac markers that require a follow up clearance. Chief Carter asked for an amount of $22,000.00 to include everything. This is a budgeted item.

A motion to approve $22,000 for annual firefighter physicals was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

3. Georgia Power Encroachment Agreement with New Kroger Site

Gary Riggs, Superintendent of the Gas Department, stated that this agreement allows the City to cross Georgia Power's transmission line Right of Way to provide service to the new Kroger site on Main Street. Mr. Riggs recommended approval.

A motion to approve the Georgia Power Encroachment Agreement with New Kroger Site was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

E. Bid Award

1. Installation of Surya service line

Gary Riggs, Superintendent of the Gas Department, stated that the City has received a lump sum bid price of $14,275.00 from Pride Utilities for the labor to install Surya's service line, regulator station, and meter set. The City be supplying the material for this job. Mr. Riggs recommended approval. The City will be reimbursed by Surya.

A motion to approve the installation of Surya's service line bid was made by Council Member McDaniel and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

2. 8 YD Rear Loader Garbage Truck Purchase

Tommy Sanders, Director of Public Works, stated that he received 6 bids from $84,982.00 to $91,950.00 for a 8 yard rear loader garbage truck. Two bids met our specifications, Rush Trucking at $88,164.46 and Carolina Environmental Systems at $91,950.00. The CES truck is available immediately and the Rush truck has to be assembled and will not be available for at least 65 days. Our current trucks are having trouble and a new truck is needed as soon as possible so we can get the old trucks repaired. Therefore Mr Sanders recommended the bid from CES in the amount of $91,950.00. This is a budgeted item.

A motion to approve the purchase of a 8 YD rear loader garbage truck was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

3. Itron Metering Software – Annual Maintenance and Support Contract

Don Hassebrock, Electric Department Superintendent, stated that the Electric Department is currently using Itron MV90 system to remotely collect, tabulate, process, and provide billing data for our Cogsdale billing system. The amount of $7,393.70 is the cost of annual contract renewal for a single copy license, software maintenance and support for MV90 metering test equipment. Itron is the sole provider of this software. This is a budgeted item and Mr. Hassebrock recommended approval.

A motion to approve the Itron Metering Software annual maintenance and support contract was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

F. Grant Application/Acceptance

1. ATCO Village Water & Sewer Improvements Grant Application

Bob Jones, Superintendent of the Water Department, stated that the water and sewer infrastructure in ATCO dates back to the original construction of the mill circa 1903. The fire hydrant flow test showed a considerable loss of flow. The water mains have deteriorated to the point they are no longer sufficient for modern fire protection. The Water Department has sought out the services of a professional grant writing consultant to help procure funding for improvements. Allen-Smith Consulting specialize in grant writing and administration for infrastructure improvement projects. Mr. Jones recommended approval of the agreement with Allen-Smith for Part 1 Grant Writing Services, and Part 2 Project Readiness Assistance for the total of $8,000.00.

A motion to approve $8,000 for Allen-Smith Consulting grant writing services was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

G. Added Items

The Mayor asked the Council to make a motion to add an item to the agenda. Council Member Tonsmeire made a motion to add the item and seconded by Council Member Tate. Motion carried unanimously. Vote 4-0

1. Paving of City Parking Lot

Dan Porta, Assistant City Manager, stated that a building was demolished beside City Hall and the cost to repave the lot to create a parking lot cost $6,016.96. Mr. Porta recommended approval to pay for the paving of the new parking lot.

A motion to approve the cost of paving of a new city parking lot was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

H. Monthly Financial Statement

1. July 2015

Tom Rhinehart, Finance Director presented the July2014 monthly financial statement with comparisons from the previous year of July2013 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 July2015. No action is needed by Council

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

Meeting Adjourned

/s/ ____________________________
Matthew J. Santini
Mayor

ATTEST:

/s/ ______________________________
Catheryn Hembree
Deputy City Clerk