

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

I. Opening Meeting

Invocation by Council Member Tonsmeire

Pledge of Allegiance led by Council Member Tate

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

II. Regular Agenda

A. Council Meeting Minutes

1. May 16, 2013

A motion to approve the May 16, 2013 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

B. Proclamations

1. Recognition of Cartersville High School's Baseball Team Class AAA State Championship

Mayor Santini congratulated the Cartersville High School Baseball Team and presented the coach and each team member with a Proclamation from the City of Cartersville for winning the Class AAA State Baseball Championship.

C. Appointments

1. Electric Director

Dan Porta, Assistant City Manager stated that he had received the resignation of Electric Systems Director David Myers to pursue other opportunities. Mr. Porta stated that Don Hassebrock has been working for the City as the Assistant Director since 2006 and recommended that Mr. Hassebrock be appointed new Electric Systems Director.

A motion to approve the appointment of Don Hassebrock as the Electric Systems Director was made by Council Member Hodge and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0

D. Public Hearing

1. North Towne CDBG Grant Project Proposed Amendment

Richard Osborne, City Planner stated that the City of Cartersville is considering submitting an amendment request to the Georgia Department of Community Affairs (DCA) to revise the homeowners participating in the City's Community Development Block Grant (CDBG) project for the North Towne area.

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

NO ACTION REQUIRED

E. First Reading of Ordinances

1. Budget Ordinance for the 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 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 2013 - 2014 budget.

2013 - 2014 Budget Summary

<u>General Fund</u>	<u>Revenues</u>	<u>Expenditures</u>
Revenues	\$39,085,395	
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		\$ 2,931,605
Planning & Development		\$ 724,230
Downtown Development Authority		\$ 143,640
<u>Special Revenue Funds</u>		
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
<u>Enterprise Funds</u>		
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
<u>Internal Service Fund</u>		
Garage	\$ 1,486,155	\$ 1,486,155

BE IT AND IT IS HEREBY ORDAINED.

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

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

2. **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, City of Cartersville residential customers will remain one of the lowest rates in the surrounding areas and recommended approval of the rates effective July 1, 2013.

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 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	\$1.39/100 cu. ft.	\$2.78/100 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		
	\$2.30/100 cu. ft.	\$3.39/100 cu. ft.
(iii) Irrigation System Meters		
	\$4.66/100 cu. ft.	\$4.66/100 cu. ft.
(iv) Industrial and All Other Meters		
	\$1.39/100 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
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	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 day of June 2013. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

3. 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 recommended approval.

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 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 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 day of. Second Reading.

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

ATTEST:

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

F. Change Order

1. Dellinger Park Pool Improvements

Greg Anderson, Parks and Recreation Director stated that during the demolition and renovation of the Dellinger Park Pool, Pool Bathhouse and Concession, there were four change orders that increased the contract amount with Dockery Group. Mr. Anderson stated that the four change orders totaled \$9,327.00 and recommended approval.

A motion to approve the change orders in the amount of \$9,327.00 was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

G. Contracts/Agreements

1. Optimists for July 4, 2013 Celebration

Dan Porta, Assistant City Manager stated that this is the annual agreement between the City and the Optimist Club for festivities at Dellinger Park for the July 4th Celebration. Mr. Porta stated that there were no changes from last year and recommended approval.

A motion to approve the agreement with the Optimist Club was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

2. Solid Waste Intergovernmental Agreement

Tommy Sanders, Public Works Director stated that this Intergovernmental Agreement with Bartow County is a new tiered rate structure for solid waste disposal at the Bartow County Landfill. Mr. Sanders stated that this new agreement will save the city approximately \$35,000 per year and recommended approval.

A motion to approve the Solid Waste Agreement with Bartow County was made by Council Member Pruitt and seconded by Council Member McDaniel. Motion carried unanimously. Vote 5-0

H. Bid Award/Purchases

1. Gas Meters

Gary Riggs, Gas Department Superintendent stated that these meters are to replenish stock and recommended approval of the low bid from Equipment Controls in the amount of \$13,600.00.

A motion to approve the purchase from Equipment Controls was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0

2. Stopper Fittings and Tapping Operation

Gary Riggs, Gas Department Superintendent stated that in order to abandon an unused stub and a shorted casing it is necessary to install two 8” stopper fittings and approximately 500 feet of 8” pipe. Both the fittings and tapping machines are specialized equipment and are from a sole source supplier. Mr. Riggs recommended approval of the bid from S. J. Patterson Company in the amount of \$15,746.00.

A motion to approve agreement with S. J. Patterson Company was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

3. Emergency Replacement of Air Conditioning Unit at the Distribution and Collections Building

Ed Mullinax, Assistant Water and Sewer Superintendent stated that the air conditioning unit at the Distribution and Collection Center needed to be replaced on an emergency basis and recommended approval of the low bid from Meadows Heating & Air Conditioning, Inc. in the amount of \$6,139.00.

A motion to approve the purchase from Meadows Heat and Air was made by Council Member McDaniel and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

Ricky Brooks came forward with concerns about the mid-year increase in health insurance premiums and asked if there could possibly be other alternatives for budget cuts without putting a hardship on the employees and retirees.

A motion to adjourn the meeting was made by Council Member Tonsmeire and needing no second. Motion carried unanimously. Vote 5-0

Meeting Adjourned

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk