

City Council Meeting
10 N. Public Square
July 1, 2013
6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member McDaniel

Pledge of Allegiance led by Council Member Stepp

The City Council met in Regular Session with Matt Santini, Mayor presiding and the following present: 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; Sam Grove, City Manager; Connie Keeling, City Clerk and David Archer, City Attorney. Kari Hodge, Council Member Ward One and Lori Pruitt, Council Member Ward Six were absent.

II. Regular Agenda

A. Council Meeting Minutes

1. June 20, 2013

A motion to approve the June 20, 2013 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

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

1. File T13-03: Text Amendment application by City of Cartersville to allow Pawn Shops and/or Title Pawn in the M-U (Multiple Use) District with Special Use approval.

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 is an amendment to the zoning ordinance to add Pawn Shops and/or Title Pawn as a possible permitted use in the M-U (Multiple Use) District with Special Use Approval. Mr. Mannino stated that there have been no additions or changes since the first reading and the Planning Commission has recommended approval.

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

A motion to approve Ordinance No. 11-13 was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 11-13

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 IX. COMMERCIAL DISTRICT REGULATIONS. Section 9.2.2. Use Regulations** is hereby amended by adding the following use to Section 9.2.2 as indicated herein:

1.

That Article IX. Commercial District Regulations, Section 9.2.2., is hereby amended by adding the following use:

Pawn shops and/or title pawn (SU).*

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 20th day of June 2013.

ADOPTED this the 1st day of July 2013. Second Reading.

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

ATTEST:

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

2. File SU13-03: Special Use application by John Peyton for property located at 624 N. Tennessee Street (approximately 0.55 acres) to allow a Pawn Shop and/or Title Pawn in the M-U (Multiple Use) 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 tract is located at 624 N. Tennessee Street at the intersection of Porter Street. The applicant would like to be granted a Special Use to operate a Pawn Shop and/or Title Pawn at this location. Mr. Mannino stated that staff has reviewed the case and had no objections. Mr. Mannino stated that there have been no additions or changes since the first reading. The Planning Commission recommended approval with the condition that Council must first approve the text amendment related to this case and that there shall be no outside on-site storage at this location.

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

A motion to approve Ordinance No. 12-13 with the conditions set forth by the Planning Commission was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 4-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 12-13

Petition No. SU13-036

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 Terry Slocum. Property is located 624 North Tennessee Street. Said property contains 0.55 acres located in the 4th District, 3rd Section, Land Lot(s) 338 as shown on the attached plat Exhibit “A”. Special Use is hereby granted in the M-U area for a Pawn/Title Pawn Shop with the following conditions. Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

a. There shall be no outside on-site storage

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 20th day of June 2013.

ADOPTED this the 1st day of July 2013. Second Reading.

/s/ Matthew J. Santini

Matthew J. Santini

Mayor

ATTEST:

/s/ Connie Keeling

Connie Keeling

City Clerk

3. File SU13-02: Special Use application by Andy Postell for property located at 801 West Avenue Building 100 (approximately 2.94 acres) to allow a Religious Institution in the O-C (Office Commercial) 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 tract is located at 801 West Avenue, which includes a three building development. The applicant Andy Postell, is pastor of Church at the Well and is proposing to use this building as a Church. Mr. Mannino stated that staff has reviewed the case and had no objections. Mr. Mannino stated that there have been no additions or changes since the first reading and Planning Commission recommended approval.

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

A motion to approve Ordinance No. 13-13 was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 13-13

Petition No. SU13-02

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 Reid and Brenda Dunn. Property is located at 801 West Avenue. Said property contains 2.94 acres located in the 4th District, 3rd Section, Land Lot(s) 522-523 as shown on the attached plat Exhibit “A”. Special Use to allow a Religious Institution in this O-C (Office Commercial) Zoning is granted. 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 20th day of June 2013.

ADOPTED this the 1st day of July 2013. Second Reading.

/s/ Matthew J. Santini

Matthew J. Santini

Mayor

ATTEST:

/s/ Connie Keeling

Connie Keeling

City Clerk

4. File Z13-03: Rezoning application by Jacob & Lauren Johnson (Jeff Watkins Rep.) for property located on the south side of Mission Road near Pettit Creek (approximately 31.77 acres) from RSL (Residential Senior Living) with conditions to AG (Agricultural).

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 Mission Road near Granger Drive. This property was rezoned in 2008 from R-10 (Conservation subdivision with conditions) to RSL, a new zoning district for senior living with nine (9) conditions, many of which were related to floodplain and utility concerns. Although some infrastructure and improvements were made to the property, in the last few years no work has been completed on the proposed senior development. Mr. Mannino stated that the current property owner proposed to rezone the property to AG (Agriculture) to operate a horse farm on the property. Public Works and the Gas Department representatives have concerns regarding the infrastructure and utilities. The city attorney has informed staff that these matters are related to development rather than zoning however both Mr. Mannino and Tommy Sanders, Public Works Director had been working with the client and Mr. Watkins to make sure that these concerns have been addressed. Jeff Watkins, representative came forward to answer any concerns of the council. Mr. Mannino stated that the Planning Commission recommended approval.

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

A motion to approve Ordinance No. 14-13 was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

Petition No. Z13-03

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 Jacob Johnson. Property is located on Mission Road near Granger Drive. Said property contains 31.8 acres located in the 4th District, 3rd Section, Land Lot(s) 486-487 as shown on the attached plat Exhibit “A”. Property is hereby rezoned from RSL (Residential Senior Living) with conditions to AG (Agricultural) 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 20th day of June 2013.

ADOPTED this the 1st day of July 2013. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

C. Other

1. Quit Claim Deed – 7 Boatner Avenue

Richard Osborne, City Planner stated this property at 7 Boatner Avenue is part of the first time homebuyer program (CHIP) and the property has been owner occupied for more than the required five year period. Mr. Osborne recommended approval of the quit claim deed and removal of the lien at 7 Boatner Avenue.

A motion to approve the quit claim deed for 7 Boatner Avenue was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

D. Second Reading of Ordinances

1. Budget Ordinance for Fiscal Year 2013-14

Tom Rhinehart, Finance Director presented the Fiscal Year 2013-14. Mr. Rhinehart stated that the budget is balanced and has been reduced from the FY 2012-13 Budget by \$121,185 or 0.08%. The budget includes no salary adjustments, no city property tax increase, School System funds, no increased staff, increased health insurance premiums for both the city and employees, an increase in the residential water and sewer rate, an increase in the water basic monthly rate, and an increase in the water fire service rates. Mr. Rhinehart stated that for the first time in many years, reserves in the amount of \$284,180 will be used to balance the general fund. There have been no additions or changes since the first reading and Mr. Rhinehart recommended approval.

A motion to approve the proposed budget, Ordinance No. 15-03, with an amendment to add \$35,000.00 to be taken from the general fund reserves for the engineering of the Leake Mound Trail was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 15-13

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

2013 - 2014 Budget Summary

General Fund

Revenues

Expenditures

Revenues

\$39,120,395

Expenditures:		
Legislative		\$19,153,235
Administration		\$ 889,885
Finance Dept.		\$ 1,105,875
Customer Service Dept.		\$ 570,955
Police		\$ 5,222,020
Fire		\$ 5,786,700
Municipal Court		\$ 276,895
Public Works		\$ 2,280,355
Recreation		\$ 2,966,605
Planning & Development		\$ 724,230
Downtown Development Authority		\$ 143,640

Special Revenue Funds

SPLOST – 2003	\$ 790,000	\$ 790,000
SPLOST – 2007	\$ 4,341,330	\$ 4,341,330
SPLOST – 2014	\$ 840,000	\$ 840,000
DEA	\$ 31,020	\$ 31,020
State Forfeiture	\$ 3,000	\$ 3,000
Hotel/Motel Tax	\$ 443,000	\$ 443,000
Motor Vehicle Rental Tax	\$ 50,000	\$ 50,000
Grant Funds	\$ 0	\$ 0
Impact Fees	\$ 0	\$ 0
Business Improve Dist Tax	\$ 24,940	\$ 24,940
Development Fees	\$ 5,000	\$ 5,000

Enterprise Funds

Fiber Optics	\$ 1,665,775	\$ 1,665,775
Electric	\$46,939,100	\$46,939,100
Gas	\$25,438,015	\$25,438,015
Solid Waste	\$ 2,219,575	\$ 2,219,575
Stormwater	\$ 1,402,065	\$ 1,402,065
Water & Sewer	\$20,443,865	\$15,588,035
Water Pollution Control Plant		\$ 2,024,365
Water Treatment Plant		\$ 2,831,465

Internal Service Fund

Garage	\$ 1,486,155	\$ 1,486,155
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BE IT AND IT IS HEREBY ORDAINED.

ADOPTED, this 6th day of June 2013. First Reading.

ADOPTED this 1st day of July 2013. Second Reading.

/s/ Matthew J. Santini

Matthew J. Santini

Mayor

ATTEST:

/s/ Connie Keeling

Connie Keeling

City Clerk

E. Contract/Agreements

1. Contracts for Performing Services for Six Agencies

Tom Rhinehart, Finance Director stated that these are the annual contracts for performing

services from the various agencies listed below. Mr. Rhinehart stated that there have been no changes in the amounts from last year and recommended approval.

Cartersville/Bartow Library	\$454,500.00
Cultural Arts Alliance	\$51,000.00
Juvenile Court	\$15,000.00
Bartow Health Access	\$2,000.00
Good Neighbor Homeless Shelter	\$2,000.00
Summer Hill Learning Center	\$1,200.00

A motion to approve the Contracts for Performing Services was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 4-0

2. Floyd County Corrections Crews

Tommy Sanders, Public Works Director stated that this agreement is for three corrections crews from Floyd County. Mr. Sanders stated that Hays State Prison has been having difficulties supplying the city with work crews and the Floyd County facility supplies corrections crews as their primary function. The total cost for the work crews is \$184,641.75 (\$61,547.25 per crew) which is an increase over the existing agreement; however Mr. Sanders stated that the closer proximity of the Floyd County Facility and the commitment for providing all three crews on a consistent basis every day will be worth the extra costs and recommended approval.

A motion to approve the agreement with Floyd County was made by Council Member Stepp and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

3. Life, AD&D, and Disability Insurance Renewal

Dan Porta, Assistant City Manager stated that the city has been covered for the past few years for life, accidental death and dismemberment, and long-term disability by UNUM Insurance. Due to the number of claims and dollars paid the premiums at renewal by UNUM increased significantly. After requesting quotes from several providers Prudential Insurance has guaranteed their rates for two years and Mr. Porta recommended approval of the change to Prudential Insurance.

A motion to approve the agreement with Prudential Insurance was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

4. Extension of Contract with GDOT for Cartersville-Bartow Airport

Dan Porta, Assistant City Manager stated that in May 2011 the Council approved the receipt of grant funds from GDOT for completion of a taxiway apron rehabilitation and an environmental assessment at the Cartersville-Bartow Airport. There have been some issues that have caused delays in completion of the environmental assessment; therefore, a contract amendment needs to be approved in order for the city to receive the grant reimbursement from GDOT. Mr. Porta recommended approval of the contract amendment.

A motion to approve the agreement with GDOT was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

F. Bid Award/Purchases

1. HVAC Unit for Municipal Court Building

Dan Porta, Assistant City Manager stated that while preparing the Municipal Court building for the Probation Services it was determined that the HVAC unit needed to be replaced. Mr. Porta recommended approval of the low bid from Weaver Heating and Air in the amount of \$5,750.00.

A motion to approve the low bid from Weaver Heating and Air was made by Council

Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 4-0

2. McCord Communications Emergency Warning System Repairs

Scott Carter, Fire Chief stated that five (5) different Emergency Warning Siren Drivers became defective and required replacement to operate as designed. Due to the extreme nature of the current weather pattern the work was completed on an emergency basis by McCord Communications (a sole source provider) at a cost of \$8,751.50. Chief Carter recommended approval.

A motion to approve the Emergency Warning System Repairs by McCord Communications was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

G. Resolutions (Items 1 & 2 voted as one motion)

1. ECG Voting Delegate

Don Hassebrock, Electric Director stated that this resolution is to appoint himself as the Authorized Official to communicate the decisions of the City of Cartersville to the Electric Cities of Georgia and Derek Hampton as the Alternate Delegate. Mr. Hassebrock recommended approval.

2. MEAG Voting Delegate

Don Hassebrock, Electric Director stated that this resolution is to appoint himself as the alternate voting delegate for Municipal Electric Authority of Georgia's Election Committee. This resolution will replace David Myers as the alternate and Mr. Hassebrock recommended approval.

A motion to approve both Resolutions No. 11-13 and 12-13 was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 4-0

Resolution No. 11-13

BE IT RESOLVED by the City of Cartersville (the "Participant") that Don Hassebrock is hereby appointed as an authorized official of the Participant ("Authorized Official") with full power and authority to communicate the decisions of the Participant to Electric Cities of Georgia, Inc. ("ECG"), including, but not limited to, completing nomination forms for the Board of Directors of ECG and submitting ballots for the election of the Board of Directors of ECG. Derek Hampton (the "Alternate") is hereby appointed as the alternate Authorized Official with full power and authority of the Authorized Official to the extent that it is convenient for the Participant to make such communications to ECG through the Alternate.

ADOPTED this the 1st day of July 2013.

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

ATTEST:

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

Resolution No. 12-13

BE IT RESOLVED by the Mayor and City Council of the City of Cartersville that Matthew J. Santini is hereby appointed to serve as this City's voting delegate on the

Municipal Electric Authority of Georgia's Election Committee, with authority to cast all votes to which this City is entitled. Don Hassebrock is appointed as alternate voting delegate.

ADOPTED this the 1st day of July 2013.

City of Cartersville

Matthew J. Santini
Matthew J. Santini, Mayor

Dianne Tate
Dianne Tate, Mayor Pro Tem

Not Present
Kari Hodge, Councilmember

Jayce Stepp
Jayce Stepp, Councilmember

Louis Tonsmeire, Sr.
Louis Tonsmeire, Sr., Councilmember

Lindsey McDaniel, Jr.
Lindsey McDaniel, Jr., Councilmember

Not Present
Lori Pruitt, Councilmember

ATTEST:

Connie Keeling
Connie Keeling, City Clerk

After announcements a motion to adjourn the meeting was made by Council Member Stepp and needing no second. Motion carried unanimously. Vote 4-0

Meeting Adjourned

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk