City Council Meeting
10 N. Public Square
July 18, 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 Stepp

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. July 1, 2013

A motion to approve the July 1, 2013 City Council Meeting Minutes as presented was made by Council Member Hodge and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

B. First Reading of Ordinances

1. Amendment to Parks and Recreation Ordinance Regarding Non-Resident Fees

Greg Anderson, Parks and Recreation Superintendent stated that staff has been working with ActiveNet.com to give program patrons the ability to register on-line and the non-residence fee ordinance needed to be amended. Mr. Anderson stated that his department is changing the program structure and fee schedule so that patrons are paying for a program activity by the session instead of a monthly fee and the ordinance needed to be changed to reflect this new policy. Mr. Anderson stated that registration begins on July 22, 2013 with classes to begin on August 12, 2013 and recommended approval of this ordinance on an emergency basis.

A motion to approve Ordinance No. 16-13 on an emergency basis was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 16-03

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the <u>CITY OF CARTERSVILLE CODE OF ORDINANCES CHAPTER 15. PARKS AND RECREATION. ARTICLE I. IN GENERAL. Section 15-13. Non-Resident Fee.</u> is hereby amended by deleting said section in its entirety and replacing it as follows:

1.

Sec. 15-13. – Non-resident fee.

The following additional fees will be imposed for all non-residents of the city to participate in programs offered by the city parks and recreation department.

(1) For all individual Youth Programs the non-resident fee shall be five dollars ($5.00) per individual, per session, per program, except for swimming lessons for which no additional fee is charged.

(2) For all team youth programs the non-resident fee shall be twenty dollars ($20.00) per individual.

(3) For all individual adult programs the non-resident fee shall be five dollars ($5.00) per individual, per session, per program, except for swimming lessons for which no additional fee is charged.

(4) For all team adult programs the non-resident fee shall be one hundred dollars ($100.00) per team.

(5) Non-resident means the following:

a. For an individual or individuals it is one who does not reside in the city;

b. For a team it means any team that has any individual participants who do not reside inside of the city.

(6) Programs are defined as baseball, softball, soccer, basketball, tennis, swim team, football, cheerleading, gymnastics, swim lessons, clinics, camps and any other programs established by the director in the future.

(7) The director may waive in his sole discretion the non-resident fee if he determines one (1) of the following conditions exist.

a. The individual/team is indigent;

b. The program, to function, needs additional participants;

c. If the program is in conjunction with the city school system and a non-resident student is participating;

d. If the director feels it is in the best interest for the public health, safety, and welfare that the program be opened to non-residents for the benefit of the city and its citizens.

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

BE IT AND IT IS HEREBY ORDAINED

ADOPTED this the 18th day of July 2013. Emergency Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

C. Other

1. NC13-01: Re-Establishment of Non-Conforming Use for property located at 320 North Dixie Avenue

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 320 N. Dixie Avenue and includes a single-family residence that is zoned GC (General Commercial). A used auto business has not been on this property in excess of twelve months; therefore the previous non-conforming use of the residential structure as a residence and as an office for the used auto business is no longer valid and the applicant has applied to once again allow this non-conforming use. Mr. Mannino recommended approval.

A motion to approve the re-establishment of the non-conforming use for property located at 320 North Dixie Avenue was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

D. Contracts/Agreements

1. Excess Workers Compensation Insurance Renewal

Dan Porta, Assistant City Manager stated that the city has been self-insured with a high deductible for workers compensation coverage since July 20, 2007. Through the promotion of a safe work environment and city departments conducting safety training meetings, the city has had very low insurance claims. Midwest Casualty Company provides insurance coverage for any claims that may exceed the $400,000/$500,000 deductible. The renewal premium for Midwest is $48,447.00 which is 5% more than the expiring premium. Mr. Porta stated that this increase is due to higher payroll costs and an increase from the insurance company. The third party administrator that processes these claims in USIS, and the premium for this service is $9,075.00. Mr. Porta stated that these renewals are for a shorter time period and will expire on June 30, 2014 so that future renewals will coincide with the city's fiscal year and recommended approval.

A motion to approve both contracts for Workers Compensation Insurance was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

2. GDOT Easement Limited Agreement - Highway 20

Michael Hill, Assistant Gas Superintendent stated that this agreement with GDOT preserves the city's prior rights for the widening and relocation of the Natural Gas Main on SR20. Mr. Hill recommended approval.

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

3. GDOT Reimbursement of Main Relocation Cost – Highway 20

Ed Mullinax, Assistant Water Superintendent stated that the water main along Highway 411 near Peeples Valley Road must be relocated due to conflicts with the proposed GDOT State Route 20 project. Portions of the existing water main are located in a private easement outside of State Road Right of Way and are therefore eligible for reimbursement of relocation costs. The GDOT has agreed to reimburse these costs in the amount of $67,000.00 and Mr. Mullinax recommended approval.

A motion to approve GDOT Reimbursement of Main Relocation Cost was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

4. Water Treatment Plant Filter Rehabilitation

Ed Mullinax, Assistant Water Superintendent stated that bids were received for the Water Treatment Rehabilitation Filters 4,5,and 6 construction project. Mr. Mullinax recommended approval of the low bid from Haren Construction Company, Inc. in the amount of $566,000.00.

A motion to approve the low bid from Haren Construction Company was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

E. Bid Award/Purchases

1. Water Meters

Ed Mullinax, Assistant Water Superintendent stated that this the is a sole source purchase from Delta Municipal Supply in the amount of $8,306.00 to restock various meters for use in the water distribution system and recommended approval.

A motion to approve the purchase from Delta Municipal Supply was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

2. Water Treatment Plant Production Meter Modification

Ed Mullinax, Assistant Water Superintendent stated that the finished water production meter at the Water Treatment Plant requires modification work for calibration to accurately measure finished water production at the plant. Pricing was received from the meter manufacturer for the modification and Mr. Mullinax recommended approval of the repairs by Accusonic Technologies in the amount of $17,279.00.

A motion to approve the bid from Accusonic Technologies was made by Council Member Hodge and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0

3. Municipal Court Added Security – Telenet Systems

Tom Rhinehart, Finance Director stated that after renovations to the court room were completed, added security features were needed in the municipal court area to include the installation of cameras in the court room. Telenet Systems has completed similar work on all of the building owned by the city and was asked to install the access controls and cameras in this area. Mr. Rhinehart stated that this work has been completed and even though it is an unbudgeted item it will be paid from court fees. Mr. Rhinehart recommended approval for Telenet Systems in the amount of $8,099.48.

A motion to approve the added security for the Municipal Court was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

F. Monthly Financial Statement

1. May 2013

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

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

G. Added Item

1. **Authorizing Resolution to purchase property at 149 Etowah Drive**

David Archer, City Attorney stated that this is a resolution authorizing the Mayor and City Clerk to execute any and all documents pertaining to the purchase property at 149 Etowah Drive at a cost of $49,000.00 plus reasonable closing costs. This also authorizes the City Attorney to attend the closing on the city's behalf. This property is the last of the three properties the city needs to acquire as a part of the Flood Protection Program and Mr. Archer recommended approval.

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

Resolution No. 13-13

WHEREAS, on May 10, 2013 Mayor and City Council made an offer to purchase 149 Etowah Drive, Cartersville, Georgia in the amount of $49,000.00 plus reasonable closing costs;

WHEREAS, The City of Cartersville needs to acquire the property as a part of its Flood Protection Program;

WHEREAS, on June 17, 2013 the U.S. Department of Housing and Urban Authority approved the Office of Single Family Housing's request authorizing the sell of the HUD-owned property to the City of Cartersville;

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and City Council that the City of Cartersville is hereby authorized to purchase said property and authorizes the City Attorney to attend the closing on its behalf and authorizes the Mayor and City Clerk to execute any and all documents pertaining to said purchase on behalf of the City of Cartersville.

ADOPTED this the 18th day of July 2013.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

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