

City Council Meeting
10 N. Public Square
September 3, 2015
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 Pruitt

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; Lori Pruitt, Council Member Ward Six; Sam Grove, City Manager; Connie Keeling, City Clerk and David Archer, City Attorney.

II. Regular Agenda

A. Council Meeting Minutes

1. August 20, 2015

A motion to approve the August 20, 2015 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

B. Proclamations

1. New President of Georgia Highlands College

Mayor Santini presented a proclamation to President Donald J. Green, Ed. D. proclaiming September 18, 2013 as Georgia Highlands College Day. Dr. Green thanked the Mayor for the honor.

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

1. File Z15-03: Rezoning application by Tactical K9 Services LLC (Jeff Watkins, rep) for property located on the south side of Mission Road adjacent to the CSX RR Tracks (approximately 25.5 acres) from R-20 (Residential) to AG (Agricultural)

Randy Mannino, Direct 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 a low lying area on the south side of Mission Road adjacent to the CSX Rail Line. There are no structures on this property. The property owner seeks to rezone the property to agricultural for the purpose of using the property as grounds for a dog boarding kennel. Mr. Mannino stated that there have been no additions or corrections since the first reading; city staff had no objections and the Planning Commission recommended approval.

Mayor Santini opened the floor for a public hearing. With no comments Mayor Santini closed the public hearing.

A motion to approve Ordinance No. 27-15 was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 27-15

Petition No. Z15-03

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that all that certain tract of land owned by Tactical K9 Services LLC. Property is located on the south side of Mission Road adjacent to CSX Railroad. Said property contains 25.5 acres located in the 4th District, 3rd Section, Land Lot(s) 488-489 as shown on the attached plat Exhibit “A”. Property is hereby rezoned from R-20 (Residential) to AG (Agricultural). Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 20th day of August 2015.

ADOPTED this the 3rd day of September 2015. Second Reading.

/s/ Matthew J. Santini

Matthew J. Santini

Mayor

ATTEST:

/s/ Connie Keeling

Connie Keeling

City Clerk

D. Second Reading of Ordinances

1. Revision to Pawnshop Ordinance

Sam Grove, City Manager stated that after the pawn shop ordinance was drafted, state law changed and deleted the city’s rights to regulate metal recyclers, so the proposed revision deletes scrap metal processors from the ordinance. Mr. Grove stated that there have been no additions or corrections since the first reading and recommended approval.

A motion to approve Ordinance No. 28-15 was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 28-15

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 **CHAPTER 10. LICENSES, TAXATION AND MISCELLANEOUS BUSINESS REGULATIONS. ARTICLE VI. PRECIOUS METALS AND PRECIOUS STONE DEALERS** is hereby deleted and is to be replaced in its entirety as follows:

1.

**ARTICLE VI. DEALERS IN PRECIOUS METALS AND GEMS,
PAWNBROKERS AND PAWNSHOPS**

Sec. 10-151. Definitions.

For the purposes of this Article VI. Dealers in Precious Metals and Gems, Pawnbrokers and Pawnshops the following words and terms shall have the meanings respectively ascribed to them:

Dealer in precious metals and gems means any person, whether as owner, agent or employee, who engages in the business of purchasing precious metals or gems or articles containing any precious metal or gem, including coins, from members of the general public for resale to brokers, dealers or melters.

Electronic reporting system means a computer based system, as specified by the Chief of Police, which is designed to record and transmit data and information electronically.

Gems means any precious or semi-precious stone which is cut and polished.

Goods means every species of tangible personal property not specifically defined herein, but does not include goods received on consignment, from wholesalers, or retailers, and/or from bulk purchases at estate sales or closing or relocation sales.

Pawnbroker means any person, whether as owner, agent or employee, engaged in whole or in part in the business of lending money on the security of pledged goods, or in the business of purchasing tangible personal property on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time, or in the business of purchasing tangible personal property from persons or sources other than manufacturers or licensed dealers as a part of or in conjunction with the business activities described in this section.

Pawnshop means any person, whether as owner, agent or employee, engaged in whole or in part in the business of lending money on the security of pledged goods, or in the business of purchasing tangible personal property on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time, or in the business of purchasing tangible personal property from persons or sources other than manufacturers or licensed dealers as a part of or in conjunction with the business activities described in this section.

Person means an individual, partnership, corporation, joint venture, trust, association, or other legal entity however organized.

Precious metals means gold, silver or platinum or any metal containing gold, silver or platinum.

Sec. 10-152. Penalty for violation of Article.

Any person who shall violate any of the provisions of this Article shall be punished upon conviction in the municipal court of the city as provided in Section 1-6. Additionally, the Mayor and City Council may revoke any license issued under this Article, if the Licensee is convicted of a violation of this Article.

Sec. 10-153. License required.

It shall be unlawful for a buyer of precious metals and gems pawnbroker and pawnshop to engage in such business within the city without first obtaining a license in compliance with the provisions of this chapter. This license is supplemental to any other license required to operate a business in the City.

Sec. 10-154. Application for license disqualification.

Applicants for a license pursuant to this Article shall file with the city clerk a written application under oath, signed by the applicant if an individual, or by all partners if a partnership, or by the president of the corporation, and showing the following:

- (1) The name of the person having the management or supervision of the applicant's business during the time that it is proposed that it will be carried on within the city; the local address of such person while engaged in such business; the permanent address of such person; the capacity in which such person will act, that is, whether as proprietor, agent or otherwise; the name and address of the person on whose account the business will be conducted, if any; and, if a corporation, the name of the state in which the corporation is incorporated;**
- (2) The place within the city where it is proposed to conduct the applicant's business, and the length of time during which it is proposed that such business will be conducted;**
- (3) Credentials from the person for which the applicant proposes to do business, authorizing the applicant to act as representative; and**
- (4) Such other reasonable information as to the identity and character of the person having the management or supervision of the business and the manner of doing business as the city council may deem proper in order to fulfill the purpose of this chapter in the protection of the public interest.**
- (5) An applicant is disqualified for a license if they have been convicted of the offense or receiving stolen property, theft, burglary, robbery, larceny or any other offense involving the receipt, sale, disposal of stolen property.**
- (6) No person holding a license under this article shall have any business dealings with any person less than eighteen (18) years of age except with the written consent of the parent or guardian of the minor to each particular transaction. No license shall be issued to any person who is not eighteen (18) years of age or over. No license holder shall employ a person less than eighteen (18) years of age to assist him in his business.**
- (7) Additionally, the licensee and any employees thereof must have a criminal history background check performed by the City of Cartersville Police Department.**

Sec. 10-155. Posting of license.

The license issued pursuant to this Article shall be posted conspicuously and prominently in the place of business named therein. If the applicant desires to do business in more than one place within the city, separate licenses shall be purchased and issued for each place of business, and shall be posted conspicuously and prominently in each place of business.

Sec. 10-156. Registration fee.

The fee assessed pursuant to this section is as referenced on the fee schedule in the City of Cartersville Code Section 17-88.

Sec. 10-157. Revocation of license.

- (a) The license issued pursuant to this Article may be revoked by the mayor and city council, after notice and hearing, for any of the following causes:

 - (1) Any fraud, misrepresentation or false statement contained in the application for license;
 - (2) Any fraud, misrepresentation or false statement made in connection with any purchase transaction;
 - (3) Failure to maintain the daily record as required in this Article;
 - (4) Any other violation of this Article; or
 - (5) Conducting the business licensed under this Article in any unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.
- (b) Notice of hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. The notice shall be served on the licensee by handing the notice personally to the person in charge of the licensee's business, or by mailing the notice, postage prepaid, to the licensee, at his last known address, at least five days prior to the date set for the hearing.

Sec. 10-158. Records and information to be recorded.

Every person or business engaged as a pawnbroker, pawnshop, or dealer in precious metals and gems within the city shall secure from every person from whom he or she receives any goods, except used books, whether by purchase or through pledge, trade, pawn or exchange, the following:

- (1) Government-issued photo identification card, such as a driver's license, military identification card, state identification card or passport;
- (2) The name, address, telephone number, race, sex, height, weight, date of birth, and a Social Security or driver's license number;
- (3) A digital photograph clearly showing a frontal view of the subject's face. Each digital image shall be labeled with the date and time of the transaction and stored in such a manner that they are safe from corruption. If the same subject makes additional transactions within thirty (30) days of the original transaction; provides the same government issued photo identification card as mentioned above; and the subject's appearance has not materially changed, a new digital photograph shall not be required until a transaction is made after thirty (30) days from the original transaction;
- (4) A complete and accurate description of the goods acquired, and a digital photograph or image of the goods acquired including the following information, if available:
 - a. Brand name;
 - b. Model number;
 - c. Manufacturer's serial number;
 - d. Size;
 - e. Color, as apparent to the untrained eye;
 - f. Precious metal type, weight, and content if known;

- g. Gemstone description, including the number of stones;
 - h. In the case of firearms, the type of action, caliber or gauge, number of barrels, barrel length, and finish;
 - i. Any other unique identifying marks, numbers, or letters;
 - j. The date and time of the transaction.
- (5) The pawnbroker, pawnshop, and dealer in precious metals and gems shall maintain the above information and digital photographs or images for a period of three (3) years and make the same available to law enforcement personnel upon request.
 - (6) The pawnbroker, pawnshop, and dealer in precious metals and gems shall require the seller to sign a statement verifying that the seller is the rightful owner of the goods or is entitled to sell, consign, or trade the goods.
 - (7) This Section shall not apply to the receipt of used books or pawn transactions commonly known as "title pawn" transactions where the pawnbroker takes possession of a motor vehicle certificate of title, takes a security interest in the motor vehicle certificate of title, and retains physical possession of the vehicle certificate of title for the entire length of the pawn transaction.

Sec. 10-159. Report to police; required format.

- (a) Every pawnbroker, pawnshop and dealer in precious metals and gems located within the city shall make a computer-generated daily report, in such format as prescribed by the chief of police, of all transactions that occurred during the 24-hour period ending at 9:00 p.m. on the date of the report. A report shall be made each day prior to 11:59 p.m. for each day the operator or dealer transacts business. If an operator or dealer is closed, or does not otherwise engage in any transactions on a particular day, a report indicating "no transactions" shall be filed for that day. Daily reports shall be filed electronically by posting to a law enforcement web site designated by the chief of police. When technological problems prevent posting the daily report electronically, a printed, typed or legibly handwritten report shall be delivered to the police department in lieu thereof.
- (b) This Section shall not apply to the receipt of used books or pawn transactions commonly known as "title pawn" transactions where the pawnbroker takes possession of a motor vehicle certificate of title; takes a security interest in the motor vehicle certificate of title, and retains physical possession of the vehicle certificate of title for the entire length of the pawn transaction.
- (c) This Section shall not apply to nonprofit corporations, business or other entities who receive all personal property from donations.
- (d) This Article shall not apply to any precious metals or gems containing precious metals or gems obtained from industrial producers, manufacturers, licensed dealers, or distributors.
- (e) This Article shall not apply to dealers exclusively engaged in the sale or exchange of numismatic coins or to transactions exclusively involving numismatic coins or other coinage.

Sec. 10-160. Hold period; police holds.

- (a) Any pawnbroker, pawnshop, dealer in precious metals and gems, or person operating under a license granted pursuant to this Article who takes goods

on pawn or who buys goods, taking full title thereto, shall hold the goods so taken in pawn or otherwise acquired for at least seven (7) calendar days before disposing of the goods by sale, transfer, shipment or otherwise.

- (b) The City of Cartersville Police Department, or any other law enforcement agency, has the authority to place property that is the subject of police or law enforcement investigation on “police hold”. In that event, the City of Cartersville Police Department, or other law enforcement agency, shall notify the pawnbroker, pawnshop or dealer in precious metals and gems of the need for a “police hold” and identify all property subject to the “police hold”. Upon notification, it shall be the responsibility of the pawnbroker, pawnshop or dealer in precious metals and gems to maintain the subject property until such time as the property is released from “police hold” status or the property is confiscated as evidence.
- (c) If any Cartersville Police Officer has probable cause to believe that precious metals or gems have been stolen, he may give notice in writing to the dealer to retain the precious metals or gems for an additional fifteen (15) days; and it shall be unlawful for the dealer to dispose of the property unless the notice is revoked in writing within the fifteen (15) days period.

Sec. 10-166. Unlawful acts.

It shall be unlawful for pawnbroker, pawnshop, dealer in precious metals and gems or person operating under a license granted pursuant to this Article to commit any of the following acts:

- (1) Fail to make an entry of any material matter in the daily record of said business;
- (2) Make any false entry in the daily record of said business;
- (3) Falsify, obliterate or destroy the daily record of said business or remove the daily record from the place of business;
- (4) Refuse to allow any police officer or duly authorized law enforcement officer to inspect the daily record of said business or any goods in the possession of said business during the ordinary hours of business or at any reasonable time;
- (5) Make any false statement in the permit application and registration provided for in this Chapter;
- (6) Refuse to allow any duly authorized law enforcement officer to inspect such permanent record, or any precious metals or gems or goods made from precious metals or gems in his possession, during the ordinary hours of business or at any reasonable time;
- (7) Sell, exchange, or remove from the legal possession of the buyer, or to alter the form of, any precious metals or gems or goods made from precious metals or gems purchased by remounting, melting, cutting up, or otherwise altering the original form until at least seven (7) calendar days have elapsed from the time of purchase or acquisition;
- (8) Fail to make the report as required in this Article;
- (9) Purchase any precious metals or gems from any person under 17 years of age; or

- (10) Fail to comply with this chapter in any other material way.

Sec. 10-167. Itinerant Dealers.

- (a) **Itinerant Dealers in Precious Metals or Gems. Applicability.** This section shall be applicable to all itinerant dealers of precious metals or gems, whether their sales, trades and purchases are at retail or wholesale or by any form of pawn. Specifically excluded are wholesalers, buyers and sellers who sell, trade and deal only with mercantile establishments or purchase precious metals or gems from manufacturers, manufacturer's representatives, or other dealers in precious metals or gems.
- (b) **Notice of intent to conduct business.**
- (1) **Occupational Tax Certificate Required.** Any person, firm or corporation who does business in City of Cartersville as an Itinerant Dealers in Precious Metals or Gems shall, before engaging in such business, obtain a business tax certificate in accordance with this Chapter.
- (2) **Permit required.** It shall be unlawful for any person to engage in activities as an itinerant dealer in precious metals or gems in City of Cartersville without having obtained a valid permit for each separate location and for each person engaging in said activities. Prior to advertising any buying, selling, trading or otherwise dealing in precious metals or gems, an itinerant dealer shall, at least 3 business days prior to the initial advertising, file with the Planning and Development Department an application for a regulatory permit to conduct the business of itinerant dealer in precious metals or gems in City of Cartersville.
- (3) Such application shall include the following:
- (a) Full name of the person, group or association, and its address;
 - (b) The name of the person who will be conducting business in City of Cartersville and his home address, including proper identification as defined;
 - (c) The length of the stay in City of Cartersville, including the dates of opening and closing, at each fixed location not to exceed 15 days;
 - (d) The fingerprints of the person or persons who will be conducting such business in City of Cartersville; and
 - (e) Where the business will be conducted, and during what hours; except that no itinerant dealers in precious metals or gems shall operate at any location in City of Cartersville between the hours of 8:00 p.m. and 8:00 a.m. Monday through Saturday or during any hours on Sunday.
- (4) No person who has been convicted of a felony under the laws of this state or any other state of the United States shall be eligible to receive a regulatory permit to conduct business as an itinerant merchant of precious metals or gems within City of Cartersville. This paragraph shall not apply to any person who has been convicted of a felony after ten years have expired from the date of completion of the felony sentence. Prior to the issuance of the regulatory permit, a background investigation shall be required for each person who will be conducting business in City of Cartersville. If the eligibility requirements are met, then the regulatory permit shall be issued for each person meeting the requirements. The provisions of this Article shall apply to the background investigation required herein.
- (5) Each regulatory permit issued pursuant to this section shall be nontransferable and valid for period of time listed by the applicant in response to paragraph (c) (3) above, not to exceed fifteen (15) days.
- (6) Every itinerant dealer shall admit to the premises where business is being conducted any law enforcement officer, who in the performance of official lawful

duties as prescribed by the Chief of Police, may desire at any time to search for articles missing or stolen, or to make any inspection of records authorized by this chapter, without the formality of a search warrant.

(c) **Records.** All itinerant dealers, both salesmen and buyers, of precious metals or gems shall keep records wherein shall be entered an accurate description of all property pledged, traded or sold by them. Such description shall include to the extent possible the name or the make of the article, any identifying mark or number, and a statement of the kind of material of which it is made. In such records there shall be entered also the full name and address of the person by whom same was deposited or sold, and the time when the same was done, and the name, address, date of birth and drivers' license number of seller; and a photocopy of the proper identification. In the event the seller does not have a drivers' license, other proper identification as defined shall be required and photocopied. All purchased items shall be digitally photographed. These entries shall be made as soon after the transaction as is possible but in no event more than one hour after the time given for daily close of business as provided for in this Article above. Such records may be kept electronically as long as a copy of the electronic records can be provided to the City of Cartersville Police Department or other law enforcement agency upon demand.

(d) **Daily Accurate Report to police.** Every traveling and itinerant dealer shall make a report to the City of Cartersville Police Department, as required in Section 10-159 (Daily Electronic Reporting). The report shall be in such form as may be prescribed by the Chief of Police, of all property pledged, traded, bought or sold during the period of operation in City of Cartersville, and shall show the name and address of any person who bought, sold, traded or otherwise disposed of or received any item; the date and time of the transaction; the amount paid or advanced, or the item traded; the full description of articles, including kind, style, material, color, design, kind and number of stones in jewelry; and all identifying names, ranks, and numbers; and a description of persons trading, buying, selling or pawning, including the name, address, race, weight, height, photocopy of proper ID.

(e) **Surrender of stolen property.** In the event it is determined that any item bought, sold or traded to, or received by the itinerant dealer, salesman or buyer is the subject of any theft of crime, the dealer, salesman or itinerant buyer shall, upon demand of the City of Cartersville Police Department , surrender the same to the City of Cartersville Police Department.

(f) **Holding period.** Every item covered by this section which is purchased from one seller shall be separately packaged, or kept separately, and not intermingled or confused with items purchased from another seller, for a period of seven (7) calendar days following the purchase of such item. Said items must be kept in the city of Cartersville, at a location designated by the licensee and provided to the Department of Planning and Development. No person engaging in the purchase of precious metals or items as defined this chapter shall sell or otherwise dispose, permit the sale or disposal, remove or permit to be removed from the license holder's place of business, intermingle with other jewelry or stones, alter, change, deface or permit the same of any such precious metals or stones purchased, until after the expiration of seven (7) days from the date of purchase.

Secs. 10-167 — 10-180. 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 this the 20th day of August 2015.
ADOPTED this the 3rd day of September 2015. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

E. Resolutions

1. Festival Zone for Chamber BBQ

Dan Porta, Assistant City Manager stated that this is an application for a festival zone in the downtown area for the annual Chamber of Commerce BBQ. This event will be October 8, 2015 from 5:00 – 8:00 with alcohol sales during this time. Mr. Porta stated a special event permit will be obtained and staff has been informed and has no objections.

A motion to approve the Festival Zone Resolution No. 16-15 was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

Resolution No. 17-15

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

WHEREAS, the Chamber of Commerce wishes to establish a Festival Zone for the Annual Chamber of Commerce BBQ, held downtown on Thursday, October 8, 2015; and

WHEREAS, the DDA Board recommends that the area in front of the old fire station, to include the Founders Oak parking lot, be designated a controlled Festival Zone, allowing 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, the Chamber's festival manager, in conjunction with two law enforcement officers, will ensure the safety of all guests, and keep those with alcoholic beverages within the allotted Festival Zone, which is also boarded with fencing, and ample signage; and

WHEREAS, the Director of Planning and Development has received the proposal and application and approved the event with the understanding 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 Annual Chamber of Commerce BBQ event, planned and implemented by the DDA, and approval by the Director of Planning and Development, be designated a Community Festival.

ADOPTED this the 3rd day of September 2015.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling

City Clerk

2. Festival Zone for Bluegrass Festival

Dan Porta, Assistant City Manager stated that this is an application for a festival zone in the downtown area for the annual Bluegrass Festival. This event will be October 17, 2015 from 11:00 a.m. to 8:30 p.m. with alcohol served from 12 – 8 p.m. Mr. Porta stated that a special even permit will be obtained and staff has been informed and has no objections.

A motion to approve Resolution No. 17-15 was made by Council Member Tate and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

Resolution No. 16-05

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

WHEREAS, the Downtown Development Authority (DDA) wishes to establish a Festival Zone for the Cartersville Bluegrass & Folk Festival, held downtown on Saturday, October 17, 2015.

WHEREAS, the DDA Board recommends that the area from Main Street to Church Street, and Museum Drive to Erwin Street, be designated a controlled Festival Zone, allowing 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.

WHEREAS, DDA board and staff have completed Crowd Management training and will, in conjunction with a minimum of four law enforcement officers, ensure the safety of all guests, and keep those with alcoholic beverages within the allotted Festival Zone, which is also boarded with fencing, and ample signage.

WHEREAS, the Director of Planning and Development has received the proposal and application and approved the event with the understanding 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 Cartersville Bluegrass & Folk Festival event, planned and implemented by the DDA, and approval by the Director of Planning and Development, be designated a Community Festival.

ADOPTED this the 3rd day of September 2015.

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

ATTEST:

**/s/ Connie Keeling
Connie Keeling
City Clerk**

3. Resolution of Support for Our Town Grant Application

Dan Porta, Assistant City Manager stated that this is a grant application through the National Endowment for the Arts for a matching grant up to \$200,000. Of that \$100,000 will be matched by the DDA through sponsorships. At this time the DDA is seeking a Resolution of Support from the City strictly in order to apply for the grant. No funding commitments are required and Mr. Porta recommended approval.

A motion to approve Resolution No. 15-15 was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

Resolution No.15-15

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE NATIONAL ENDOWMENT FOR THE ARTS OUR TOWN GRANT PROGRAM REQUESTING FUNDING IN THE AMOUNT UP TO \$200,000.00 FOR IMPROVEMENTS IN THE DOWNTOWN AREA.

WHEREAS; The City of Cartersville, is seeking to obtain grant funds to implement improvements in the Downtown area for the purposes of enhancing community engagement, tourism promotion, economic development and increased area vibrancy;

Now, Therefore Be It Resolved By The City Council of The City of Cartersville, Herein Referred To As “The Applicant”,

- 1. That Matthew J. Santini in his official capacity as Mayor is authorized to execute and file an application on behalf of the Applicant, a city government, with the National Endowment for the Arts;**
- 2. That the Mayor is authorized to execute and file such applications and assurances or any other documents required by the National Endowment for the Arts;**
- 3. That the Mayor is authorized to execute a grant contract agreement on behalf of the Applicant with the National Endowment for the Arts; and**
- 4. That the City of Cartersville while making application to or receiving grant funds from the National Endowment for the Arts will comply with state and federal statutes, regulations, executive orders and administrative mandates as required by said agencies.**

APPROVED and ADOPTED this 3rd day of September, 2015.

**/s/ Matthew J. Santini
Matthew J. Santini,
Mayor of Cartersville**

ATTEST:

**/s/ Connie Keeling
Connie Keeling
City Clerk**

F. Bid Award/Purchases

1. Matthews Garage Vehicle Repair

Dan Porta, Assistant City Manager stated that a city vehicle was involved in an auto accident and our driver was at fault. The estimated cost to repair the vehicle is \$6,750.91; however, the city is only responsible for the \$1,000 deductible. Mr. Porta recommended approval for the repairs by Matthews Garage.

A motion to approve the repairs by Matthews Garage was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

2. Local Maintenance Improvement Grant – Resurfacing City Streets

Tommy Sanders, Public Works Director stated that bids were solicited for the annual LMIG – resurfacing City Streets. Funding for this project consists of the grant in the amount of \$178,025.11 and the 30% match from the 2003 SPLOST in the amount of \$53,550 for a total of

\$231,575.11. Mr. Porta recommended approval of the low bid from Bartow Paving.

A motion to approve the low bid from Bartow Paving and the balance funding from the 2003 SPLOST was made by Council Member Stepp and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

3. Primary #2 Screw Pump Gearbox for WPCP

Bob Jones, Water and Sewer Superintendent stated that bids were requested for a replacement gearbox for the Primary #2 Screw Pump. Two bids were received and Mr. Jones recommended the low bid from Rome Electric in the amount of \$25,682.00.

A motion to approve the purchase of the Screw Pump Gearbox was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

4. Transformer for Electric Department

Don Hassebrock, Electric Department Director stated that bids were requested for a transformer and recommended approval of the lowest Total Ownership bid from Gresco for the ERMCO transformer in the amount of \$73,275.50.

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

5. Police Department 2016 Vehicle Bids

Tommy Culpepper, Police Chief stated that bids were requested for additional vehicles – three new patrol vehicles and one unmarked vehicle for criminal investigations. With an aging fleet it is necessary to replace units that have substantial mileage on a routing basis to avoid making a significant purchase of vehicles at one time. Chief Culpepper recommended the best bid from Robert Loehr Chrysler Dodge of Cartersville in the amount of \$105,618 plus the additional equipment needed for an amount not to exceed \$45,000.

A motion to approve the best bid from Robert Loehr Chrysler Dodge was made by Council Member Hodge and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

G. Contracts/Agreements

1. Equitable Sharing Agreement and Certification

Tommy Culpepper, Police Chief stated that this is the Annual Equitable Sharing Agreement and certification for funds received and expended during the previous fiscal year. Chief Culpepper requested approval to authorize the Mayor to sign any and all documents in order for this agreement to be forwarded to the Department of Justice in a timely manner.

A motion to authorize the Mayors signature on all documents necessary was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

H. Change Order

1. Leake Mounds – Etowah River Walk Trail – Southland Change Order

Greg Anderson, Parks and Recreation Director stated that this is a change order for the Leake Mounds – Etowah River Walk Trail. Southland Engineering has followed up and met all requirements and has had to re do items not completed correctly by the previous engineering firm. It also includes the completion of the Conditional Letter of Map Revision. Mr. Anderson stated that staff has reviewed the change order and had no objections and recommended approval of the change order in the amount of \$25,480.

A motion to approve the Southland Change Order was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0

I. Presentations

1. Citizen Survey Results – Presentation

Sam Grove, City Manager presented the Citizen Survey Results pertaining to the open ended questions pertaining to infrastructure.

Tommy Sanders gave an update on the Cook Street Sink Holes.

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