

City Council Meeting
10 N. Public Square
July 17, 2014
6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member Tate

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; Dianne Tate, Council Member Ward Five; Lori Pruitt, Council Member Ward Six; Sam Grove, City Manager; Connie Keeling, City Clerk and Keith Lovell, Assistant City Attorney. David Archer, City Attorney was absent.

II. Regular Agenda

A. Introduction

1. Introduction of New Principal

Doctor Howard Hinesley came forward and told the Mayor and Council how much the school system appreciated the support from the City of Cartersville and to introduce the New Cartersville High School principal Marc Feuerback.

B. Council Meeting Minutes

1. July 1, 2014 and July 14, 2014

A motion to approve the July 1, 2014 and July 14, 2014 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

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

1. File AZ14-03: Annexation and zoning application by Ledbetter Properties LLC (David Buckel, representative) for property on the south side of East Main Street (approximately 3.68 acres) from Bartow County Jurisdiction to MN (Mining).

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 this tract is approximately 3.68 acres of surface mining land located south of East Main Street approximately 1,000 feet due south of the entrance to the Avonlea Highlands Apartment Complex. This property would be, after annexation and after construction of the proposed new Kroger Marketplace, behind the building and would only be used for grading and drainage. Mr. Mannino stated that the property, if annexed, would be zoned MN (Mining), which is similar to the current M-1 (Mining) zoning district in Bartow County. Mr. Mannino stated that county officials have no objection to this request, staff had no objections and the Planning Commission had recommended approval.

Mayor Santini opened the floor for a public hearing on the annexation. David Buckel came forward and with no further comments the Mayor Santini closed the public hearing.

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

NO ACTION REQUIRED

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

Petition No. AZ14-03

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 Forty One Connector LTD. Property is located on the south side of East Main Street. Said property contains 3.68 acres located in the 4th District, 3rd Section, Land Lot(s) 405 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 17th day of July 2014.
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. AZ14-03

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 Forty One Connector LTD. Property is located on the south side of East Main Street. Said property contains 3.68 acres located in the 4th District, 3rd Section, Land Lot(s) 405 as shown on the attached plat Exhibit "A". Property is hereby rezoned from Bartow County M-1 (Mining) to MN (Mining). 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 17th day of July 2014.
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 Z14-03: Rezoning application by Ledbetter Properties LLC (David Buckel, representative) for property on the south side of East Main Street (approximately 1.94 acres) from MN (Mining) and Main Street Overlay District to G-C and Main Street Overlay District zoning.

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 this tract is located on the south side of East Main Street across from the Avonlea Apartments. It

is the proposed easternmost outparcel of the new regional commercial development that would include a new Kroger Marketplace. To be similar to all other proposed outparcels for this development, this tract is proposed to be rezoned from MN (Mining) to G-C (General Commercial), and would remain in the Main Street Overlay District. Mr. Mannino stated that staff had no objections and the Planning Commission had recommended approval.

Mayor Santini opened the floor for a public hearing on the zoning. David Buckel came forward and with no further comments the Mayor Santini closed the public hearing.

NO ACTION REQUIRED

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

Petition No. Z14-03

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 New Riverside Ochre Co. Property is located on the south side of East Main Street. Said property contains 1.94 acres located in the 4th District, 3rd Section, Land Lot(s) 388 as shown on the attached plat Exhibit "A". Property is hereby rezoned from MN (Mining) and Main Street Overlay District to G-C (General Commercial) and Main Street Overlay. 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 17th day of July 2014.

ADOPTED this the day of. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

3. File SU14-02: Special Use application by Cortney Hultman for property at 221 Fite Street (approximately 0.2 acres) to allow expansion of a nonconforming use (restaurant) on a R-7 zoned lot.

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 this tract is located at 221 Fite Street at the intersection with Walker Street. The applicant, who has owned and operated Moore's Gourmet Market for over 10 years, has also owned the adjacent rental house. This house was built in approximately 1997 and the applicant proposed to demolish the house, add a solid fence and landscaping adjacent to the single-family residence on Walker Street and expand the overflow parking area on this lot. Mr. Mannino stated that the applicant has stated that the added parking will help the potentially dangerous situation in which users of both the nearby park and his restaurant park along the road. If approved the applicant understands that he will also need approval of the Historic Preservation Commission before a demolition permit may be issued. Mr. Mannino stated that staff has no objections and the Planning Commission had recommended approval.

Mayor Santini opened the floor for a public hearing on the Special Use application. Jim Mack came forward to speak for the Special Use application and Derian Templeton and Roger Fain came forward to speak against the Special Use application. With no further comments the Mayor Santini closed the public hearing.

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

Petition No. SU14-02

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 For the Love of Food LLC. Property is located at 221 Fite Street. Said property contains 0.2 acres located in the 4th District, 3rd Section, Land Lot(s) 525 as shown on the attached plat Exhibit "A". Property is hereby rezoned from R-7 (Single Family Residential) to allow expansion of a nonconforming use (restaurant) on a R-7 zoned lot. 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 17th day of July 2014.
ADOPTED this the day of. Second Reading.**

/s/ Matthew J. Santini

Matthew J. Santini
Mayor

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

NO ACTION REQUIRED

D. Resolutions

1. Quitclaim Deed – 11 Granger Drive

Randy Mannino, Planning and Development Director stated that this is a lien release for the property located at 11 Granger Drive. This was part of the first time homebuyers forgivable loan program and the property owner has fulfilled their required five (5) year period. Mr. Mannino recommended approval.

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

E. Proposals

1. Downtown Festival Zone

Tara Currier, Downtown Development Director stated that the DDA would like to propose a Festival Zone for the August 1 First Friday Event. This is the first festival application under the new alcohol festival ordinance. Ms. Currier stated that staff has submitted their Crowd Management Certification to the Fire Marshal and two City Police Officers will be on hand for the event. Ms. Currier stated that all requirements have been met and recommended approval.

A motion to approve the Festival Application and corresponding Resolution No. 12-14 subject to insurance documentation being provided was made by Council Member Pruitt and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

Resolution No. 12-14

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 August 1, First Friday event, sponsored by Mellow Mushroom, and featuring kids' activities, food vendors, and a concert 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 6-9 PM on Friday, August 1, 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 August 1 First Friday event, planned and implemented by the DDA, with sponsorship from Mellow Mushroom and approval by the Director of Planning and Development, be designated a Community Festival.

ADOPTED this the 17th day of July 2014.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

F. Resolutions

1. Referendum Resolution for City of Cartersville GO Park Bonds

Sam Grove, City Manager stated that this is an initial draft of the Referendum Resolution for consideration of GO Park Bonds. Mr. Grove stated that the council's adoption of this resolution is the first step in order to get the park bonds on the November 4, 2014 ballot. Mr. Grove stated that if approved the bonds will not exceed \$8.2 million with a ten (10) year payback. The bonds will add one (1) mill of tax and Mr. Grove recommended approval.

A motion to approve Resolution No.10-14 for the City of Cartersville GA Park Bonds was made by Council Member Stepp and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

Resolution No. 10-14

A REFERENDUM RESOLUTION TO REGULATE AND PROVIDE FOR

THE CALLING OF AN ELECTION AND TO CALL AN ELECTION TO DETERMINE THE ISSUANCE OR NON-ISSUANCE BY THE CITY OF CARTERSVILLE, GEORGIA OF GENERAL OBLIGATION PARK AND RECREATIONAL FACILITIES BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,200,000; TO PROVIDE FOR THE DATE, RATE OR RATES OF INTEREST, AND SCHEDULE OF MATURITIES THAT SUCH BONDS SHALL BEAR AND THAT THE BONDS MAY BE MADE SUBJECT TO REDEMPTION PRIOR TO MATURITY TO THE EXTENT PERMITTED BY LAW; TO PROVIDE FOR THE LEVY AND COLLECTION OF TAXES TO SERVICE SUCH BONDED INDEBTEDNESS, IF SO AUTHORIZED; TO PROVIDE THAT THE BONDS AUTHORIZED MAY BE ISSUED IN ONE OR MORE SERIES AND ON ONE OR MORE DATES OF ISSUANCE; AND FOR OTHER PURPOSES:

WHEREAS, the City Council of the City of Cartersville, Georgia (the "Governing Body") is the governing authority of the City of Cartersville, Georgia (the "City"), a municipal corporation created and existing under the laws of the State of Georgia, and is charged with the duties of levying taxes, contracting debts, and managing the affairs of the City; and

WHEREAS, the Governing Body deems it to be in the best interest of the City to improve public services in the City by acquiring, constructing, reconstructing, renovating, repairing, improving, and installing park and recreational facilities and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, all at an estimated cost of more than \$8,200,000; and

WHEREAS, it appears to the Governing Body that the most feasible plan for providing funds to pay or be applied toward the cost of acquiring, constructing, reconstructing, renovating, repairing, improving, and installing park and recreational facilities and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, to pay capitalized interest incident thereto, and to pay expenses incident to accomplishing the foregoing, requires the issuance and sale of City of Cartersville, Georgia General Obligation Park and Recreational Facilities Bonds, in the aggregate principal amount of \$8,200,000, pursuant to the Constitution and laws of the State of Georgia; and

WHEREAS, under the Constitution and laws of the State of Georgia, it is necessary to submit to the qualified voters of the City the question of whether or not \$8,200,000 in aggregate principal amount of bonds should be issued for such purposes, which bonds, if authorized, shall be dated, shall bear interest from date at such rate or rates, not exceeding a maximum per annum rate, and shall mature as to principal, as hereinafter more fully set forth, and may be made subject to redemption prior to maturity, to the extent permitted by law, upon terms and conditions to be determined by the Governing Body.

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

Section 1. There is hereby authorized to be called and there is hereby called an election to be held in the City on the 4th day of November 2014, for the purpose of submitting to the qualified voters of the City for their determination the question of whether or not \$8,200,000 in aggregate principal amount of City of Cartersville, Georgia General Obligation Park and Recreational Facilities Bonds should be issued for the purpose of providing funds to pay or be applied toward the cost of acquiring, constructing, reconstructing, renovating, repairing, improving, and installing park and recreational facilities and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, to pay capitalized interest incident thereto, and to pay expenses incident to accomplishing the foregoing. Such bonds, if so authorized, shall be dated as of the first day of the month of delivery or such other date(s) as the Governing Body may approve, shall be in such denomination or denominations as the Governing Body may approve, and shall bear interest from date at such rate or rates as the Governing Body may approve but not exceeding six percent (6.00%) per annum in any year. All interest shall be payable semiannually on July 1 and January 1 of each year, beginning on July 1, 2015, and the principal shall mature (by scheduled maturity or by mandatory redemption, as the Governing Body may approve) on January 1 in the years and amounts as follows:

Year	<u>Amount</u>
2016	\$745,000
2017	755,000
2018	770,000
2019	780,000
2020	800,000
2021	820,000
2022	840,000
2023	870,000
2024	895,000
2025	925,000

Section 2. The ballot to be used in the election shall have printed thereon in brief form the question to be determined by the voters, to-wit:

"Shall \$8,200,000 in aggregate principal amount of City of Cartersville, Georgia General Obligation Park and Recreational Facilities Bonds be authorized to be issued?"

The ballot shall have printed thereon the word "YES" and the word "NO" in order that each voter may vote in either the affirmative or the negative as to the question propounded. The polls in each of the precincts within the City shall be opened at 7:00 a.m. and closed at 7:00 p.m. on the day fixed for the election, and the election shall be held at the regular and established places for holding elections in the City. The election shall be held in accordance and in conformity with the Constitution and laws of the United States of America and of the State of Georgia.

Section 3. The Bartow County Board of Elections and Registration is hereby appointed as the Municipal Election Superintendent to conduct the election, to receive from poll officers the returns of the election, to canvass and compute such returns, to certify as soon as practicable following the election the results thereof to the Governing Body, and to take such other actions in the premises as provided by law.

Section 4. The City Clerk is hereby ordered and directed forthwith to furnish the Municipal Election Superintendent of the City with a duly certified copy of this resolution in order that the Municipal Election Superintendent may take such action in the premises as provided by law.

Section 5. Any brochures, listings, or other advertisements issued by the Governing Body or by any other person, firm, corporation, or association with the knowledge and consent of the Governing Body shall be deemed to be a statement of intention of the Governing Body concerning the use of the bond funds or interest received from such bond funds that have been invested.

Section 6. The following notice shall be incorporated into the call of the election by the Municipal Election Superintendent:

**NOTICE OF BOND
ELECTION**

TO THE QUALIFIED VOTERS OF THE CITY OF CARTERSVILLE, GEORGIA YOU ARE HEREBY NOTIFIED that on the 4th day of November 2014, an election will be held in the City of Cartersville, Georgia (the "City"). At the election there will be submitted to the qualified voters of the City for their determination the question of whether or not \$8,200,000 in aggregate principal amount of City of Cartersville, Georgia General Obligation Park and Recreational Facilities Bonds should be issued by the City for the purpose of providing funds to pay or be applied toward the cost of acquiring, constructing, reconstructing, renovating, repairing, improving, and installing park and recreational facilities and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, to pay capitalized interest incident thereto, and to pay expenses incident to accomplishing the foregoing. Such bonds, if so authorized, shall be dated as of the first day of the month of delivery or such other date(s) as the City Council of the City of Cartersville, Georgia (the "Governing Body") may approve, shall be in such denomination or denominations as the Governing Body may approve, shall bear interest from date at such rate or rates as the Governing Body may approve but not exceeding six percent (6.00%) per annum in any year, and shall provide for interest to be payable semiannually on July 1 and January 1 of each year, beginning on July 1, 2015, and for principal to mature (by scheduled maturity or by mandatory redemption, as the Governing Body may approve) on January 1 in the years and amounts as follows:

Year	<u>Amount</u>
2016	\$745,000

2017	755,000
2018	770,000
2019	780,000
2020	800,000
2021	820,000
2022	840,000
2023	870,000
2024	895,000
2025	925,000

The Governing Body may, prior to the sale of any of the bonds authorized by the voters at the election, incorporate provisions in any or all of the bonds so authorized that would permit the City to redeem the bonds prior to their stated maturities, to the extent permitted by law, upon terms and conditions to be determined by the Governing Body. Any or all of the bonds authorized by the voters at the election may be issued in one or more series and on one or more dates of issuance as the Governing Body may approve.

Voters desiring to vote for the issuance of such bonds shall do so by voting "YES" and voters desiring to vote against the issuance of such bonds shall do so by voting "NO", as to the question propounded, to-wit:

"Shall \$8,200,000 in aggregate principal amount of City of Cartersville, Georgia General Obligation Park and Recreational Facilities Bonds be authorized to be issued?"

The several places for holding the election shall be in the regular and established precincts in the City, and the polls will be open from 7:00a.m. to 7:00p.m. on the date fixed for the election. Those qualified to vote at the election shall be determined in all respects in accordance and in conformity with the Constitution and laws of the United States of America and of the State of Georgia.

The last day to register to vote in this special election is October 6, 2014, by the close of business.

Any brochures, listings, or other advertisements issued by the Governing Body or by any other person, firm, corporation, or association with the knowledge and consent of the Governing Body shall be deemed to be a statement of intention of the Governing Body concerning the use of the bond funds or interest received from such bond funds that have been invested.

This notice is given pursuant to joint action of the City Council of the City of Cartersville, Georgia and the Municipal Election Superintendent of the City of Cartersville, Georgia.

CITY OF CARTERSVILLE, GEORGIA

/s/ Matthew J. Santini

Matthew J. Santini
Mayor

**MUNICIPAL ELECTION SUPERINTENDENT
OF THE CITY OF CARTERSVILLE,
GEORGIA**

**BY: BARTOW COUNTY BOARD OF
ELECTIONS AND
REGISTRATION**

By: _____
Chairperson

Section 7. Should the bonds be authorized by the requisite number of qualified voters, the Governing Body shall, prior to the issuance of any such bonds, levy an ad valorem tax upon all the property subject to taxation for general obligation bond purposes, within the corporate limits of the City, sufficient in amount to pay the principal of and the interest on such bonds at their respective maturities.

Section 8. The Governing Body may, prior to the sale of any of the bonds authorized by the voters at the election, incorporate provisions in any or all of the bonds so authorized that would permit the City to redeem the bonds prior to their stated maturities, to the extent permitted by law, upon terms and conditions to be determined by the Governing Body. No such redemption provisions shall, however, increase the amount of, or accelerate the time for collection of, any annual tax levy required to be made for payment of the bonds as specified in Section 7 above.

Section 9. Any or all of the bonds authorized by the voters at the election may be issued in one or more series and on one or more dates of issuance as the Governing Body may approve. The aggregate principal amount of such bond issue, whether issued in one series or in more than one series, shall not exceed the principal amount authorized by the voters, and the other terms and conditions of each series of such issue shall conform to those set forth in this resolution.

Section 10. Any and all resolutions in conflict with this resolution this day passed be and they are hereby repealed.

PASSED, ADOPTED, SIGNED, APPROVED, AND EFFECTIVE this 17th day of July 2014.

(SEAL)

CITY OF CARTERSVILLE, GEORGIA

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

ATTEST

/s/ Connie Keeling
Connie Keeling
City Clerk

STATE OF GEORGIA
BARTOW COUNTY

CITY CLERK'S
CERTIFICATE

I, CONNIE KEELING, City Clerk of the City of Cartersville, Georgia, DO HEREBY CERTIFY that the foregoing pages constitute a true and correct copy of a referendum resolution adopted by the City Council of the City of Cartersville, Georgia (the "Governing Body") at an open public meeting duly called and lawfully assembled at 7:00 p.m., on the 17th day of July 2014, in connection with calling an election pertaining to the issuance or non-issuance of City of Cartersville, Georgia General Obligation Park and Recreational Facilities Bonds, the original of such referendum resolution being duly recorded in the Minute Book of the Governing Body, which Minute Book is in my custody and control.

I do hereby further certify that the following members of the Governing Body were present at such meeting:

Matt Santini, Mayor
Dianne Tate, Mayor Pro Tempore
Kari Hodge
Lindsey McDaniel, Jr.
Lori Pruitt
Jayce Stepp
Louis Tonsmeire, Sr.

and that the following members were absent:

None

and that such referendum resolution was duly adopted by a Vote of: Aye 6 Nay 0

WITNESS my hand and the official seal of the City of Cartersville, Georgia, this the 17th day of July 2014. (SEAL)

/s/ Connie Keeling
Connie Keeling
City Clerk

G. Contracts/Agreements

1. Annual USA Software Agreement – Police Department

Tommy Culpepper, Police Chief stated that this is the annual agreement with USA Software for support and maintenance. Chief Culpepper stated that this is the vendor for the records data management system currently used by the department for many years and recommended approval.

A motion to approve the agreement with USA Software was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

H. Bid Award/Purchases

1. Fiber Optic Fusion Splicer

Dan Porta, Assistant City Manager stated that the Fiber Departments needs to replace its 1996 fiber optic fusion splicer which is failing. The splicer is used to repair existing fiber or to add new customers to our system. The cost of the new splicer is \$13,142.66 from GrayBar and Mr. Porta recommended approval.

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

2. Web Filter for City Computers

Dan Porta, Assistant City Manager stated that the Fibercom Department is requesting the purchase of a new web filter to replace the current web filter appliance. The current web filter is 5 years old and there are no more updates available. Mr. Porta recommended approval of a Barracuda Web Filter 610 in the amount of \$13,997.00 including the first year of support.

A motion to approve purchase of the Barracuda Web Filter 610 was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

3. Right of Way Clearing and Maintenance Service Contract

Derrick Hampton, Electric Department Engineering Manager stated that this is a contract for right of way clearing and maintenance service contract with Trees Unlimited. The City Electric Department has been using this company for more than eight (8) years and their quality of work has been good throughout this time. The difference in the low bid and the Trees Unlimited bid is \$665.00. Mr. Hampton stated that this is not the lowest bid but the best qualified bid and recommended approval.

A motion to approve of the best qualified bid from Trees Unlimited was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

4. WPCP _ Maintenance Truck

Sydney Forsyth, Water Department Assistant Director stated that this vehicle is to replace a 1984 1-ton Chevrolet truck that has become a safety hazard. Mr. Forsyth stated that they have a price on a used vehicle – a 2000 GMC flatbed truck in the amount of \$12,500.00. Mr. Forsyth stated that the City Garage has inspected the vehicle and found it to be in good repair. Mr. Forsyth recommended approval for this purchase.

A motion to approve the purchase 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 Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

I. Added Item

1. Anti Litem Notice

Keith Lovell, Assistant City Attorney stated that the City had received an Ante Litem Notice from Andrew Jones, PC on behalf of Nancy Lewis and Victor Davis regarding injuries sustained by Malia Lewis on March 12, 2014 in an accident which involved a city vehicle. Mr. Lovell recommended approval of the resolution to deny the claim.

A motion to approve Resolution No. 11-14 to deny the Ante Litem Notice was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

Resolution No. 11-14

STATE OF GEORGIA COUNTY OF BARTOW

WHEREAS, the Mayor and City Council of the City of Cartersville have received an Ante Litem Notice on July 15, 2014 from Andrew Jones, PC on behalf of Nancy Lewis and Victor Davis, individually and as Parents and Natural Guardians of Malia Lewis, regarding injuries sustained by Malia Lewis on March 12, 2014. Said Notice is attached hereto as Exhibit “A”.

WHEREAS, the Mayor and City council do not address the issue of whether or not the Ante Litem Notice provided complies with the requirements of O.C.G.A. § 36-33-5.

WHEREAS, after review of the Ante Litem Notice and the incident referenced therein, the Mayor and City Council at this time have no basis or information to indicate liability on the part of the City of Cartersville.

NOW BE IT AND IT IS HEREBY RESOLVED by the Mayor and City Council of the City of Cartersville that any and all claims of the Ante Litem Notice on behalf of Nancy Lewis and Victor Davis, individually and as Parents and Natural Guardians of Malia Lewis, regarding the injuries sustained by Malia Lewis on March 12, 2014, or any parties as outlined in said Ante Litem Notice are hereby denied.

ADOPTED this the 17th day of July 2014.

/s/ Matthew J. Santini

Matthew J. Santini

Mayor

ATTEST:

/s/ Connie Keeling

Connie Keeling

City Clerk

J. Monthly Financial Statement

1. May 2014 Financial Report

Mr. Tom Rhinehart, Finance Director, presented the May 2014 monthly financial statement with comparisons from the previous year of May 2013 by fund, along with supplemental financial information comparing the year to date revenues and expenses for each fund and a report of cash position through May 2014.

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