

City Council Meeting
10 N. Public Square
June 19, 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 McDaniel

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; Lindsey McDaniel, Council Member Ward Four; Dianne Tate, Council Member Ward Five; Lori Pruitt, Council Member Ward Six; Sam Grove, City Manager; Catheryn Hembree, Deputy City Clerk and Keith Lovell, Assistant City Attorney.

Louis Tonsmeire, Sr., Council Member Ward Three; Connie Keeling, City Clerk; and David Archer, City Attorney were absent.

II. Regular Agenda

A. Council Meeting Minutes

1. June 5, 2014

A motion to approve the June 5, 2014 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

B. Appointments

1. Cartersville-Bartow County Library Board

Sam Grove, City Manager, stated that Bill Eager's term had expired on the Library Board. Mr. Eager wished to serve another three year term that will expire on June 30, 2017.

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

C. Second Readings of Ordinances

1. Budget Ordinance for the Fiscal Year 2014-2015

Tom Rhinehart, Finance Director presented council with the fiscal year 2014-2015 budget. Mr. Rhinehart stated that this is a balanced budget with a decrease of \$575,460.00 or 0.40 percent from last year's budget. The budget includes salary adjustments for all departments with no city property tax increase, funding for the school system, a reduction in staff, increased health insurance premiums for the city and the employees, an increase in the residential water and sewer rates and an increase in the water tap fees. Mr. Don Hassebrock, Electric Department Director, Mr. Gary Riggs, Gas Superintendent, and Mr. Tommy Sanders, Public Works Director, discussed their departments' budgets in detail. Mayor Santini wished to amend the budget to add an additional \$23,000 to the Police Department's budget. Mr. Rhinehart recommended approval of the proposed fiscal year 2014-15 budget as amended to include the \$23,000.00 for the police department.

A motion to approve the budget as amended was made by Council Member Tate and seconded by Council Member Hodge. Motion passed unanimously. Vote 5-0

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 2014 - 2015 budget.

2014 - 2015 Budget Summary

<u>General Fund</u>	<u>Revenues</u>	<u>Expenditures</u>
Revenues	\$40,907,650	
Expenditures:		
Legislative		\$19,304,520
Administration		\$ 926,870
Finance Dept.		\$ 1,125,065
Customer Service Dept.		\$ 634,260
Police		\$ 5,250,785
Fire		\$ 7,202,180
Municipal Court		\$ 259,055
Public Works		\$ 2,246,650
Recreation		\$ 2,992,180
Planning & Development		\$ 815,680
Downtown Development Authority		\$ 150,405
 <u>Special Revenue Funds</u>		
SPLOST – 2003	\$ 760,000	\$ 760,000
SPLOST – 2007	\$ 0	\$ 0
SPLOST – 2014	\$ 3,516,000	\$ 3,516,000
DEA	\$ 172,015	\$ 172,015
State Forfeiture	\$ 3,000	\$ 3,000
Hotel/Motel Tax	\$ 500,000	\$ 500,000
Motor Vehicle Rental Tax	\$ 55,000	\$ 55,000
Grant Funds	\$ 0	\$ 0
Impact Fees	\$ 0	\$ 0
Business Improve Dist Tax	\$ 66,415	\$ 66,415
Development Fees	\$ 5,000	\$ 5,000
 <u>Enterprise Funds</u>		
Fiber Optics	\$ 1,839,960	\$ 1,839,960
Electric	\$49,027,080	\$49,027,080
Gas	\$26,770,995	\$26,770,995
Solid Waste	\$ 2,448,375	\$ 2,448,375
Stormwater	\$ 1,645,065	\$ 1,645,065
Water & Sewer	\$15,373,335	\$11,010,755
Water Pollution Control Plant		\$ 2,159,160
Water Treatment Plant		\$ 2,203,420
 <u>Internal Service Fund</u>		
Garage	\$ 1,600,885	\$ 1,600,885

BE IT AND IT IS HEREBY ORDAINED.

ADOPTED, this 5th day of June 2014. First Reading.
ADOPTED this 19th day of June 2013. Second Reading.

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

ATTEST:

/s/ Catheryn Hembree
Catheryn Hembree
Deputy City Clerk

2. **Amendment to the Utilities Ordinance Regarding Water/Sewer Rates**

Tom Rhinehart, Finance Director stated that in order to balance the Water and Sewer Fund Fiscal Year 2015 budget several revenue increases have been proposed. They are as follows: a 7.5 percent increase in residential water and sewer customers; a 5 percent increase in the base monthly water rate; changes to the monthly base consumption; and increases to the water tap fees. With these proposed rate increases, the City of Cartersville will remain one of the lowest water and sewer rates in the surrounding areas. Mr. Rhinehart stated that these increases are needed to maintain the existing system and plan for any necessary future expansions and recommended approval.

A motion to approve the amendment was made by Council Member Stepp and seconded by Council Member McDaniel. Motion passed unanimously. Vote 5-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 19-14

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 Section 24-64 (a), (b), (c), (d), (e), and (f) Water and Sewage Rate and Section 24-147 (a.) Sewage Rates is hereby amended by deleting said Section 24-64 (a), (b), (c), (d), (e), and (f), and Section 24-147 (a) in their entirety and replacing them with the following:

Sec. 24-64. Water & Sewage Utility Rates.

(a.) Water Monthly Billing	City	Outside City
Minimum bill according to meter size:		
5/8" or 3/4"	\$ 7.25	\$ 13.28
3/4" full flow	\$ 10.87	\$ 19.32
1"	\$ 16.91	\$ 31.40
1 ¼" or 1 ½"	\$ 33.81	\$ 57.96
2"	\$ 65.21	\$119.54
4"	\$120.75	\$233.65
6"	\$188.37	\$338.10
8"	\$241.50	\$467.30
Plus consumption as follows:		
(i) Residential Meters		
(a) 0 – 10 consumptions per month	\$1.49/100 cu. ft.	\$2.99/100 cu. ft.
(b) 11 – 14 consumptions per month	\$2.57/100 cu. ft.	\$3.24/100 cu. ft.
(c) 15 – 19 consumptions per month	\$4.66/100 cu. ft.	\$4.66/100 cu. ft.
(d) 20 + consumptions per month	\$6.50/100 cu. ft.	\$6.50/100 cu. ft.
(ii) Apartments, Multiples & Commercial Meters	\$2.42/100 cu. ft.	\$3.56/100 cu. ft.
	\$4.66/100 cu. ft.	\$4.66/100 cu. ft.
(iii) Irrigation System Meters	\$1.49/100 cu. ft.	\$2.99/100 cu. ft.

(iv) Industrial and All Other Meters		
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(b.) Sewage Monthly Billing	City	Outside City
Minimum bill according to meter size:		
5/8" or 3/4"	\$ 7.25	\$ 7.25
3/4" full flow	\$ 10.87	\$ 10.87
1"	\$ 16.91	\$ 16.91
1 ¼" or 1 ½"	\$ 33.81	\$ 33.81
2"	\$ 65.21	\$ 65.21
4"	\$120.75	\$120.75
6"	\$188.37	\$188.37
8"	\$241.50	\$241.50
Plus consumption	\$1.64/100 cu. ft.	\$3.30/100 cu. ft.

(c)	Tap Fees—Prior to the issuance of a tap, the following fees are required:				
	(in inches)	Water Tap Inside City	Water Tap Outside City	Sewer Tap Inside City	Sewer Tap Outside City
	¾	\$1,100.00	\$1,200.00	\$950.00	\$1,200.00
	1	1,200.00	1,400.00	1,000.00	1,300.00
	1½	2,200.00	2,400.00	1,150.00	1,600.00
	2	2,500.00	2,700.00	1,200.00	1,900.00
	4	3,000.00	3,200.00	1,775.00	3,050.00
	6	3,500.00	3,700.00	2,150.00	3,800.00
	8	4,000.00	4,200.00	2,620.00	4,740.00
	Multi-unit, per unit	1,100.00	1,200.00	950.00	1,200.00

Other provisions:

For commercial taps and industrial taps (service or sprinklers and residential sprinklers) the fee shall be the cost of installation plus ten (10) percent on materials and one hundred fifty (150) percent on labor (percentages double for outside city) the estimate to be paid in advance.

If developer installs residential taps and meter settings on property to city specifications, then the fee for the city to set meter shall be the cost of metering equipment and installation

(d)	Capacity fees—A capacity fee for water and/or sewer service shall be requested for each new tap or on any increase in volume with respect to an existing tap.		
	Water Capacity Fee (in inches)	City	Outside City
	¾	\$1,020.00	\$930.00
	1	\$1,700.00	\$1,540.00
	1½	\$3,500.00	\$3,090.00
	2	\$5,590.00	\$4,940.00
	3	N/A	\$7,410.00
	4	\$10,100.00	\$9,030.00
	6	\$15,600.00	\$14,450.00
	8	\$20,280.00	\$18,780.00
	multi-unit/per	\$1,020.00	\$930.00

	unit		
	<i>Sewer Capacity Fee (in inches)</i>	<i>City</i>	<i>Outside City</i>
	$\frac{3}{4}$	\$1,300.00	\$1,260.00
	1	\$2,160.00	\$2,520.00
	$1\frac{1}{2}$	\$4,320.00	\$4,030.00
	2	\$6,910.00	\$8,050.00
	3	N/A	\$10,040.00
	4	\$13,470.00	\$13,050.00
	6	\$20,200.00	\$19,580.00
	8	\$26,260.00	\$25,454.00
	multi-unit/per unit	\$1,300.00	\$1,260.00

Other provisions:

Apartments and hotels per unit calculations.

All hotel and apartment units with refrigerator and stove are to be calculated as a single (1) unit ($\frac{3}{4}$ " water meter equivalent) for capacity fees.

All hotel and apartment units without refrigerator and stove are to be calculated as one-half unit ($\frac{3}{4}$ " 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 ($\frac{3}{4}$ " water meter equivalent):

- (a)Restaurant;**
- (b)Lounge;**
- (c)Car wash;**
- (d)Lobby;**
- (e)Full kitchen (not part of restaurant).**

(e.) Unmetered Private fire service charges – Monthly Billing	City	Outside City
In Inches:		
2	\$ 15.00	\$ 30.00
4	\$ 22.50	\$ 45.00
6	\$ 30.00	\$ 60.00
8	\$ 60.00	\$120.00
10	\$150.00	\$300.00
12	\$225.00	\$450.00

(f)	Fire hydrant flow test.	City	Outside City
		\$250.00	\$250.00

Any new or upgraded fire services will be required to install full flow meters and will pay the normal monthly minimum on meter service. This fee will be in lieu of the sprinkler charges referred in subsection (e) above.

Sec. 24-147. Sewage rates.

(a.) Sewage Monthly Billing	City	Outside City
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Minimum bill according to meter size:		
5/8" or 3/4"	\$ 6.90	\$ 6.90
3/4" full flow	\$ 10.35	\$ 10.35
1"	\$ 16.10	\$ 16.10
1 ¼" or 1 ½"	\$ 32.20	\$ 32.20
2"	\$ 62.10	\$ 62.10
4"	\$115.00	\$115.00
6"	\$179.40	\$179.40
8"	\$230.00	\$230.00
Plus consumption	\$1.53/100 cu. ft.	\$3.07/100 cu. ft.

This Ordinance shall become effective on July 1, 2014.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 6th day of June 2014.

ADOPTED this the 19th day of June 2014. Second Reading.

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

ATTEST:

/s/ Catheryn Hembree
Catheryn Hembree
Deputy City Clerk

3. Alcohol Festival Ordinance

Keith Lovell, Assistant City Attorney stated that this is the Alcohol Festival Ordinance for City Sponsored Festivals. Mr. Lovell made a change to the wording to correspond with any changes in State Law. Mr. Lovell stated that the Alcohol Control Board has reviewed this ordinance and has recommended approval.

A motion to approve the amendment was made by Council Member Stepp and seconded by Council Member Hodge. Motion passed unanimously. Vote 5-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 20-14

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 4. ALCOHOLIC BEVERAGES. ARTICLE II. LICENSING REQUIREMENTS. DIVISION 4. PREMISES RESTRICTIONS. Sec. 4-106. Consumption in other public places is hereby amended by deleting said section in its entirety and replacing it as follows:

1.

(a) Nothing in this article shall be construed to permit consumption of any intoxicating beverages in any public place in the City other than within the definite, closed-in or partitioned location, whether room or building, wherein pouring takes place, except for permitted caterers, sidewalk cafes, or right-of-way cafes, or City-Sanctioned event.

(b) No bottle or other containers of alcoholic beverages shall be opened or consumed by any person on the premises upon which the place of business is conducted and licensed under this chapter, whether the bottle or container so opened or consumed was bought or obtained at the place of business or elsewhere, unless the premises is licensed under this chapter for consumption on the premises, except in the case of those places of business which are licensed for a wine specialty shop. These businesses may also allow sampling of wines so long as there is no charge for admittance for the wine sample and the serving size does not exceed one and a half ounces.

(c) An establishment licensed under this chapter to sell alcoholic beverages shall not allow any person to leave such licensed premises with any alcoholic beverage in an open cup, bottle, can or other open container.

(d) This section shall not apply to city-sanctioned events. A city-sanctioned event is an event which is approved by a vote of the Mayor and City Council, or an event for which permit is granted to any board of the City, or Downtown Development Authority.

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 5th day of June 2014.

ADOPTED this the day 19th of June 2014. Second Reading.

/s/ Matthew J. Santini

Matthew J. Santini

Mayor

ATTEST:

/s/ Catheryn Hembree

Catheryn Hembree

Deputy City Clerk

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 21-14

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 15. PARKS AND RECREATION is hereby amended by creating a new Article as follows:

1.

Article III. Festivals.

Sec. 15-50. Purpose

The following are general rules for conducting or regulating festivals in the City of Cartersville, Georgia.

Sec. 15-51. Definitions.

Words and terms used in this article are defined as follows:

Alcoholic beverage. Means and includes, but is not limited to, malt beverages, wine and spirituous liquor as defined in this section.

Controlled zone. A zone within the festival area in which special regulations may apply as recommended in each case by the city manager and authorized by the Mayor and City Council including wristband identification of persons authorized to purchase and hold in possession alcoholic beverages in a public park or street.

Festival. A program of cultural and/or entertainment events open to the general public and taking place either fully or in part on public streets, thoroughfares, parks, squares, or other public property in connection with a community festival. To be regulated by this article, each such festival must be designated as a festival by the mayor and City Council.

Festival area. The area specifically designated and defined by the Mayor and City Council as the location of festival events and activities.

Sec. 15-52. Designation of a community festival.

On the recommendation of the city manager, the Mayor and City Council may designate and name certain community festival days and during such festival days authorize cultural and entertainment events and initiate the regulatory provisions of this article within the festival area.

Sec. 15-53. Designation of a festival area

The Mayor and board shall designate the festival area in the resolution that designates the event as a festival and have the right to add any regulations per the specific festival.

Sec. 15-54. Designation and management of controlled zone.

(a) Upon recommendation of the city manager, the Mayor and City Council may designate one or more controlled zones within the festival area, and may authorize the city manager to implement regulations and controls which will be specific for each designated controlled zone. Such regulations and controls may include but are not limited to the following:

(1) ***Fencing and gating.*** Fencing designated controlled zone(s) and establishing entrance gates for controlling and limiting access to each controlled zone.

(2) ***Identification, entrance criteria.*** Requiring wristbands or other means of identifying persons who have met entrance criteria. Entrance criteria may include but are not limited to prohibiting persons from entering with weapons, alcoholic beverages, pets, skates, bicycles, and other items which may be dangerous, disruptive, or inconvenient in crowded conditions, and prohibiting entry by persons appearing to be intoxicated.

(3) ***Identification, consumption of alcoholic beverages.*** Requiring wristbands or other means of identifying persons who have displayed proof of attaining the age of 21 years, and who are authorized to purchase or hold in possession alcoholic beverages within the controlled zone, both within and outside of licensed alcoholic beverage establishments. A fee as set by the Mayor and City Council may be charged for such wristband. The transfer of wristband from one person to another person is prohibited and if a violation occurs, the wristband will be forfeited. Displaying such a wristband does not relieve alcoholic beverage establishments of responsibility for determining if a person has attained the age of 21 years before dispensing alcohol to that person.

(4) ***Containers, cups.*** Any establishment serving alcoholic beverages where the individuals purchasing said beverages will be walking around in the containment area shall only serve the alcoholic beverage in a disposable cup. Disposable cups must be composed of a material that is not glass, ceramic, aluminum, or other hard substance. Plastic or

Styrofoam cups are allowed. The city also reserves the right to determine additional regulations in regards to the containers/cups when approving the festival.

(5) *Transport of alcoholic beverages into or out of a designated controlled zone.* The transport of alcoholic beverages for personal consumption either into or out of any designated controlled zone is prohibited.

(6) *Designation of festival manager within controlled zone.* The Mayor and City Council may designate a festival manager and/or the City of Cartersville or Downtown Development Authority to manage the festival activities to organize and manage festival activities within a controlled zone, as set forth in subsection 15-54. Furthermore, the designated festival manager and/or the city will be responsible for approving or not approving the vendors/establishments that seek participation in the festival.

(b) **Insurance.** Any organization authorized to organize and manage festival activities within a controlled zone shall take out and keep in force for all activities associated with such event a special events liability policy. Such policy shall provide the following:

(1) *Minimum coverage limits:* The city manager will recommend to the Mayor and City Council adequate minimum coverage limit depending on the scope of festival.

(2) *Named as additional insured:* The City of Cartersville, and its officers, employees and agents shall be named as additional insureds. In some cases other local, state, and federal governments or private individuals or corporations may be required to be named as an additional insured if the property is leased, is under lease, or private property is being used to conduct the festival.

(3) *Certificate of insurance:* A certificate of insurance shall be issued to the additional insured at least five days prior to the beginning of the event. Such certificate shall be on a standard form and will provide for notification of the additional insured within ten days of termination of coverage.

(4) Coverage shall include claims for damages because of bodily injury and for DRAMSHOP liability.

Sec. 15-55. Restricting hours of alcohol sales.

Hours of alcohol sales will be set forth in the resolution establishing the festival.

Sec. 15-56. Qualified vendors.

All qualified vendors must have a City of Cartersville pouring license or have completed the application process for a temporary City of Cartersville pouring license and a State of Georgia alcohol license prior to the event date. Temporary permits are issued to qualified vendors in accordance with regulations as set forth in Section 4-130.

Sec. 15-57. Permit.

Permit applications shall be obtained from the parks and recreation department or festival manager before requesting approval to organize and/or conduct a festival.

Sec. 15-58. No waiver.

Nothing contained herein shall waive the sovereign immunity of the City of Cartersville as currently existing or as maybe hereafter amended. Further, this ordinance shall not constitute a waiver or modification of state law, city ordinances or federal law.

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 5th day of June 2014.

ADOPTED this the 19th day of June 2014. Second Reading.

/s/ Matthew J. Santini

Matthew J. Santini

Mayor

ATTEST:

/s/ Catheryn Hembree

Catheryn Hembree

Deputy City Clerk

D. First Reading of Ordinances

1. Speed Table Ordinance Addition

Tommy Sanders, Public Works Director, stated that Public Works is proposing the addition of a Speed Table Ordinance to be instituted for residential streets with in the City of Cartersville. This ordinance will allow the mayor and council to approve the installation of speed tables on residential streets that meet the requirements found in said proposed ordinance.

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 12 Motor Vehicles and Traffic IV-X. Reserved is hereby amended by deleting said Articles in their entirety and replacing them with the following:

1

Section 12-101 - PURPOSE

The objective of the City of Cartersville Speed Table Ordinance is to provide a process whereby residential street(s) may obtain speed tables on residential streets with a maximum posted speed limit of 30 mph. Alternative traffic calming devices are available and may be considered separately or as part of this process. To qualify for the installation of speed tables, areas of affected streets must meet all requirements set forth in this ordinance.

Section 12-102 - DEFINITIONS

(a) 85th Percentile Speed: An index of traffic speeds for a road segment used by transportation professionals for traffic analysis purposes. The 85th percentile speed is the speed at which 85 percent of the motorists are driving at or below.

(b) Affected Street(s): The actual street(s) proposed for speed table installation. Affected street property owners are the owners of the lots with any frontage, including side frontage, on the street(s) proposed for speed table installation.

(c) ADT: Stands for average daily traffic and is a unit of measure used by transportation professionals for traffic volume analysis. Average daily traffic for the

purpose of this policy refers to the traffic in both directions on a particular street within a 24-hour time period.

(d) **City Council:** The Mayor and City Council

(e) **Contact Person(s):** The person(s) requesting in writing a study to determine if their particular residential streets(s) qualifies for the installation of speed tables.

(f) **Resident:** The owner of property on a residential subdivisions streets(s), or if the property owner of a rental property is not able to be contacted, the tenant of the rental property.

(g) **Residential Street:** A section of city street(s) being considered for speed table installation that is bordered along the entirety of both sides by properties used for residential purposes with the exception of properties adjacent to significant cross streets or having no constructed vehicular access to the studied street.

(h) **Speed Table:** A vertical type traffic-calming device designed to reduce motorist's speeds to the posted speed limit.

(i) **Traffic Calming:** A term used by transportation professionals to refer to reducing traffic speeds.

Section 12-103 – REQUIREMENTS FOR STUDY

(a) The following criteria must be met before a particular residential street(s) is studied for possible speed table installation:

(1) **Local, Residential Street** – the City of Cartersville must confirm that the requested streets are classified as local, residential streets with a maximum posted speed limit of 30 mph, or below. In addition, the requested street(s) must be suitable for speed table installation: streets must be a minimum of 1000 feet in length, and at least 1000 feet of each street must have grades 10 percent or less and horizontal curves less severe than a radius of 300 feet.

(2) **A Request (In Writing)** – the City of Cartersville must receive a written request from a resident (or residents) of a particular Residential Street(s) asking that their street(s) be studied to determine if any qualify for the installation of speed tables. The address of the Resident making such request will be verified using the same procedures used for re-zoning requests.

(b) **Residential Streets** meeting the above criteria are added to the City of Cartersville list as a speed table study area for study purposes.

Section 12-104 – VALIDATE SPEED AND VOLUME REQUIREMENTS

Upon authorization by City Council, a speed table request will be evaluated based upon the following study criteria. The following requirements have been established in determining if streets qualify for study regarding the possible installation of speed tables:

Traffic data will be collected from selected Residential Street to determine the 85th Percentile Speed and the ADT. If the 85th Percentile Speed is 10 mph or more over the posted speed limit, and the ADT is between 300 and 3000 vehicles, the Residential Street qualifies for a Public Meeting.

Section 12-105 – PUBLIC MEETING

For all study areas that meet the previous requirements, a public meeting shall be held at which a representative of the Public Works Department shall be present and take minutes for presentation to City Council. Public meetings are held in order to provide

speed table study area residents with relevant information prior to City Council public hearings/readings.

Prior to Public Meetings, Public Works shall mark the proposed speed table location(s) on the Residential Street(s) within 3 feet of the final location(s) and shall subsequently verify that the Resident(s) of property fronting the speed table location(s) agree with the proposed location(s). In the event that no suitable speed table location(s) can be agreed upon by Public Works and the

Resident(s) fronting the location(s), the matter will be brought forward to Council for consideration prior to further action.

Notices of the public meetings will be posted a minimum of fourteen days prior to each meeting. Signs advertising the public meeting(s) will be provided and installed by the City of Cartersville Public Works Department. Signs will be clearly legible to traffic traveling in each direction near each end of the road section being considered for speed tables. Public meetings consist of a short presentation, followed by a question and comment session. The purpose of the public meeting is to provide reasonable accommodation for input from Residents and others that may use the Residential Street(s) to access their lots.

Section 12-106 – PUBLIC HEARING BEFORE CITY COUNCIL

A public hearing shall be held to determine whether speed tables shall be installed on a Residential Street. Notice of public hearings shall follow the procedures in use at the time for providing notice for rezoning matters. Public hearings before the Council will be conducted only for those locations that qualify for consideration under this policy. After the conclusion of the public hearing, the City Council may then vote to approve/disapprove installation of speed tables in the study. Said approval shall be handled as an ordinance amendment.

Emergency service providers (police, fire, and ambulance) will be requested to provide information to the Council related to the effects of installing speed tables in the requested study area.

Section 12-107 – SPEED TABLE DESIGN STANDARDS

The geometric design of speed tables is a crucial factor in their effectiveness. City of Cartersville speed tables will be constructed per the following specifications:

Vertical Height – 3 inches. A tolerance for minor height differences due to construction variations may be permitted.

Horizontal Length – 22 feet (consisting of an incline of 6 feet; a plateau of 10 feet in length; and a decline of 6 feet)

Spacing/Placement – In order to be effective, speed tables are typically installed in a series. Spacing between tables will vary between a minimum spacing of 300 feet and a maximum spacing of 800 feet or as recommended by Public Works. Minor changes in the proposed speed table location up to 3 feet may be considering prior to installation of the speed tables based upon resident concerns and the engineering feasibility to make such modifications.

Signs/Pavement Markings – Speed tables will be identified in accordance with signing and pavement marking standards in the *Manual On Uniform Traffic Control Devices*, latest edition. In cases where special safety circumstances exist, Public Works may authorize signing and pavement marking exceeding the minimum standards set forth in the *Manual on Uniform Traffic Control Devices*.

Section 12-108 – INSTALLATION OF SPEED TABLES

Speed tables may be funded by the City of Cartersville. If the City of Cartersville does not provide funding for this program, the property owners requesting the

permanent traffic control devices will be responsible for the costs of these measures. Installation of speed tables will be performed by either a private contractor, contracted by the City of Cartersville, or by City forces. Installation of speed tables will not be considered final until the City of Cartersville Public Works Department inspects the tables for compliance with design standards set forth in this Ordinance.

Section 12-109 – REPEATED REQUESTS

In the case where a request fails because of failing to meet the required criteria or lack of affirmative vote by City, that street(s) must wait a minimum of two years from the start date of the original request in order to make a subsequent request, unless special circumstances have had a noticeable effect on the Study Criteria outlined in this policy. Repeat requests must be in writing and meet the same requirements detailed in this Ordinance for original requests. The process will be identical to a new request and will begin with the initial phases outlined in this Ordinance.

Section 12-110 – REMOVAL PROCESS

Written request(s) for removal of a speed table can only be made after the speed table has been installed for a minimum of four (4) years. In the event that a Resident(s) of a particular Residential street asks that speed tables be removed from the street, such request must be made in writing to the City of Cartersville Public Works Department. It shall be verified that the request is from a Resident(s) who lives on the Residential Street(s), as verified by the same process used for rezoning requests. Once the requestor has been verified as a resident of the affected street(s), a notice of public hearing shall be posted. Notice of public hearing may follow the procedures in use at the time for providing notice for rezoning matters. After the conclusion of the public hearing, the City Council may then vote to approve/disapprove removal of speed tables in the study using the procedure provided for to approve amendments to ordinances.

Speed tables will not be removed unless approved by the City Council. City of Cartersville reserves the right to remove speed tables for any reason.

Section 12-111 – VARIANCE PROCEDURE

The City Council, at its sole discretion, may vary from the procedure or standards set forth herein for any reason.

Additionally, a Resident of an Affected Street may request, in writing, that the City Council grant a variance from the procedures or standards set forth in Sections 101-107 of this ordinance. Once a written variance request is filed with the City, the City shall hold a public hearing to determine whether the variance should be granted. Notice of variance hearings shall follow the procedures in use at the time for providing notice for rezoning matters. After the conclusion of

the variance hearing, the City Council may then vote to approve/disapprove installation of speed tables in the study at its sole discretion, following the procedure for amendments to ordinances.

Section 12-112 – APPROVED SPEED TABLES

(a) None.

2

Article V-X. Reserved.

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 19th day of June 2014

Matthew J. Santini

MATTHEW J. SANTINI, MAYOR

ATTEST: Connie Keeling

CONNIE KEELING, CITY CLERK

NO ACTION REQUIRED

E. Easements

1. Air Easement Agreement

Keith Lovell, Assistant City Attorney, stated that Mellow Mushroom was issued a “Sidewalk Café” permit in accordance with the City Ordinances for the use of the public sidewalk. For further protection to the City from a liability standpoint, the City Attorney’s office recommended that the balcony above the lower Sidewalk Café should be covered under an “airspace easement” agreement, thus providing further liability coverage for the City. Staff recommends approval of this easement agreement.

A motion to approve the easement was made by Council Member Hodge and seconded by Council Member McDaniel. Motion passed unanimously. Vote 5-0

F. Other

1. Lease amendment relating to the 2008 Cartersville Building Authority Bond

Keith Lovell, Assistant City Attorney, stated that The resolution approves the Termination Agreement of the Original Lease and the City Contract to the Bond Buyer, pursuant to an Assignment and Security Agreement, dated as of March 1, 2008, between the Cartersville Building Authority and the Bond Buyer; for the purpose of the County amending said lease to allow SPLOST funds to pay off the remaining balance on said bonds as previously approved.

A motion to approve the resolution was made by Council Member Stepp and seconded by Council Member Pruitt. Motion passed unanimously. Vote 5-0

G. Resolutions

1. Raymond James Authorizing Resolution and Letter of Intent for Underwriting Services

Sam Grove, City Manager, stated that the approval of this resolution and letter of intent are needed per new federal requirements. These are non-binding and do not obligate the City. This allows Gabe Agan, our financial advisor, to talk to us and advise the City on the CBA and CDA financings contained elsewhere on the agenda. Both of these items are recommended for approval.

A motion to approve the resolution was made by Council Member Stepp and seconded by Council Member Tate. Motion passed unanimously. Vote 5-0

Resolution 09-14

**Authorizing Execution Non-Binding Letters of Understanding from Time to Time
with Raymond James & Associates, Inc.**

WHEREAS, The City of Cartersville (the "City"), the Cartersville Building Authority ("CBA") and the Cartersville Development Authority ("CDA") have for many years enjoyed a robust flow of the

widest scope of information and ideas both from and with its Investment Bankers at Raymond James; and

WHEREAS, new rules and regulations, effective July 1, 2014, promulgated by the United States Securities and Exchange Commission ("SEC") pursuant to the 2010 Dodd-Frank Act of the United States Congress (the "Rule") have the potential to fundamentally alter and adversely impact the way public finance bankers may interact with the City, the CBA and the CDA by limiting the exchange of information and ideas between underwriters of municipal debt and issuers of such debt, and potentially precluding an underwriter from underwriting (either on a negotiated or competitive sale basis) or privately placing certain municipal debt of such issuer under certain facts and circumstances; and

WHEREAS, the Rule provides safe harbors to enable a continued robust flow of useful information and ideas between issuers and underwriters of municipal debt to continue similar (but not the same) as in the past; and

WHEREAS, one of the Rule's safe harbors that enables a continued open flow of information and ideas between Raymond James and the City, City Staff, CBA, CDA, City Attorney and CBA and CDA Attorney(s)

is execution of a non-binding, cancellable at any time by any party, Letter of Intent for underwriting services ("LOI") substantially in the form attached to this Resolution coupled with acknowledgement of receipt by the City and/or CBA or CDA (as applicable) of a letter from Raymond James commonly known as a G-17 Letter [so named for Municipal Securities Rulemaking Board's ("MSRB") Rule G-17]; and

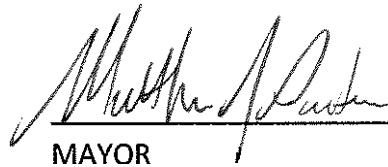
WHEREAS, the City wishes to facilitate the continued open and robust flow of information and ideas between the City and CBA and CDA and staff, legal counsels and elected or appointed officials, and Raymond James in a manner that does not burden the City Council (the "Council") or inhibit or delay the open exchange of such information and ideas in the future.

NOW THEREFORE BE IT RESOLVED AND IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Mayor, City Manager, Assistant City Manager, City Attorney, and City Finance Director are each authorized to, from time to time, enter into non-binding, cancellable at any time, Letter(s) of Intent for underwriting services with Raymond James and acknowledge receipt of G-17 Letters, both the forms of which are attached to this Resolution.
2. For exchanges of information and ideas between Raymond James and the CBA (or CDA) and its staff regarding the CBA (or CDA) financings which would prospectively be credit-supported by intergovernmental contracts between the CBA (or CDA) and the City, Chairman of each Authority, City Manager, Assistant City Manager, City Attorney, and City Finance Director are each authorized to, from time to time, enter into non-binding, cancelable at any time, Letter(s) of Intent for underwriting services with Raymond James and acknowledge receipt of G-17 Letter(s), both the forms of which are attached to this Resolution.

SO ADOPTED, this 19th day of June, 2014.

CITY of CARTERSVILLE GEORGIA


MAYOR

ATTEST:

Catheryn Hembree

Deputy City Clerk

H. Certification

1. Leake Mounds-Etowah River Walk link – Utility Certification Letter

Greg Anderson, Parks and Recreation Director, stated that this certification is a requirement from the Georgia Department of Transportation, this Utility/Railroad Certification letter for the City of Cartersville Utilities and other local utilities for the Leake Mounds-Etowah River Walk link. An Agreement has already been approved by the City Council with Georgia Power for relocation of a guy wire as this was the only utility in conflict. This item is recommended for approval.

A motion to approve the certification letter was made by Council Member Pruitt and seconded by Council Member Stepp. Motion passed unanimously. Vote 5-0

I. Contracts/Agreements

1. Contacts for Performing Services

Sam Grove, City Manager, stated that this item includes contracts for Performing Services for those agencies that are awarded funds each year as part of the annual budget. The dollar amount is the same as last year. This item is recommended for approval.

A motion to approve these contracts was made by Council Member Stepp and seconded by Council Member Pruitt. Motion passed unanimously. Vote 5-0

2. Joint Check Agreement – Jones Mill Road Water & Sewer Replacement

Bob Jones, Water and Sewer Superintendent, stated that Fortiline Waterworks, Inc. has requested a joint check agreement be executed by the City for this job. Fortiline is the supplier of all water and sewer material for the project. In the agreement, the City agrees to make all checks payable to both Fortiline and T.J. Lyle and Company, Inc. If T.J. Lyle does not endorse and forward the check to Fortiline within ten (10) days, then the City will cancel the joint check and issue another to Fortiline only. Additionally, the City may verify at any time the balance of the account related to the Jones Mill job by contacting Fortiline directly. Approval of this agreement is recommended.

A motion to approve the agreement was made by Council Member Pruitt and seconded by Council Member Stepp. Motion passed unanimously. Vote 5-0

J. Bid Award/Purchases

1. Wastewater Laboratory Centrifuge

Bob Jones, Water and Sewer Superintendent, stated that the bids were accepted to purchase a new centrifuge and recommended the approval of the low bid from Fisher Scientific in the amount of \$6,327.17. This will be paid from the operating budget.

A motion to approve the bid award was made by Council Member Stepp and seconded by Council Member Tate. Motion passed unanimously. Vote 5-0

2. Water Pollution Control Plant Breaker

Bob Jones, Water and Sewer Superintendent, stated that the bids were accepted to purchase a new 15kV/1200amp main breaker to serve as a back-up for the Water Pollution Control Plant and for the installation. Currently there is no back-up breaker. Mr. Jones recommended the Council approve the “do not exceed” amount of \$32,000.00 for purchase and installation of this equipment because only one bid had been submitted at the time of the Council meeting.

A motion to approve purchase was made by Council Member Hodge and seconded by Council Member Stepp. Motion passed unanimously. Vote 5-0

3. Gymnastic Equipment

Greg Anderson, Parks and Recreation Director, stated that the Cartersville Twister Booster Club has donated \$25,000.00 to Cartersville Parks and Recreation Department for the purchase of replacing competition equipment and matting for the gymnastics program. Mr. Anderson recommends the purchase of these items from “The Equipment Guy” for \$24,975.00.

A motion to approve the purchase was made by Council Member Tate and seconded by Council Member Hodge. Motion passed unanimously. Vote 5-0

4. Renewal of Property, Casualty, & Workers Compensation Insurance

Dan Porta, Assistant City Manager, stated that the City is up for renewal on their property, casualty and works compensation insurance plans. Mr. Porta had met with our insurance broker, Public Risk Underwriters, to discuss companies. One Beacon Insurance provided the best coverage at a fair price for property and casualty insurance. Mr. Porta recommends approval of using One Beacon Insurance. For the City’s Works Compensation Insurance Midwest Casualty Company came in with the best offer of a \$500,000/\$500,000 deductible and a two year guarantee rate of \$49,914.00. Mr. Porta recommends approval of using Midwest Casualty for Workers Compensation Insurance. The final item is the third party administrator that processes the City’s workers compensation claims in USIS. The premium for the service is \$9,900.00. Mr. Porta recommends using USIS.

A motion to approve the purchase with an amendment to use The Watkins Agency as the local agent was made by Council Member Stepp and seconded by Council Member Hodge. Motion passed unanimously. Vote 5-0

5. Audit Services

Tom Reinhart, Finance Director, stated seven RFP’s were sent out for audit service, and of those seven, five were received. The RFP is for three years with an option for three additional years. Staff believes the decision should not be based solely on pricing but also on the expertise, qualifications, and technical competence. Based on the criteria Mr. Reinhart recommended the city contract with Carr, Riggs, & Ingram, LLC for audit services for a three year term. The cost is \$41,500 per year with an additional cost of \$3,500 if an additional single audit is needed.

A motion to approve the contract for a 12 month term was made by Council Member Stepp and seconded by Council Member Hodge. Motion passed 4-2 with Council Member Pruitt, Council Member Tate voting against.

K. Monthly Financial Statement

1. April 2014

Mr. Tom Rhinehart, Finance Director, presented the April 2014 monthly financial statement with comparisons from the previous year of April 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 April 2014.

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

Meeting Adjourned

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Catheryn Hembree
Deputy City Clerk