

City Council Meeting
10 N. Public Square
June 20, 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 Hodge

The City Council met in Regular Session with Dianne Tate, Mayor Pro-Tem/Council Member Ward Five presiding and the following present: Kari Hodge, Council Member Ward One; Jayce Stepp, Council Member Ward Two; Lindsey McDaniel Council Member Ward Four; Sam Grove, City Manager; Connie Keeling, City Clerk and David Archer, City Attorney. Matt Santini, Mayor; Louis Tonsmeire, Sr., Council Member Ward Three; and Lori Pruitt, Council Member Ward Six were absent.

II. Regular Agenda

A. Council Meeting Minutes

1. June 6, 2013

A motion to approve the June 6, 2013 City Council Meeting Minutes as presented was made by Council Member Stepp and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

B. Second Reading of Ordinances

1. Amendment to Utilities Ordinance Regarding Water/Sewer Rates

Tom Rhinehart, Finance Director stated that in order to balance the FY 2013-14 Water and Sewer Fund Budget a 5% proposed increase in the water and sewer rates is needed. The increase will allow the City to continue to maintain the existing water and sewer system as well as update the system by completing projects needed to fulfill the needs of existing customers. Also in the fund budget is a proposed increase of 15% in the monthly residential base water rate from \$6.00 to \$6.90 per month. On the commercial side, a proposed increase in the fire service rates has been incorporated in the Water and Sewer Budget. The fire service rates have never been changed since its inception and it is felt that the fees are not in line with the cost of maintaining the water lines and meters. Mr. Rhinehart stated that with these proposed small increases in the rates the City of Cartersville residential customers will remain one of the lowest rates in the surrounding areas. Mr. Rhinehart stated that there have been no changes or deletions since the first reading and recommended approval of the rates effective July 1, 2013.

A motion to approve Ordinance No. 10-13 was made by Council Member Hodge and seconded by Council Member Stepp Motion carried unanimously. Vote 4-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 10-13

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 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"	\$ 6.90	\$ 12.65
3/4" full flow	\$ 10.35	\$ 18.40
1"	\$ 16.10	\$ 29.90
1 ¼" or 1 ½"	\$ 32.20	\$ 55.20
2"	\$ 62.10	\$113.85
4"	\$115.00	\$222.53
6"	\$179.40	\$322.00
8"	\$230.00	\$445.05
Plus consumption as follows: (i) Residential Meters (a) 0 – 10 consumptions per month (b) 11 – 14 consumptions per month (c) 15 – 19 consumptions per month (d) 20 + consumptions per month (ii) Apartments, Multiples & Commercial Meters (iii) Irrigation System Meters (iv) Industrial and All Other Meters	\$1.39/100 cu. ft. \$2.57/100 cu. ft. \$4.66/100 cu. ft. \$6.50/100 cu. ft. \$2.30/100 cu. ft. \$4.66/100 cu. ft. \$1.39/100 cu. ft.	\$2.78/100 cu. ft. \$3.24/100 cu. ft. \$4.66/100 cu. ft. \$6.50/100 cu. ft. \$3.39/100 cu. ft. \$4.66/100 cu. ft. \$2.78/100 cu. ft.

(b.) Sewage Monthly Billing	City	Outside City
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.

(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	1,500.00	1,600.00	1,150.00	1,600.00
	2	2,000.00	2,250.00	1,200.00	1,900.00
	4	2,250.00	2,750.00	1,775.00	3,050.00
	6	2,500.00	3,000.00	2,150.00	3,800.00
	8	3,000.00	3,500.00	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.		
	<i>Water Capacity Fee (in inches)</i>	<i>City</i>	<i>Outside City</i>
	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 unit	\$1,020.00	\$930.00
	<i>Sewer Capacity Fee (in inches)</i>	<i>City</i>	<i>Outside City</i>
	¾	\$1,300.00	\$1,260.00
	1	\$2,160.00	\$2,520.00
	1½	\$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 (¾" water meter equivalent) for capacity fees.

All hotel and apartment units without refrigerator and stove are to be calculated as one-half unit (¾" 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 (¾" 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
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, 2013.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 6th day of June 2013.
ADOPTED this the 20th day of June 2013. Second Reading.

/s/ Dianne Tate
Dianne Tate
Mayor Pro-Tem

ATTEST:

/s/ Connie Keeling
Connie K. Keeling
City Clerk

2. Amendment to Utility Ordinance Regarding Deposit Requirements

Tom Rhinehart, Finance Director stated that the Public Service Commission (PSC) has

mandated new deposit requirements for residential gas customers. The city is required to adopt the policies for its customers in Floyd County. These policies are in many ways more lenient than out current policies in regard to fees, cut offs, etc. Staff has reviewed and decided that the policy should be put in place for all utility customers; however the city did keep the exemption for credit scores. Mr. Rhinehart stated that this ordinance is time sensitive since it has to be filed with the PSC before the July 1, 2013 City Council Meeting. Mr. Rhinehart stated that there have been no changes or deletions since the first reading and recommended approval.

A motion to approve Ordinance No.09-13 was made by Council Member Stepp and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 09-13

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 is hereby amended by making the following amendments to **CHAPTER 24. UTILITIES. ARTICLE II. RATES, CHARGES, BILLING AND COLLECTION PROCEDURES.** Section 24-21. Schedule of Charges, etc. 14(g), and Section 24-23. Billing and Due Dates, cutoff for Non-payment. Are hereby amended by deleting Section 24-21 paragraph (g) and Section 24-23 in their entirety and replacing them as follows:

1.

Sec. 24-21.

G. Residential Accounts:

1. APPLICABILITY

The policies and procedures contained in this ordinance shall be applied equitably and uniformly to all residential customers regardless of the county or community in which the service address lies and without regard to city limits. Likewise, all charges and rates are applied equitably and uniformly to all residential customers regardless of the county or community in which the service address lies and without regard to city limits.

2. ESTABLISHING NEW ACCOUNT

a. An application for utility service shall be completed and submitted by the applicant prior to service being established. A deposit, the total of which shall not exceed three (3) twelfths of the estimated charges for utility service for the ensuing twelve months, shall be required of the applicant to establish an account, or of the customer seeking to re-establish an account upon disconnection of service for non-payment; except as provided for herein.

b. For Residential accounts meeting the following credit ratings prior to service being turned on, determined from the customer's individual credit information obtained from an independent credit reporting agency; the deposit requirements are as follows:

i. Credit score of six hundred eighty (680) or higher, no deposit is required.

ii. Credit score between five hundred ninety (590) and six hundred seventy-nine (679), a deposit of two (2) twelfths of the estimated charges for utility service for the ensuing twelve months shall be required of the of the applicant to establish an account.

iii. Credit score below five hundred eighty-nine (589), a deposit of three (3) twelfths of the estimated charges for utility service for the ensuing twelve months shall be required of the of the applicant to establish an account

c. Upon discontinuance of service, the deposit amount in excess of any unpaid bills for utility service shall be promptly refunded to the customer. Where the customer has utility service at the same location for at least twenty-four (24) consecutive months and has paid each bill for service promptly, the deposit shall be automatically returned or credited to the customer's account within thirty (30) days of the end of that consecutive 24-month period.

d. Customers who have had their service disconnected for non-payment one (1) time in a twelve-month period will be charged standard reconnection fees and a ten dollar (\$10.00) service charge for a new credit check. They will be required to pay a deposit if their credit rating has fallen below six hundred eight (680).

e. The customer shall receive a receipt, which may be in the form of an approved application or other form of documentation displaying, among other information, the following:

- i. Name of Customer;
- ii. Amount of Deposit;
- iii. Date of Receipt;
- iv. Municipal Utility Name;
- v. Statement that the deposit collected is non-interest bearing to customer;
- vi. Address to where service is to be rendered; and
- vii. Statement of terms under which the deposit may be refunded or applied to the customer's account.

3. SERVICE CHARGES AND RATES

Applicable service charges and rates, which may change from time to time, and are established by ordinance and are contained in a the City of Cartersville Code of Ordinances, Minutes and Ordinance Books of the City of Cartersville, which are available to the public upon request.

4. METER READING AND BILLING

All meters are read monthly and all active accounts are billed monthly. Bills may be mailed to the service address or to another mailing address, as requested by the customer whose name in which the account is established.

5. SERVICE DISCONNECTION

A. Reasons for Disconnection

a. Utility service may be disconnected for one or more of the following reasons:

- i. At the request of the customer;
- ii. When service to the customer constitutes an immediate hazard to persons or property;
- iii. By order of the Georgia Public Service Commission, any Court, or any other authorized public agency;
- iv. Violation of applicable City of Cartersville Ordinances, rules and regulations;
- v. A bill for past service is not paid within fifteen (15) days after the bill has been issued.

B. Limitations on Disconnection

- a. Prior to disconnecting or interrupting service for non-payment, the following information will be provided to the account holder:
 - i. Written notice of the pending disconnection of the proposed disconnection at least five (5) days prior to the date of disconnection. Such notice, which may be displayed on the most recent customer's bill and not necessarily provided as a separate or supplemental notice, will include:
 - 1. The earliest date for the proposed disconnection;
 - 2. The amount due and the reason for the proposed disconnection;
 - 3. A telephone number the customer may call for information about the proposed disconnection; and
 - 4. The proposed procedure for preventing disconnection of service.
- b. Customer service will make available whatever information it has concerning any programs through which a customer may apply for assistance in paying past due gas bills.

C. Disconnection During Illness

- a. Special consideration will be given where utility service may not be disconnected for past due residential accounts when the customer provides verifiable documentation from a medical professional (licensed medical doctor) that the utility customer is experiencing a serious illness, or has experienced a serious accident, where disconnection of utility service would be detrimental to the customer's health. However, if such accommodation is granted, the customer will not be relieved of the obligation to pay all past due bills for utility service. Accommodation under this policy will be at the discretion of the Finance Director.

D. Seasonal Gas Restrictions

- a. Gas service to residential customers will not be disconnected or interrupted during winter months, November 1 – March 31 if:
 - i. The customer has a payment agreement in effect and is current under the terms of the agreement;
 - ii. The customer agrees to pay all bills by the due date for current service. If a payment agreement extends beyond the current service due date, the customer agrees to pay for current service by the due date during the term of the agreement. If the customer fails to comply with the payment agreement, service may be terminated;
 - iii. The forecasted local low temperature for the ensuing 24-hour period is below 32-degrees Fahrenheit.

6. CUSTOMER'S RIGHT TO APPEAL

- a. If a customer disputes a bill, he or she should approach customer service with an inquiry as soon as possible. If the customer is not satisfied with the response from customer service, he or she may prepare a written complaint and appeal to management. If the customer is still dissatisfied, he or she may appeal to the elected body governing the utility.
- b. Special provision for residential customers receiving natural gas service outside of Bartow County: Only after exhausting all local and direct measures of appeal have not satisfactorily resolved the dispute,

the customer may submit a written request, or orally to be followed by a request in writing, that the Georgia Public Service Commission investigate the dispute either before or after service has been terminated.

- c. Nothing herein shall relieve the customer of being current with said account and continuing to remit payment for service received while the accuracy of a disputed bill is being investigated or appealed. If a disputed bill is determined to be in error, no late fees, penalties, or interest shall accrue and the same shall be refunded where applicable.

2.

Sec. 24-23. 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 or alphabetized to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED

First Reading this the 6th day of June 2013.

ADOPTED this the 20th day of June 2013. Second Reading.

**/s/ Dianne Tate
Dianne Tate
Mayor Pro Tem**

ATTEST:

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

C. Other

1. Appeal of Historic Preservation Commission case COP13-06 for 601 West Avenue

Randy Mannino, Planning and Development Director stated that this is an appeal of the Historic Preservation Decision from April 23, 2013. Andrew Turner has installed a privacy fence at his home at 601 West Avenue. The 8 feet tall screening fence, located along the north property line perpendicular to Fite Street required HPC approval and BZA approval of a variance for the fence to remain as installed. On April 23, 2013 the BZA approved the variance for the fence to remain as installed however the HPC voted for the fence to be reduced to 6 feet. Mr. Turner is requesting to appeal the decision of the HPC so that his fence may remain at 8 feet as installed.

Mayor Pro-Tem Tate opened the floor for a public hearing. With no comments Mayor Pro-Tem Tate closed the public hearing.

A motion to approve the appeal and allow the fence to remain as installed was made by Council Member Stepp and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

D. Public Hearing – 1st 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 the Planning Commission has recommended approval.

Mayor Pro-Tem Tate opened the floor for a public hearing. John Peyton came forward and stated that he would not have any outdoor storage at his facility should council approve this amendment. With no further comments Mayor Pro-Tem Tate 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 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 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 North 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. 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 on-site storage at this location.

Mayor Pro-Tem Tate opened the floor for a public hearing. With no comments Mayor Pro-Tem Tate closed the public hearing.

NO ACTION REQUIRED

Ordinance
of the
City of Cartersville, Georgia
Ordinance No.
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 6th day of June 2013.
ADOPTED this the day of. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

3. File 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. Planning Commission recommended approval.

Mayor Pro-Tem Tate opened the floor for a public hearing. With no comments Mayor Pro-Tem Tate closed the public hearing.

NO ACTION REQUIRED

Ordinance
of the
City of Cartersville, Georgia

Ordinance No.

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 6th day of June 2013.
ADOPTED this the day of. 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 and the Planning Commission recommended approval.

Mayor Pro-Tem Tate opened the floor for a public hearing. Jeff Watkins, representative for applicant came forward and addressed all concerns by the city stating that the applicant has met with Karl Lutjens and Tommy Sanders and has hired Southland Engineering to work on the drainage issues. They have also agreed to grant easements to the city as necessary. Mr. Watkins stated that the property owners would like to leave the gas line as is for now; however should the need arise that the gas department needed to dig up this line they would remove the necessary dirt and allow them access. With no further comments Mayor Pro-Tem Tate closed the public hearing.

NO ACTION REQUIRED

**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 6th day of June 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. Grant Application/Acceptance

1. Replacement Intoxilyzer for Police Department

Tommy Culpepper, Chief of Police stated that the City of Cartersville has been awarded a \$9,000.00 grant to cover the cost of the replacement intoxilyzer mandated by the State of Georgia. This grant will cover the entire cost of the instrument and initial supplies. Chief Culpepper stated that the grant application was approved by Council on March 7, 2013 and requested approval for the Mayor to be authorized to sign all necessary documents in order for the grant award to be activated.

A motion to approve the Mayors signature on all necessary documents was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 4-0

F. Surplus Equipment

1. Auction of Motorcycle

Tommy Culpepper, Chief of Police requested that a 2005 Harley-Davidson Road King Motorcycle be declared surplus and sold at public auction. The vehicle is no longer a critical part of the operation and the cost of training and outfitting personnel has become too expensive. Chief Culpepper stated that this vehicle was purchased through asset forfeiture and any proceeds from the sale must be returned to this account. Chief Culpepper recommended approval.

A motion to approve the motorcycle surplus was made by Council Member Hodge and seconded by Council Member Stepp. Motion carried unanimously. Vote 4-0

G. Contract/Agreements

1. Renewal of Software Support Agreement for Police Department

Tommy Culpepper, Chief of Police stated this is the renewal of the 2013-14 support contract with USA Software for the in-house data system. Chief Culpepper stated that this is the same system and provider used by the CPD for many years and recommended approval of the agreement in the amount of \$28,876.30.

A motion to approve the software support agreement was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 4-0

2. Property & Casualty Insurance Renewal with One Beacon

Dan Porta, Assistant City Manager stated the currently the city is covered by Travelers Insurance for all property and casualty claims, however this year Travelers insurance renewal shows a 16.7% increase. Mr. Porta stated that due to the complexity of the city insurance account with the various utility enterprises it is hard to get many companies to quote on this coverage. Mr. Porta recommended approval of the low bid from One Beacon Insurance in the amount of \$400,495.00.

A motion to approve the insurance renewal with One Beacon was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 4-0

3. Task Order on Fox Environmental Agreement for Professional Services

Tommy Sanders, Public Works Director stated that this agreement is a continuation of the original agreement for professional services approved in the fall. Mr. Sanders stated that the city is continuing to fill existing data gaps in the City's storm sewer geo-database through a combination of field and office work. This is one of the requirements of the MS4 designation from the EPD that the city is about to receive. The total cost of work within this agreement is up to \$34,500.00 and Mr. Sanders recommended approval.

A motion to approve the task order with Fox Environmental was made by Council Member Hodge and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

H. Bid Award/Purchases

1. Mowers and Trailer for Public Works

Tommy Sanders, Public Works Director stated that bids were solicited for a 60" Rear Discharge Mower; a 48" Walk Behind Mower; and a 16' Landscape Trailer for the grounds crews. Mr. Sanders recommended the low bid for all three pieces of equipment from Taylor Farm Supply in the total amount of \$15,761.93.

A motion to approve the purchase from Taylor Farm Supply was made by Council Member Stepp and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

2. Replacement of Sewer Inspection Crawler Camera

Bob Jones, Assistant Water and Sewer Director stated that they needed to replace a trailer mounted crawler camera which was purchased in 1999. The current camera is obsolete; however by retrofitting the existing equipment the city will save approximately \$28,787.00. Mr. Jones recommended approval of the purchase from Adam's Equipment in the amount of \$51,213.00.

A motion to approve the purchase from Adam's Equipment was made by Council Member Stepp and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

3. UV-254 Monitor for Water Treatment Plant

Bob Jones, Assistant Water and Sewer Director stated that bids were solicited for a UV-254 monitor for the Water Treatment Plant. This monitor is the best and most cost effective technology for detecting dissolved and suspended organic contaminants in both lake and treated drinking water. Mr. Jones recommended approval of the low bid from Real Tech in the amount \$7,909.00.

A motion to approve purchase from Real Tech was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 4-0

4. Resetter/Repair Clamp Restock for Distribution and Collections

Bob Jones, Assistant Water and Sewer Director stated that bids were solicited for materials to restock inventory and pre-purchase no-lead resetters in advance of the January 1, 2014 compliance deadline. Mr. Jones recommended the low bid from Kendall Municipal in the amount of \$10,736.60.

A motion to approve the purchase from Kendall Municipal was made by Council Member Stepp and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

5. Valve Vaults for Water Treatment Plant

Bob Jones, Assistant Water and Sewer Director stated that drain valves to a treatment unit at the Water Treatment Plant are in need of repair. Access vaults need to be installed over these valves to allow for repair or replacement due to the depth. These vaults must be custom fabricated and Mr. Jones stated that Bartow Precast is the only custom concrete fabricator in Bartow County and recommended approval for the vaults in the amount of \$44,255.00.

A motion to approve the purchase from Bartow Precast was made by Council Member Stepp and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

6. Installation of Valve Vaults at Water Treatment Plant

Bob Jones, Assistant Water and Sewer Director stated that the drain valves at the Water Treatment Plant are in need of repair. These repairs will restore 4 million gallons per day in treatment capacity which is currently off line. Bids were solicited for the repairs and Mr. Jones recommended the low bid from C & L Contractors in the amount of \$76,067.50.

A motion to approve the low bid from C & L Contractors was made by Council Member Hodge and seconded by Council Member Stepp. Motion carried unanimously. Vote 4-0

7. Sanitary Sewer Manhole Installations

Bob Jones, Assistant Water and Sewer Director stated that this project consists of providing the labor and equipment for installation of twelve (12) manholes at various locations in the sanitary sewer system. This work is needed to replace some existing manholes in deteriorated condition and to provide terminal manholes and some dead end lines. Mr. Jones recommended approval of the low bid from Hill City Utilities in the amount of \$28,600.00.

A motion to approve the low bid from Hill City Utilities was made by Council Member Stepp and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

Mayor Pro-Tem Tate 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 Stepp and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

I. Added Item

1. Quit Claim Deed

Richard Osborne, City Planner stated that this is a request to release a lien from property located at 20 Ann Circle. This property is part of the first-time homebuyer program and the occupant has fulfilled their five (5) year period in the home. Mr. Osborne recommended approval.

A motion to approve the Quit Claim Deed for 20 Ann Circle was made by Council Member Hodge and Seconded by Council Member Stepp. Motion carried unanimously. Vote 4-0

J. Monthly Financial Statement

1. April 2013

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

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/ _____
Dianne Tate
Mayor Pro-Tem

ATTEST:

/s/ _____
Connie Keeling
City Clerk