City Council Meeting
10 N. Public Square
October 2, 2014
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 Etowah Valley Young Marines Emma Hartley and Kora Chattin

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; Dan Porta, Assistant City Manager; Connie Keeling, City Clerk and David Archer, City Attorney. Sam Grove, City Manager was absent.

II. Regular Agenda

A. Council Meeting Minutes

1. September 18, 2014

A motion to approve the September 18, 2014 City Council Meeting Minutes with addendum as presented was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

B. Proclamations

1. Red Ribbon Week

Mayor Santini stated that this proclamation is to recognize the National Red Ribbon Week October 23-31, 2014 and presented the proclamation to Sgt. Emma Hartley and Pvt. Kora Chattin of the Etowah Valley Young Marines.

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

1. File AZ14-04: Annexation and zoning application by Anthony Linley (City annexation initiative) for property located at 119 Dogwood Drive (approximately 0.5 acres) from Bartow County jurisdiction to R-20 (Single Family Residential).

Randy Mannino, Planning and Development Director, stated that the Public Official Forms have been received and there are no conflicts of interest. All adjacent property owners have been notified and the required legal notices have been advertised. Mr. Mannino requested that the application and zoning ordinance be made part of the official record. Copies of the adopted procedures and zoning standards are available upon request. Mr. Mannino stated this property is a “donut hole” and is eligible for the City annexation initiative. All legal advertising and notification have been completed. Mr. Mannino stated that the county officials have no objections to the request, there have been no corrections or deletions since the first reading. Planning Commission recommends approval.

Mayor Santini opened the floor for a public hearing for the annexation and zoning. There being no comments the public hearings were closed

A motion to approve the annex Ordinance No. 30-14 was made by Council Member Hodge and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

A motion to approve the zoning Ordinance No. 31-14 was made by Council Member Pruitt and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 30-14

Petition No. AZ 14-04

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 Anthony Linley . Property is located 119 Dogwood Drive. Said property contains 0.5 acres located in the 4th District, 3rd Section, Land Lot(s) 115 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 18th day of September 2014.
ADOPTED this the 2nd day of October 2014. 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. 31-14

Petition No. AZ 14-04

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 Anthony Linley. Property is located 119 Dogwood Drive. Said property contains 0.5 acres located in the 4th District, 3rd Section, Land Lot(s) 115 as shown on the attached plat Exhibit "A". Property is hereby rezoned from Bartow County R-1 (Single Family Residential) 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 18th day of September 2014.
ADOPTED this the 2nd day of October 2014. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

2. File AZ 14-05: Annexation and zoning application by B.I.G. USA Inc (Burr & Forman rep.) for property on the south side of Cass-White Road, east of the intersection with Old Grassdale Road (approximately 50 acres) from Bartow County jurisdiction to H-I (Heavy industrial) and Business Park Overlay District.

Randy Mannino, Planning and Development Director, stated that the Public Official Forms have been received and there are no conflicts of interest. All adjacent property owners have been notified and the required legal notices have been advertised. Mr. Mannino requested that the application and zoning ordinance be made part of the official record. Copies of the adopted procedures and zoning standards are available upon request. Mr. Mannino stated this property is part of a larger B.I.G. development and this parcel would be going the existing H-I/Overlay District zoned property. Mr. Mannino stated that the county officials have no objections to the request, there have been no corrections or deletions since the first reading.

Planning Commission recommends approval.

Mayor Santini opened the floor for a public hearing for the annexation and zoning. There being no comments the public hearings were closed

A motion to approve the annex Ordinance No. 32-14 was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

A motion to approve the zoning Ordinance No. 33-14 was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 32-14

Petition No. AZ14-05

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 Anheuser Busch LLC and Jack Nally . Property is located on the south side of Cass-White Road, east of Old Grassdale Road. Said property contains approximately 50 acres located in the 5th District, 3rd Section, Land Lot(s) 227 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 18th day of September 2014.
ADOPTED this the 2nd day of October 2014. 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. 33-14

Petition No. AZ14-05

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 Anheuser Busch LLC and Jack Nally. Property is located on the south side of Cass-White Road, east of Old Grassdale Road. Said property contains approximately 50 acres located in the 5th District, 3rd Section, Land Lot(s) 227as shown on the attached plat Exhibit "A". Property is hereby rezoned from Bartow County Business Park to H-I (Heavy Industrial) and Business Park Overlay District. 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 18th day of September 2014.
ADOPTED this the 2nd day of October 2014. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

3. File ZMA 14-05: Zoning Map amendment by City of Cartersville to revise the Business Park Overlay District map.

Randy Mannino, Planning and Development Director, stated that the Public Official Forms have been received and there are no conflicts of interest. All adjacent property owners have been notified and the required legal notices have been advertised. Mr. Mannino requested that the application and zoning ordinance be made part of the official record. Copies of the adopted procedures and zoning standards are available upon request. Mr. Mannino stated that the changes in the zoning map would correspond to the annexation and zoning application by B.I.G. USA Inc. Mr. Mannino stated that the county officials have no objections to the request, there have been no corrections or deletions since the first reading. Planning Commission recommends approval.

Mayor Santini opened the floor for a public hearing. There being no comments the public hearing was closed.

A motion to approve the Zoning Map Amendment for the Business Park Overlay District was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

D. First Reading of Ordinances

1. Amendment to Budget Ordinance for Fiscal Year 2013-14

Tom Rhinehart, Finance Director stated that after completion of the Fiscal Year 2013-14 close, the general fund and special revenue fund budgets need to be amended. By amending these budgets, the city general fund and special revenue funds will be in compliance with Generally Accepted Accounting Principles. Mr. Rhinehart stated that the adjustments reflect the necessary changes needed to bring the budgets back to a zero based level for the fiscal year and recommended approval.

NO ACTION REQUIRED

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

NOW BE IT HEREBY ORDAINED by the Mayor and City Council that pursuant to the City of Cartersville Charter; the City of Cartersville Fiscal Year 2013 - 2014 budget.

2013 - 2014 Budget Summary

General Fund	Revenues	Expenditures
Revenues	$39,182,570	
Expenditures:		
Legislative		$19,029,440
Administration		$ 876,415
Finance Dept.		$ 1,094,715
Customer Service Dept.		$ 651,755
Police		$ 5,082,120
Fire		$ 5,978,130
Municipal Court		$ 233,985
Public Works		$ 2,341,630
Recreation		$ 3,029,585
Planning & Development		$ 722,455
Downtown Development Authority		$ 142,340

<u>Special Revenue Funds</u>		
SPLOST – 2003	**$ 612,920**	**$ 612,920**
SPLOST – 2007	**$ 2,702,390**	**$ 2,702,390**
SPLOST – 2014	**$ 1,576,465**	**$ 1,576,465**
DEA	**$ 262,900**	**$ 262,900**
State Forfeiture	**$ 3,000**	**$ 3,000**
CDBG Supplemental Dis Rec	**$ 24,510**	**$ 24,510**
Hotel/Motel Tax	**$ 521,660**	**$ 521,660**
Motor Vehicle Rental Tax	**$ 59,700**	**$ 59,700**
Grant Funds	**$ 42,415**	**$ 42,415**
Impact Fees	**$ 0**	**$ 0**
Business Improve Dist Tax	**$ 27,830**	**$ 27,830**
Development Fees	**$ 5,000**	**$ 5,000**
Cartersville Building Auth	**$ 1,837,800**	**$ 1,837,800**
<u>Enterprise Funds</u>		
Fiber Optics	**$ 1,665,775**	**$ 1,665,775**
Electric	**$46,939,100**	**$46,939,100**
Gas	**$25,438,015**	**$25,438,015**
Solid Waste	**$ 2,219,575**	**$ 2,219,575**
Stormwater	**$ 1,402,065**	**$ 1,402,065**
Water & Sewer	**$20,443,865**	**$15,588,035**
Water Pollution Control Plant		**$ 2,024,365**
Water Treatment Plant		**$ 2,831,465**
<u>Internal Service Fund</u>		
Garage	**$ 1,486,155**	**$ 1,486,155**

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 2nd day of October 2014.
ADOPTED this   day of October 2014. Second Reading.

/s/ <u>Matthew J. Santini</u>
Matthew J. Santini
Mayor

ATTEST:

/s/ <u>Connie Keeling</u>
Connie Keeling
City Clerk

2. Amendment to Capacity Fees Ordinance

Bob Jones, Water and Sewer Superintendent stated that this proposed amendment clarifies the existing ordinance by listing in greater detail how water and sewer capacity fees are calculated for multiple unit services. The amendment corresponds to the way capacity fees have been calculated by Water Department policy and Mr. Jones recommended 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 CITY OF CARTERSVILLE CODE OF ORDINANCES. CHAPTER 24. Utilities. Article IV. Water Service 24-64. Water and Sewage Utility Rates (d) Other Provisions is hereby amended by deleting Section 24-64 (d) Other Provisions in its entirety and replacing it with the following:

I. OTHER PROVISIONS

1. Apartments and hotels per unit calculations.

All hotel and apartment units with refrigerator and stove are to be calculated as a single (1) unit (W' water meter equivalent) for capacity fees.

All hotel and apartment units without refrigerator and stove are to be calculated as one- half unit (W' water meter equivalent) for capacity fees. The following, if part of an apartment or hotel and served by a single meter are to be considered a separate unit for capacity fees. The capacity fee will be calculated as a single (1) unit based on meter size. If the following are served by a master meter, they are considered to be a separate unit to be calculated as a single (1) unit (W' water meter equivalent):

(a) Restaurant;
(b) Lounge;
(c) Car wash;
(d) Lobby;
(e) Full kitchen (not part of restaurant).
(f) Linen Laundry
(g) Guest Laundry
(h) Swimming Pool

2. Assisted Living Facility, Nursing Home and Hospital per unit calculations:

All resident/patient rooms with refrigerator and stove are to be calculated as a single (1) unit (W' water meter equivalent) for capacity fees.

All patient rooms without refrigerator and stove are to be calculated as one-half unit (W' water meter equivalent) for capacity fees. The following, if part of a nursing home, assisted living facility or hospital and served by a single meter are to be considered a separate unit for capacity fees. The capacity fee will be calculated as a single (1) unit based on meter size. If the following are served by a master meter, they are considered to be a separate unit to be calculated as a single (1) unit (W' water meter equivalent):

(a) Restaurant
(b) Lounge;
(c) Car wash;
(d) Lobby/Waiting Room;
(e) Full kitchen (not part of restaurant).
(f) Linen Laundry
(g) Guest Laundry
(h) Swimming Pool

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 2nd day of October 2014.
ADOPTED this the day of. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

E. Change Order

1. Final Change Order – Etowah Drive 12" Water Main

Bob Jones, Water and Sewer Superintendent stated that this is the final change order for the Etowah Drive 12” Water Main. This final change order for $49,031.88 is the result of additional work outside the original project scope required to complete the project bringing the total project cost to $1,365,458.52. Mr. Jones recommended approval.

A motion to approve the final change order for Etowah Drive was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

F. Resolutions

1. Approval of Resolutions and Agreement Related to the East Main Street TAD #1 Redevelopment Plan

David Archer, City Attorney stated that the following items require approval by the Mayor and City Council if they wish to adopt the proposed East Main Street Redevelopment Plan and TAD #1.

1. Resolution adopting the East Main Street TAD #1 Redevelopment Plan, declaring it a blighted area, and approving a tax allocation district.
2. Official Intent Resolution regarding the East Main Street Tax Allocation District.
3. A Financial Advisor Agreement with Raymond James & Associates, Inc. regarding the East Main Street TAD #1 Redevelopment Project.

Mr. Archer stated that staff recommends approval.

A motion to approve the Resolution No. 19-14 and Resolution No. 20-14 and the proposed agreement was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0 with Council Member Pruitt abstaining.

Resolution No. 19-14

WHEREAS, the City of Cartersville has prepared an Urban Redevelopment Plan entitled "EAST MAIN STREET TAD #1 URBAN REDEVELOPMENT PLAN" adopted under O.C.G.A. § 36-61-1 et seq. to rehabilitate, conserve, or redevelop a defined geographical area; and,

WHEREAS, the Urban Redevelopment Act can be used alone or in combination with many of Georgia's other legislative redevelopment tools to support local comprehensive planning, revitalize faltering commercial corridors, recruit and nurture small businesses, generate new adaptive reuses for old mining and landfill property; and

WHEREAS, the Mayor and City Council as the redevelopment agency for the City of Cartersville has determined that the below described area constitutes a slum area pursuant to O.C.G.A. § 36-1 7(a) and O.C.G.A. § 36-61-2 (18) by the existence of a previous landfill developments impaired by environmental hazards, deterioration of the

site, and a combination of other factors substantially impair the sound growth of the City by having an undevelopable area which is detrimental to the public's health, safety, and welfare; and,

WHEREAS, the City of Cartersville has identified a defined geographic boundary that constitutes the Urban Redevelopment Plan Area. The area can be described as all that property lying and being within the City of Cartersville within the area bounded as follows:

OVERALL

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN LAND LOTS 387, 388, 405, & 406, OF THE 4TH DISTRICT, 3RD SECTION, IN THE CITY OF CARTERSVILLE, BARTOW COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY OF GEORGIA HIGHWAY 113 – A.K.A. EAST MAIN STREET (150' RIGHT-OF-WAY) AND THE WEST LINE OF LAND LOT 387, SAID DISTRICT AND SECTION; THENCE ALONG THE SOUTH RIGHT-OF-WAY OF GEORGIA HIGHWAY 113 – A.K.A. EAST MAIN STREET (150' RIGHT-OF-WAY) IN A NORTHEASTERLY DIRECTION A DISTANCE OF 78.45 FEET TO AN IRON PIN (#4 REBAR) AND THE TRUE POINT OF BEGINNING.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED; THENCE ALONG THE SOUTH RIGHT-OF-WAY OF GEORGIA HIGHWAY 113 IN A NORTHEASTERLY DIRECTION WITH A CURVE TURNING TO THE RIGHT WITH A RADIUS OF 1834.91 FEET, HAVING A CHORD BEARING OF N 59°59'15" E, A CHORD DISTANCE OF 93.22, AND AN ARC LENGTH OF 93.23 TO A POINT; THENCE WITH A BEARING OF S 28°33'24" E A DISTANCE OF 25.00 FEET TO A POINT; THENCE WITH A BEARING OF N 62°56'36" E A DISTANCE OF 94.75 FEET TO A POINT; THENCE WITH A BEARING OF N 25°33'24" W A DISTANCE OF 25.00 FEET TO A POINT; THENCE IN A EASTERLY DIRECTION WITH A NON-TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 1835.09 FEET, HAVING A CHORD BEARING OF N 71°33'56" E, A CHORD DISTANCE OF 455.01, AND AN ARC LENGTH OF 456.18 TO A POINT; THENCE WITH A BEARING OF N 80°04'32" E A DISTANCE OF 428.36 FEET TO A POINT; THENCE WITH A BEARING OF S 09°55'28" E A DISTANCE OF 35.00 FEET TO A POINT; THENCE WITH A BEARING OF N 80°04'32" E A DISTANCE OF 100.00 FEET TO A POINT; THENCE WITH A BEARING OF N 09°55'28" W A DISTANCE OF 35.00 FEET TO A POINT; THENCE WITH A BEARING OF N 80°04'32" E A DISTANCE OF 811.01 FEET TO A POINT; THENCE WITH A BEARING OF S 09°55'28" E A DISTANCE OF 10.00 FEET TO A POINT; THENCE WITH A BEARING OF N 80°05'28" E A DISTANCE OF 15.42 FEET TO A POINT; THENCE WITH A BEARING OF N 80°05'28" E A DISTANCE OF 14.58 FEET TO A POINT; THENCE WITH A BEARING OF N 09°55'28" W A DISTANCE OF 10.00 FEET TO A POINT;

THENCE WITH A BEARING OF N 80°04'32" E A DISTANCE OF 168.49 FEET TO A POINT; THENCE LEAVING THE SOUTH RIGHT-OF-WAY OF GEORGIA HIGHWAY 113 WITH A BEARING OF S 10°04'22" E A DISTANCE OF 460.55 FEET TO A POINT; THENCE WITH A BEARING OF S 79°55'38" W A DISTANCE OF 184.98 FEET TO A POINT; THENCE WITH A BEARING OF S 09°50'02" E A DISTANCE OF 632.00 FEET TO A POINT; THENCE WITH A BEARING OF S 09°50'02" E A DISTANCE OF 164.01 FEET TO A POINT; THENCE WITH A BEARING OF S 79°55'38" W A DISTANCE OF 983.91 FEET TO A POINT ON THE WEST LINE OF LAND LOT 405 AND THE EAST LINE OF LAND LOT 406; THENCE WITH A BEARING OF S 79°55'38" W A DISTANCE OF 594.90 FEET TO A POINT; THENCE WITH A BEARING OF N 29°30'48" W A DISTANCE OF 1203.13 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF GEORGIA HIGHWAY 113 AND THE TRUE POINT OF BEGINNING.

A map is attached hereto as Exhibit "A: and incorporated herein by reference. WHEREAS, conditions within this delineated area suffer from slum and blighting influences under local standards, and is detrimental to the public health, safety, and welfare, the property's deterioration is negatively affecting the community and the residents of the City;

WHEREAS, the Mayor and City Council has caused a public hearing to be held on September 18, 2014; and,

WHEREAS, the City desires to work with public and private sector partners to ensure that the desired redevelopment is achieved; and,

WHEREAS, the city hereby identifies the influences on the above described geographic areas designated herein and intends to work diligently to foster conditions conducive to redevelopment within those areas;

WHEREAS, the Mayor and City Council find it necessary to exercise powers of urban redevelopment pursuant to the provisions of O.C.G.A. § 36-61-1 et seq.; and,

WHEREAS, the Mayor and City Council have caused to be prepared an Urban Redevelopment Plan for those portions of the City of Cartersville described herein; and,

NOW THEREFORE the Mayor and City Council finds that one or more areas of slum and blight exist within the City and that the rehabilitation, conservation, redevelopment, or a combination thereof within such areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City of Cartersville, and furthermore:

1. **That the designated area is a slum or blighted area as defined in O.C.G.A. § 36-61-1 et. seq.**
2. **That the Urban Redevelopment Plan for the East Main Street TAD #1:**

(a) conforms to the Comprehensive Plan of the City of Cartersville;
(b) will afford maximum opportunity consistent with the sound needs of the City for the rehabilitation and/or redevelopment of the area by private enterprise.

3. That the East Main Street TAD #1 Urban Redevelopment Plan is hereby adopted by the Mayor and City Council;

4. That the Mayor and City Council has previously designed itself as the redevelopment agency and is the entity best suited to implement the provisions of the East Main Street TAD #1 Urban Redevelopment Plan.

5. The Mayor and City Council finds and declares that the Area has not been subject to growth and development through private enterprise and would not reasonably be anticipated to be developed without the approval of the proposed Redevelopment Plan.

6. The Mayor and City Council finds that the proposed improvements are likely to enhance the value of the property in the district.

7. The Mayor and City Council established the Tax Allocation District Increment Base as $1,138,531.52. The property taxes to be used for computing tax allocation increments are specified in the attached Redevelopment Plan and incorporated herein by reference.

8. If authorized, the proceeds of such bonds will be used for any and all eligible uses including, without limitation, costs of issuance of the tax allocation bonds, capital costs of public improvements, including but not limited to streets, bridges, topography, site improvement, landfill removal, utilities, storm and sanitary sewers, parks and parking lots, professional services costs (including feeds for architectural engineering and environmental services), and such other uses deemed necessary pursuant to the provisions of the Redevelopment Plan, the Redevelopment Powers Law, and the Urban Redevelopment Law.

This Resolution shall be effective upon adoption.

ADOPTED this the 2nd day of October 2014.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

Resolution No. 20-14

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF CARTERSVILLE, GEORGIA WITH RESPECT TO PROPOSED FINANCING OF SITE WORK, INFRASTRUCTURE IMPROVEMENTS, TRAFFIC IMPROVEMENTS AND IN-LINE RETAIL BUILDINGS IN CONNECTION WITH THE EAST MAIN STREET TAX ALLOCATION DISTRICT THROUGH THE ISSUANCE OF ONE OR MORE TAX-EXEMPT DEBT FINANCINGS; AND FOR OTHER PURPOSES

WHEREAS, the Mayor and Council of the City of Cartersville, Georgia (the "Governing Body") has determined that it is in furtherance of public good that the City of Cartersville, Georgia, a municipal corporation of the State of Georgia (the "City"), expend money on the costs of the acquisition, construction, and installation of site work, infrastructure improvements, traffic improvements and in-line retail buildings in connection with the East Main Street Tax Allocation District (the "Project") in advance of the issuance of tax-exempt debt for such purposes; and

WHEREAS, the Project will require capital expenditures currently estimated at not to exceed $3,000,000 and the one or more issues of tax-exempt debt to pay the costs of such Project is currently estimated not to exceed $3,000,000 in aggregate principal amount; and

WHEREAS, the tax-exempt debt to pay the costs of such Project is to be issued by the City or by a political subdivision or other governmental entity for the benefit of the City; and

WHEREAS, the Governing Body finds it prudent to adopt this Resolution stating its intention to reimburse itself from future proceeds of tax-exempt debt for any such expenditures;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Cartersville, Georgia, and it is hereby resolved by authority of the same, as follows:

(1) The Governing Body hereby indicates its official intent to reimburse expenditures heretofore or hereafter made by itself in connection with the foregoing Project (to the extent permitted by Section 1.150-2 of the Income Tax Regulations of the Internal Revenue Code of 1986, as amended) from one or more future issues of tax- exempt debt.

(2) The maximum principal amount of tax-exempt debt expected to be issued by the City or by a political subdivision or other governmental entity for the benefit of the City for the acquisition, construction and installation of the

Project hereinabove described is currently estimated not to exceed $3,000,000.

(3) The Clerk of the City is instructed to file a certified copy of this resolution with instructions that this resolution should be made available to the general public upon reasonable request therefore.

ADOPTED this 2nd day of October, 2014.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

G. Bid Award/Purchases

1. Aggregate/Salt Spreader and Snow Plows

Tommy Sanders, Public Works Director stated that staff had solicited bids for a 9 CY Aggregate/Salt Spreader for a Tandem Dump Truck and for two (2) 10 inch municipal snow plows. Mr. Sanders stated that this equipment will better prepare the city for inclement winter weather and recommended approval for this purchase from the low bidder O. G. Hughes and Sons in the amount of $27,479.00.

A motion to approve the purchase from O. G. Hughes and Sons was made by Council Member Stepp and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

2. Fire Truck(s) Replacement Purchase

Scott Carter, Fire Chief stated that this is a request for two new fire trucks to replace Engines 1 & 3. Chief Carter stated that these engines are over ten (10) years old, have over 300,000 operational miles and are showing significant repair costs. Chief Carter stated that the City Fire Departments fleet consists of Pierce Fire Apparatus therefore this is a single source bid from Ten-8 Fire and Safety Equipment at a price of $436,516.00 each for a total of $873,032.00. Chief Carter stated that this is a budgeted item and will be funded through lease pool with delivery before June 30, 2015 and recommended approval.

A motion to approve the purchase from Ten-8 Fire and Safety Equipment was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

A motion was made to amend this motion to include a penalty clause to encourage delivery by June 30, 2015 was made by Council Member Pruitt and seconded by Council

Member Stepp. Motion carried unanimously. Vote 6-0

3. Patrol Vehicles 2014-2015

Tommy Culpepper, Police Chief stated that the police department annually replaces a number of vehicles due to wear and tear. Presently the police department is seeking approval to purchase five (5) vehicles – four (4) vehicles and equipment would be purchased from budgeted funds and one (1) vehicle and equipment from asset forfeiture funds. Chief Culpepper stated that bids were received from two vendors and recommended the best qualified bid from Robert Loehr in the amount of $126,825. Chief Culpepper stated that he intends to recycle equipment from other vehicles that will be taken out of service to reduce the final cost and asked for approval to spend up to $236,825.00 to include equipment for the five vehicles.

A motion to approve the purchase from Robert Loehr and the necessary equipment at an amount up to $236,825.00 was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

4. Purchase of SMART Boards

Tommy Culpepper, Police Chief stated that the Police Department is asking for authorization to purchase two (2) SMART Boards for the Public Safety Headquarters and the firing range to allow for more effective presentations and training. Chief Culpepper stated that two bids were received and recommended approval to purchase both systems from OnePath Systems LLC at a total cost of $17,700.00.

A motion to approve the purchase of SMART Boards from OnePath Systems LLC was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

5. Itron Metering Software Annual Maintenance and Support Contract

Don Hassebrock, Electric Department Director stated that this is the annual renewal for maintenance and support for the MV90 meter test equipment. Mr. Hassebrock stated that this is a sole source provider and recommended approval of the renewal on the contract with Itron in the amount of $7,178.35.

A motion to approve annual contract renewal with Itron was made by Council Member Pruitt and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

6. Electric Meter Testing Contract

Don Hassebrock, Electric Department Director stated that this is a program to test the meters of the larger customers for accuracy and would cover approximately 75 meters a year. Mr. Hassebrock stated that due to the cost and complexity of the test equipment it is more economically feasible to have a contractor perform the test and recommended approval of the low bid from M & R Services at a cost not to exceed $8,400.00.

A motion to approve the contract with M & R Services at an amount not to exceed $8,400.00 was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

H. Other

1. American Public Gas Association Dues

Gary Riggs Gas Department Superintendent stated that this is the annual membership dues with American Public Gas Association in the amount of $6,820.10 and recommended approval.

A motion to approve the membership dues with American Public Gas Association was made by Council Member Pruitt and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

I. Discussion

1. Chamber of Commerce Can-A-Thon

Dan Porta, Assistant City Manager stated that the Chamber of Commerce puts on an annual can-a-thon to help the local food banks and have asked to use the old Fire Station #1 bays as a location for this event. Mr. Porta stated that they anticipate needing the space November 10-12, 2014 and recommended approval.

A motion to approve the use of the old Fire Station #1 for the Can-a-Thon was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

Mayor Santini stated that there was one item to be added to the agenda. A motion to add an item to the agenda was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0

J. Added Item

1. Festival Zone Proposed Date Change

Tara Currier, Downtown Development Director stated that the First Friday Event had to be postponed to October 10, 2014 due to predicted inclement weather and asked approval for the new Festival Zone Date and corresponding Resolution.

A motion to approve the date change and corresponding Resolution No. 21-14 was made by Council Member Stepp and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

Resolution No. 21 -14

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 their October First Friday event, which is being postponed to Friday, October 10, and featuring kids' activities, food vendors, and a DJ in Friendship Plaza.

WHEREAS, the DDA Board recommends that Public Square and Friendship Plaza be designated a controlled Festival Zone, allowing those of 21 years and older, who show proof of identification and receive a festival cup and wristband, be allowed to consume purchased beer or wine within the Festival Zone.

WHEREAS, DDA board and staff have completed Crowd Management training and will, in conjunction with two 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 white 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 would only be sold from 5:30-8:30 PM on Friday, 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 and implemented by the DDA, and approved by the Director of Planning and Development, be designated a Community Festival.

ADOPTED this the 2nd day of October 2014.

/s/ Matt Santini
Matt Santini
Mayor

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

K. Discussion

2. Removal of Trees on Wall Street

Mayor Santini stated that some of the Downtown Merchants had expressed the need to cut down the trees in the planters along Wall Street. Business owners feel that the trees hinder their business by blocking storefronts and signs and would like to ask that the City remove the trees.

Mayor Santini opened the floor for discussion. Dan Kramer owner of It's About Time stated that the tree in front of his store completely covers his storefront and asked that a smaller tree be planted in the place of the one presently in the planter. Tara Currier and Nancy Jackson with the DDA Board came forward and discussed the Downtown Master Plan and stated that Tuesday, October 21 the DDA will meet from 9:00 a.m. to 3:00 p.m. to discuss the trees and the Downtown Master Plan.

Mayor Santini thanked everyone and stated that since this was a discussion item no action was required at this time.

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