

City Council Meeting
10 N. Public Square
November 21, 2013
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 David Archer, City Attorney.

II. Regular Agenda

A. Council Meeting Minutes

1. November 7, 2013

A motion to approve the November 7, 2013 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

B. Proclamations

1. Native American Awareness Month

Mayor Pro-Tem Tate presented a proclamation to Bobby Bagley proclaiming November as Native American Awareness month and to honor the memory of the Cherokees who died during the infamous Trail of Tears. Mr. Bagley came forward to accept the proclamation and to thank the Mayor and Council speaking both Cherokee and English.

C. Second Reading of Ordinances

1. Amendment to Utility Fees Ordinance

Dan Porta, Assistant City Manager, stated that part of this fiscal year's budget City customers who pay utility bills, permits, invoices, etc. to the City with a credit or debit card were to begin paying a convenience fee to offset the credit card processing fees (saving approximately \$10,000.00 per month) that have been paid by the City. The change to the ordinance sets this fee at 2.5% Mr. Porta stated that there have been no changes or corrections since the first reading and recommended approval.

A motion to approve Ordinance No. 28-13 was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 28 -13

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that the Code of Ordinances City of Cartersville, Georgia CHAPTER 24. UTILITIES, Sec. 24-21. Schedule of Charges, etc., (12) i. Additional charges is hereby amended by deleting said section in its entirety and replacing as follows:

**Section 24-21. Schedule of Charges, etc.
“(12) Additional charges.**

- i. City customers who pay for utility bills and other city invoices with a credit or debit card will be charged a 2.5% convenience fee.**

BE IT AND IT IS HEREBY ORDAINED.

**ADOPTED this the 7th day of November 2013. First Reading
ADOPTED this the 21st day of November 2013. Second Reading.**

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

ATTEST:

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

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

1. File T13-04: Text Amendment application by Womack Two LLC (Ray Womack, Representative) to add the use of Automotive Storage Yards and Wrecker Service in the L-I (Light Industrial) 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 that this text amendment is an application by Womack Two LLC to add the following as a permitted use in the L-I (Light Industrial) zoning district: *Automotive storage yard and wrecker service*. This use is currently only allowed in the GC District. Mr. Mannino stated that the 2010 Zoning Ordinance revision included changes to the L-I zoning district to allow some auto-related and equipment-related uses and this proposed text amendment would expand the list of options for properties zoned L-I. Mr. Mannino stated that the Planning Commission had recommended approval.

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

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 26 ZONING. ARTICLE X. INDUSTRIAL DISTRICT REGULATIONS. Section 10.1.2. Use Regulations is hereby amended by adding the following use to Section 10.1.2 as indicated herein:

1.

That Article X. Industrial District Regulations, Section 10.1.2., is hereby amended by adding the following use:

Automotive storage yards and wrecker service.

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 or alphabetized to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 21st day of November 2013.

ADOPTED this the day of December 2013. Second Reading.

/s/ Matthew J. Santini

Matthew J. Santini

Mayor

ATTEST:

/s/ Connie Keeling

Connie Keeling

City Clerk

2. File Z13-07: Rezoning application by James Kareken to rezone property located on Old Alabama Road (north side) near Douthit Ferry Road (approximately 23.2 acres) from RA-12 (Townhouse Residential) with conditions 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 that this tract is located on Old Alabama Road, near the intersection with Douthit Ferry Road. In 2007 this tract was approved for a rezoning request from R-20 to RA-12 (detached or attached residential 12 units per acre) for a senior development. After approval of the rezoning, no site plans were submitted to City Staff and no grading work occurred on the property. Due to the significant amount of floodplain on this tract the current applicant has submitted a request to rezone the property to a lower-density zoning to R-20. Mr. Mannino stated that the Planning Commission had recommended approval.

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

NO ACTION REQUIRED

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

Petition No. Z13-07

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 James Kareken. Property is located on Old Alabama Road. Said property contains 23.15 acres located in the 4th District, 3rd Section, Land Lot(s) 918-919 and 954-955 as shown on the attached plat Exhibit “A”. Property is hereby rezoned from RA-12 with conditions to R-20 (Single Family Residential) with the following conditions. 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 21st day of November 2013.
ADOPTED this the day of. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

E. First Reading of Ordinances

1. Amendment to Budget Ordinance for Fiscal Year 2012-13

Tom Rhinehart, Finance Director stated that after completion of the Fiscal Year 2012-13 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 (GAAP). Mr. Rhinehart stated that these adjustments reflect the necessary changes needed to keep the budgets of these funds at 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 2012 - 2013 budget.

2012 - 2013 Budget Summary

<u>General Fund</u>	<u>Revenues</u>	<u>Expenditures</u>
Revenues	\$39,488,170	
Expenditures:		
Legislative		\$19,831,025
Administration		\$ 986,810
Finance Dept.		\$ 1,089,225
Customer Service Dept.		\$ 684,000
Police		\$ 5,040,625
Fire		\$ 5,536,095
Municipal Court		\$ 213,670
Public Works		\$ 2,356,960
Recreation		\$ 2,908,935
Planning & Development		\$ 718,045

\$ 122,780

SPLOST – 2003	\$ 3,811,505	\$ 3,811,505
SPLOST – 2007	\$ 8,303,395	\$ 8,303,395
SPLOST – 2014	\$ 1,018,545	\$ 1,018,545
DEA	\$ 1,133,160	\$ 1,133,160
State Forfeiture	\$ 3,000	\$ 3,000
CDBG Supplemental Dis Rec	\$ 11,305	\$ 11,305
Hotel/Motel Tax	\$ 465,755	\$ 465,755
Motor Vehicle Rental Tax	\$ 52,990	\$ 52,990
Grant Funds	\$ 307,510	\$ 307,510
Impact Fees	\$ 317,254	\$ 317,254
Business Improve Dist Tax	\$ 77,750	\$ 77,750
Development Fees	\$ 5,000	\$ 5,000
Cartersville Building Auth	\$ 1,487,150	\$ 1,487,150

Fiber Optics	\$ 1,635,335	\$ 1,635,335
Electric	\$44,591,295	\$44,591,295
Gas	\$23,123,195	\$23,123,195
Solid Waste	\$ 2,397,270	\$ 2,397,270
Stormwater	\$ 1,323,050	\$ 1,323,050
Water & Sewer	\$20,710,175	\$16,263,215
Water Pollution Control Plant		\$ 2,254,970
Water Treatment Plant		\$ 2,191,990

Garage	\$ 1,592,565	\$ 1,592,565
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ADOPTED, this 24th day of November 2013. First Reading.
ADOPTED this day of December 2013. Second Reading.

Mayor

City Clerk

Ed Mullinax, Assistant Water Superintendent recommended approval of the ordinance revision to restore Water and Sewer Capacity Fees to the original amounts effective December 31, 2013.

Ordinance No.

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, that the Code of Ordinances, City of Cartersville, Georgia **CHAPTER 24. UTILITIES. ARTICLE IV. WATER SERVICE. Sec. 24-64 Water and Sewage Utility Rates (g)** is hereby amended by deleting it in its entirety

2.

The effective date of this Ordinance shall be December 31, 2013

3.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Cartersville, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 21st day of November 2013.

ADOPTED this the day of. Second Reading.

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

ATTEST:

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

F. Resolutions

1. Downtown Master Plan

Tara Currier, DDA Director stated that City Staff and the Downtown Development Authority (DDA) Representative have been working on a Downtown Master Plan for Cartersville. The plan is intended to be used by City Council and DDA leaders to enhance downtown and encourage private investment. Ms. Currier stated that the DDA Board has recommended approval of the plan and the DDA has chosen to oversee implementation of the plan. Ms. Currier stated that any proposed initiative program must be reviewed by the City Attorney; will be subject to funding availability; and must be approved by Council. Ms. Currier recommended approval of the Resolution Adopting a Downtown Master Plan.

A motion to approve Resolution No. 24-13 was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

Resolution No. 24-13

**A RESOLUTION ADOPTING A DOWNTOWN MASTER PLAN
CITY OF CARTERSVILLE, GEORGIA**

WHEREAS, the City of Cartersville and Downtown Development Authority (DDA) have prepared a Downtown Master Plan to enhance downtown and encourage private investment; and

WHEREAS, the Downtown Master Plan can be used alone, or in combination with, other local, State, and Federal development and redevelopment tools to support comprehensive planning, revitalize commercial corridors, recruit and nurture small businesses, ensure architecturally compatible infill development, and generate adaptive reuse for old structures; and

WHEREAS, the City of Cartersville has identified the geographic Downtown Business District (DBD) area boundary, and can be described as:

That certain area lying within the corporate limits of the City of Cartersville and being enclosed by the boundary identified in Exhibit “A”, City of Cartersville, Georgia Downtown Business District (DBD).

WHEREAS, the Downtown Master Plan has been recommended for adoption by the Downtown Development Authority (DDA) Board to the Mayor and City Council of the City Council; and

WHEREAS, the City of Cartersville desires to work with public and private sector partners to ensure that quality infill development and redevelopment are achieved; and

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Mayor and City Council of the City of Cartersville, Georgia do hereby adopt the attached Downtown Master Plan (Exhibit “B”).

This Resolution is adopted this 21st day of November, 2013.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

G. Certification

1. Election Results

Connie Keeling, City Clerk presented the Mayor and Council with the results of the November 5, 2013 General Election certified by the Bartow County Board of Elections on November 8, 2013. Mrs. Keeling recommended approval.

A motion to approve the Certified Election Results was made by Council Member Hodge and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

This report constitutes the returns of the General Election held on November 5, 2013 to the Governing Authority of the City of Cartersville, as required by the Georgia Municipal Election Code.

The purpose of the General Election was to elect the Mayor, City Council Members from Wards One, Three, and Five School Board Members Wards One, Two, Five, and Six.

The election review board was Richard Osborne and Cheryl Jackson.

Results of the November 5, 2013 General Election is as follows:

Office	Votes Received
Mayor Matthew J. Santini Write in Votes	1115 20
Council Ward 1 Kari Hodge Write in Votes	97 1
Council Ward 3 Valerie Hold	177

Louis Tonsmeire Sr. (I) Write in Votes	353 0
Council Ward 5 Dianne E. Tate Write in Votes	146 1
Cartersville School Board Ward 1 Carolyn Johnson Write in Votes	98 1
Cartersville School Board Ward 2 Floyd Braid Write in Votes	195 3
Cartersville School Board Ward 5 David Apple Write in Votes	141 0
Cartersville School Board Ward 6 Kelley A. Dial Write in Votes	111 0

The number of registered voters is 9338
The number voting at the Cartersville West Precinct, Civic Center is 733
The number voting at the Cartersville East Precinct, Chamber of Commerce is 469
The number of valid absentee ballots is 9.
The number of provisional ballots is zero.

H. Grant Application/Acceptance

1. LWCF Grant Application & Resolution – Dellinger Park Fence Replacement

Greg Anderson, Parks and Recreation Director, stated that this is an application for a 2013 Land, Water and Conservation Fund grant, administered by the Georgia Department of Natural Resources. The grant application request will be for a maintenance project that will consist of removal and replacement of fencing, backstop, gates and dugouts on Field #1, #2 and Cricket Field, all original fields at Dellinger Park. The fields were constructed in 1975-76 and are in need of renovation. Mr. Anderson stated that the cost per field is estimated at \$62,779.00 with the total cost of all three fields being \$188,337.00. Mr. Anderson stated that this is a 50-50 grant and if approved the city’s portion would be \$94,168.50 which would come from the Parks and Recreation 2014-15 Outdoor Maintenance Budget. Mr. Anderson recommended approval of the grant application, resolution, and the Mayors signature on these documents and any other related documents for the grant project.

A motion to approve Resolution No. 25-13 and for the Mayor to sign any related document for the grant project was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

Resolution No. 25-13

STATE OF GEORGIA
COUNTY OF BARTOW

WHEREAS, at the regular meeting of City of Cartersville City Council Meeting of Bartow County, Georgia, held on November 21, 2013, a motion was made and duly seconded that the City of Cartersville agrees to submit a Pre-application for funding from the Land and Water Conservation Fund. Proposed project will be for needed maintenance at Dellinger Park as fencing replacement on the three – (3) original baseball/softball fields, Fields 1, 2, and Cricket Field. The City of Cartersville further agrees that in the event the City of Cartersville pre-application is recommended for funding by the Department of Natural Resources, the City of Cartersville certifies and assures that it has the ability and

intention to finance their 50 percent of the total project cost and will move forward with due diligence to prepare, or have prepared, appropriate documentation required for a formal LWCF application.

CITY OF CARTERSVILLE, GEORGIA

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

Attest:

/s/ Connie Keeling
Connie Keeling
City Clerk

I. Bid Award/Purchases

1. Printing for 2014 Calendar

Rebecca Bohlander, Communications/Public Relations stated that bids were requested for the printing of the 2014 calendars. Four printer companies responded and Ms. Bohlander recommended the low bid from New Dimensions Printing of Cartersville in the amount of \$7,317.84 for printing and \$1,622.82 postage for a total of \$8,940.66.

A motion to approve the low bid from New Dimensions Printing was made by Council Member McDaniel and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

J. Monthly Financial Statement

1. September 2013

Mr. Tom Rhinehart, Finance Director, presented the September 2013 monthly financial statement with comparisons from the previous year of September 2012 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 September 2013

K. Presentations

1. Citizen's Survey Results

Sam Grove, City Manager, spoke about the Community Inclusiveness and Civic Engagement topics of the Citizen's Survey Results.

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