City Council Meeting
10 N. Public Square
March 19, 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 Hodge

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; Lori Pruitt, Council Member Ward Six; Sam Grove, City Manager; Catheryn Hembree, Deputy City Clerk and David Archer, City Attorney. Dianne Tate, Council Member Ward Five and Connie Keeling, City Clerk were absent.

II. Regular Agenda

A. Council Meeting Minutes

1. March 5, 2015

A motion to approve the March 5, 2015 City Council Meeting Minutes as presented was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

B. Second Reading of Ordinances

1. Flood Ordinance Revisions

Tommy Sanders, Director of Public Works, stated that this Ordinance was for a requirement by the Metropolitan North Georgia Water Planning District for all municipalities to modify their floodplain management/flood damage prevention ordinance. The City's current plan was adopted in 2006. We are requesting that the existing ordinance be replaced with the new ordinance with an amendment to exempt lots previously platted under the old ordinance.

A motion to approve the Flood Ordinance Revisions with Amendment was made by Council Member Pruitt and seconded by Council Member McDaniel. Motion carried unanimously. Vote 5-0

(Ordinance No. 04-15 is on file in the City Clerks Office)

C. First Reading of Ordinances

1. Name Change for Aquafil – Quality Drive and Friction Drive

Sam Grove, City Manager, stated that Aquafil requested to change the name of the streets near their new facility. There are no other properties affected. Quality Drive would become Econyl Drive and Friction Drive would become Fibre Drive. Mr. Grove recommends approval.

NO ACTION REQUIRED

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

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 12. ARTICLE XI. TRAFFIC SCHEDULES. Sec. 12-1002 Speed Limits is hereby revised as follows:

1.

By replacing FRICTION DRIVE (C5923) in the Off System Chart with the new name of said street as follows: FIBRE DRIVE (f/k/a FRICTION DRIVE) (C5293).

2.

All other provisions of Section 12-2002 are to be unaltered and shall remain as is.

3.

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 19th day of March 2015.
ADOPTED this the day of. Second Reading.

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

ATTEST:
/s/ Connie Keeling
Connie Keeling
City Clerk

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

1. File AZ15-01 – Annexation and Zoning Application by Richard Pascoe for approximately 1.01 acres of two adjoining tracts located at 11 and 13 Benham Circle.

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. This property includes two tracts both owned by Mr. Pascoe. All of the adjacent properties are in the City Limits of Cartersville. The applicant has stated he would like the property to be annexed for City services. The property would be zoned R-20 (Single Family Residential). The Planning Commission recommends approval.

Mayor Santini opened the floor for a public hearing for the annexation and zoning and with no comments Mayor Santini closed the public hearing.

NO ACTION REQUIRED

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

Petition No. AZ15-01

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 Richard Pascoe. Property is located 11 and 13 Benham Circle. Said property contains 1.01 acres located in the 4th District, 3rd Section, Land Lot(s) 128 as shown on the attached plat Exhibit "A". Annexation 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 19th day of March 2015.
ADOPTED this the day of. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

Petition No. AZ05-01

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 Richard Pascoe. Property is located 11 and 13 Benham Circle. Said property contains 1.01 acres located in the 4th District, 3rd Section, Land Lot(s) 128 as shown on the attached plat Exhibit "A". Property is hereby rezoned from Bartow County A-! (Agriculture) to R-20 (Single Family Residential). 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 19th day of March 2015.
ADOPTED this the day of. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

2. File SU15-01: Special Use application by Randy Berrey for approximately 8 acres located at 650 Henderson Drive to allow Residential, Commercial, and Office uses in the same building.

Randy Mannino, Direct of Planning and Development, stated that this Special Use 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. The owner of the property, Mr. Berrey, is requesting a special use permit to allow residential within the same building as the commercial uses. Mr. Mannino stated that the residential area would be located above the commercial and the Planning Commission recommended approval.

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

NO ACTION REQUIRED

3. File ZMA15-01: Zoning Map Amendment by City of Cartersville to re-adopt the Official Zoning Map

Randy Mannino, Direct of Planning and Development, stated that this Zoning Map Amendment would update the Official Zoning Map to show the changes that have occurred since the map was last adopted in 2014. The Planning Commission recommended approval.

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

NO ACTION REQUIRED

E. Appointments

1. Etowah Area Consolidated Housing Authority

Sam Grove, City Manager, stated that the Etowah Area Consolidated Housing Authority Wished to reappoint Greg Frisbee and Eloise Jackson to the board. The 5-year terms would expire April 1, 2020 and Mr. Grove recommended approval.

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

F. Resolutions

1. Bartow Court Juvenile Court

Greg Anderson, Director of Parks and Recreation, stated that this resolution provides a partnership with the Bartow County Juvenile Court and the City of Cartersville that will assist in the on-going effort to provide a positive environment for youth in the community. The juvenile court would adopt the North Towne Park for supervised youth clean-up projects.

A motion to approve the Resolution 06-15 with Bartow County Juvenile Court was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

Resolution No. 06-15

STATE OF GEORGIA
BARTOW COUNTY

WHEREAS, the Cartersville City Council recognizes the importance of all youth in Cartersville and Bartow County and through a collaborative effort with Bartow County Juvenile Court, believe a positive impact can be made for our youth through the court's "SKORE" program, Supporting Kids On the Road to Excellence,

AND WHERE AS, Cartersville Parks and Recreation Department has always been an advocate for the betterment of all the youth in our community and will support the Bartow County Juvenile Court SKORE program,

AND WHEREAS, Judge Velma Tilley, has declared the City of Cartersville as a Juvenile Court Community Service Provider, and

AND THEREFORE, BE IT RESOLVED, that Bartow County Juvenile Court SKORE program has adopted "North Towne Park" as their community project to enhance the beauty of the park, by providing supervised youth for clean-up and pick-up in the park,

NOW, THEREFORE, BE IT FURTHER RESOLVED, that at the regular scheduled meeting of the Cartersville City Council, of Cartersville, Georgia held on this 19th day of March 2015, this resolution was adopted by a unanimously vote by Cartersville City Council.

ADOPTED this the 19th day of March 2015.

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

ATTEST:

/s/ Catheryn Hembree
Catheryn Hembree
Deputy City Clerk

G. Contracts/Agreements

1. Amendment to ECG Intergovernmental Participant Contract

Don Hassebrock, Electric Department Director, stated that the ECG is seeking to amend the Intergovernmental Participant Contract with the participating cities by allowing ECG to restructure and reallocating services within ECG and to modify the methodology by which the costs are allocated to the users of these services. It takes 75% approval from the participating cities before the contract can be amended. The changes would have a negligible impact on the existing services and cost to the city and Mr. Hassebrock recommended approval.

A motion to approve the Amendment to ECG Intergovernmental Participant Contract was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 5-0

Resolution No. 07-15

APPROVING AMENDMENT NO. 1 TO THE INTERGOVERNMENTAL PARTICIPANT CONTRACT AMONG ALL PARTICIPANTS RESPECTING PARTICIPATION IN ELECTRIC CITIES OF GEORGIA, INC.; AND FOR OTHER PURPOSES

WHEREAS, all 52 political subdivisions or other governmental bodies owning or operating electric distribution systems in the State of Georgia (the "Participants"), including the City of Carterville, Georgia (the "Participant"), caused to be formed Electric Cities of Georgia, Inc. ("ECG"), as successor to GMA's Electric Section, on September 2, 1992, in order to facilitate increased joint action among the Participants; and

WHEREAS, ECG is a Georgia nonprofit corporation under the Georgia Nonprofit Code, an instrumentality of the Participants under Section 115 of the Internal Revenue Code, and operates on a nonprofit basis on behalf of each of the Participants, having no purpose other than to benefit the Participants directly or through economies of scale, and all of its Annual Costs and benefits are shared and allocated among the Participants; and

WHEREAS, the 52 Participants have entered into an Intergovernmental Participant Contract, dated as of February 1, 2013 (the "Contract"), setting forth the terms of certain services to be provided by ECG on each of their behalf (the "Services"); and

WHEREAS, the Participants desire that certain amendments be made to the Contract respecting Distribution Engineering (DE) and Analytical (AN) Services, and the Contract, pursuant to Section 403 thereof, may be amended with the written approval of

75% of the Participants that would be affected by such amendment ("Affected Participants") using the weighted vote methodology set forth in such section;

NOW, THEREFORE, be it resolved by the governing body of the Participant in a meeting duly assembled, and it is hereby resolved by authority thereof, as follows:

Section 1. The Participant hereby (1) approves each of the amendments provided for by that certain draft Amendment No. 1 to the Contract among the Participants in substantially the form attached hereto as Exhibit A (the "Amendment") and (2) approves and authorizes the execution and delivery of the Amendment. Such Amendment shall be executed by the Mayor (the "Authorized Official"), attested by the appropriate officer of the Participant, and shall have the Participant's seal affixed thereto, and shall be delivered to ECG on behalf of the other Participants. Execution of the Amendment as authorized herein shall be conclusive evidence of the Participant's approval thereof.

Section 2. The Participant hereby authorizes the Authorized Official and City Clerk or either of them, to take any further actions and execute and deliver any other documents necessary to carry out the purpose of this Resolution.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

ADOPTED this the 19th day of March 2015.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

2. Haigler Systems Architecture

Tara Currier, Downtown Development Authority Director, stated that the DDA board has selected Jim Haigler of Haigler Systems Architecture to handle the architectural services of the pavilion to be built in Friendship Plaza. The City Attorney has reviewed the document and council approval is recommended.

A motion to approve the contract with Haigler Systems Architecture was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

3. Admiral Insurance Company Release of Liability

Dan Porta, Assistant City Manager, stated that in February, C.H. Kirkpatrick & Sons damaged some city fiber while working on South Erwin Street. The damage resulted in the City having to replace the fiber at the cost of $4,265.00. Admiral Insurance Company who insures C.H. Kirkpatrick & Sons has requested the release of all claims form be submitted. Mr. Porta recommends approval.

A motion to approve the Admiral Insurance Company Release of Liability was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

4. **Automatic Aid Agreement between the Cartersville Fire Department and Bartow County Fire Department**

Chief Carter, of the City of Cartersville Fire Department, stated that in 2000 the City and Bartow County entered into an automatic aid agreement for fire protection and emergency response. The agreement for approval is a summary of and replacement of the original agreement. The biggest change concerns adding and deleting territory. Under the current agreement each street that is added or taken away must come before Mayor and Council, and the Bartow County Commissioner which is time consuming and delays the ability to provide aid. The new agreement states the GIS system will be the legal record of territories for both departments. This will be reviewed on an annual basis by both Fire Chiefs and approved. The GIS system will allow direct entry of territory into the new Computer Aided Dispatch system. The document has be reviewed by City and County legal and Chief Carter recommends approval. The document was approved by Bartow County on March 11, 2015.

A motion to approve the Agreement between the Cartersville Fire Department and Bartow County Fire Department was made by Council Member Stepp and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

5. Amendment to the Intergovernmental Agreement for the Collection of Ad Valorem Taxes with Bartow County

Tom Rhinehart, Finance Director, stated that this amendment is a change to the way the City pays for the collection of ad valorem taxes with Bartow County. The amendment is structured for all of the compensation for tax collections to be paid to Bartow County and in turn the county will pay the Tax Commissioner his/her $2.00 per parcel billed. The amendment will begin with the 2015 tax billing and continue while the amendment is in force. Mr. Rhinehart recommends approval.

A motion to approve the Amendment to the Intergovernmental Agreement for the Collection of Ad Valorem Taxes with Bartow County was made by Council Member McDaniel and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

H. Bid Award/Purchases

1. Replacement of In-Car Computers

Chief Culpepper, Chief of Police, stated that the existing computers in the patrol cars are out of date and the hardware or software can no longer be updated. Based on the recommendation of the IT Specialist, the Police Department is requesting the authorization to purchase thirty-five Motion R12 17 8GB, 128GB SSD with Windows from CDW Government at a total cost of $127,330.00. The cost includes all mounting hardware and connectors. The purchase will be paid for from asset forfeiture funds. Chief Culpepper stated that this item is crucial to the operation of the Police Department and recommends approval.

A motion to approve the purchase of replacement of In-Car Computers was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0

2. Body Cameras for Police Department

Chief Culpepper, Chief of Police, stated that in the light of recent police incidents of police misconduct the City has been reviewing the purchase of body cameras. Based on research by the Chief and the IT Specialist approval is requested to purchase body cameras and docking stations from Digital Ally at a cost of $53,090.00. This particular make will integrate with the current software used to manage in-car videos. In addition to the recording devises, the additional video storage is also being requested. The total cost for this project will be an amount not to exceed $55,000.00. Chief Culpepper recommended approval.

A motion to approve the purchase of Body Cameras and additional video storage was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

3. WRS Benefits Invoice (Actuary)

Tom Rhinehart, Finance Director, stated that the City has received an invoice from WRS in the amount of $8,800.00 for worked performed on the annual GASB 45 valuation. The report is completed on an annual basis. Mr. Rhinehart recommends the invoice to WRS in the amount of $8,800.00 be approved for payment.

A motion to approve the payment of the WRS Benefits Invoice was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

I. Monthly Financial Statement

1. January 2015

Tom Rhinehart, Finance Director, presented the January2014 monthly financial statement with comparisons from the previous year of January2013 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 January2015. No action is needed by Council.

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

Meeting Adjourned

/s/ ___________________________
Matthew J. Santini
Mayor

ATTEST:

/s/ ______________________________
Catheryn Hembree
Deputy City Clerk