City Council Meeting
10 N. Public Square
April 18, 2013
6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Mayor Santini

Pledge of Allegiance led by Council Member Pruitt

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; 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. Lindsey McDaniel, Council Member Ward Four was absent.

II. Regular Agenda

A. Council Meeting Minutes

1. April 4, 2013

A motion to approve the April 4, 2013 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

B. Appointments

1. Swearing in of Assistant Municipal Court Judge Jay Choate

Mayor Santini stated that this is the annual reappointment of the Assistant Municipal Court Judge Jay Choate as required according to the statute. Connie Keeling, City Clerk administered the Oath of Office to Assistant Judge Choate.

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

1. File SU13-01: Special use application by Aisha Alston for property located at 178 S. Morningside Drive (approximately 0.7 acres) to operate a Personal Care Home on property zoned G-C (General Commercial).

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 178 S. Morningside Drive. This property includes an auto repair shop and a single-family residence that dates from approximately 1940 that was used as a Personal Care Home from 1990 – 2000. Mr. Mannino stated that the applicant would like to use this as a Personal Care Home and a Special Use is required in the G-C Zoning District. The applicant has stated that all required codes will be met and the Planning Commission recommended approval.

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

NO ACTION REQUIRED

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

Petition No. SU 13-01

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 John Veltre. Property is located 178 South Morningside Drive. Said property contains 0.68 acres located in the 4th District, 3rd Section, Land Lot(s) 480 as shown on the attached plat Exhibit "A". Property is currently rezoned from G-C (General Commercial) to G-C (General Commercial) with a special use to operate a Personal Care Home. 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 18th day of April 2013.
ADOPTED this the day of. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

2. File Z13-01: Rezoning application by John Waters for property located at 6 Porter Street (approximately 2.7 acres) from L-I (Light Industrial) and R-15 (Residential) to L-I (Light Industrial).

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 6 Porter Street and presently contains a prefabricated metal industrial building approximately 3,000 square feet in size, located near the road. Most of the 2.7 acres has been cleared or has few trees and Georgia Power transmission lines run along the rear of the property. Mr. Mannino stated that while there are no plans to redevelop this property the applicant seeks to rezone this property so that the entire tract is zoned L-I (Light Industrial) and the Planning Commission has recommended approval.

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

NO ACTION REQUIRED

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

Petition No. Z13-01

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 John and Carolyn Waters Trust. Property is located 6 Porter Street. Said property contains 2.7

acres located in the 4th District, 3rd Section, Land Lot(s) 310 and 339 as shown on the attached plat Exhibit "A". Property is hereby rezoned from L-I (Light Industrial) and R-15 (Single-family Residential) to L-I (Light Industrial). 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 18th day of April.
ADOPTED this the day of. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

D. Resolutions

1. Downtown Development Authority Designation of "First Friday" Events

Tara Currier, Downtown Development Director stated that the DDA Board and Staff request the approval of a resolution allowing "First Friday" events in the Downtown Business District. These events would allow merchants to conduct sidewalk sales and outside vendors, musicians and/or demonstrators the opportunity to set up on the sidewalks throughout the downtown district. Ms. Currier recommended approval.

A motion to approve Resolution No. 09-13 was made by Council Member Stepp and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0

Resolution No. 09-13

RESOLUTION AUTHORIZING SIDEWALK SALES IN DOWNTOWN CARTERSVILLE

WHEREAS, the merchants of the historic downtown district believe that monthly "First Friday" events s would increase their business and make them more marketable; and

WHEREAS, the number of retail and specialty shops in the downtown district has increased and the merchants feel that a monthly event including sidewalk sales provide a special venue to show their products; and

WHEREAS, the merchants and Downtown Development Authority board and staff believe that allowing demonstrators, musicians and vendors, which do not conflict with any business within the downtown district, would create a fun, festive atmosphere drawing more people downtown; and

WHEREAS, the CITY OF CARTERSVILLE believes this is another great opportunity to show that the city fathers support small business and our local merchants.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CARTERSVILLE THAT:

1. The merchants located in the downtown business district will be allowed to have sidewalk sales, and vendors, musicians and/or demonstrators approved by the merchants may set up outside a business. There will be a maximum of 12 First Fridays per year, and would include sidewalk sales, and vendor/musician/demonstrator setup. These events may be held on the first Friday of the month.

2. The Mayor and the City Council believe in the direction that the downtown is moving in and want to support the merchants and property owners in their efforts to enhance their business and the downtown community.

3. Prior to the commencement of a First Friday event, the Downtown Development Authority Director must contact the City of Cartersville Police, Fire, and Public Works Department to insure that the event does not interfere with the public health, safety, and general welfare. If the sales layout and/or vendor/musician/demonstrator setup on the sidewalk is dangerous to the public, the merchant must modify the layout as directed by the City of Cartersville.

ADOPTED this the 18th day of April 2013.

/s/ <u>Matthew J. Santini</u>
Matthew J. Santini
Mayor
ATTEST:

/s/ <u>Connie Keeling</u>
Connie Keeling
City Clerk

E. Certification

1. Good Neighbor Homeless Shelter Grant Application

Sam Grove, City Manager stated that this is the annual approval/certification request for the Good Neighbor Homeless Shelter to make application for grant funds from the Georgia Department of Community Affairs. Mr. Grove stated that by approving council is stating that based on a review of the application and/or supporting documents that the

a. Good Neighbor Homeless Shelter is within the jurisdiction of this local government.
b. They are approved for funding by DCA.

A motion to approve the Good Neighbor Homeless Shelter Grant Application was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

F. **Bid Award/Purchases**

1. Network Support Software

Dan Porta, Assistant City Manager stated that the Fiber Department budgets annually for network support software that allows IT Staff to be notified immediately if there is any network server or system outage. The cost for this software is $5,495.00 and Mr. Porta recommended approval.

A motion to approve the Network Support Software was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

2. Emergency Replacement of Air Conditioning Unit at WPCP Lab

Ed Mullinax, Assistant Water Superintendent stated that the air conditioning unit for the Water Pollution Control Lab has stopped functioning and cannot be repaired. Mr. Mullinax recommended approval of the low bid from Preferred Heating and Air Conditioning of Cartersville in the amount of $6,100.00.

A motion to approve the emergency replacement of the Air Conditioning Unit at WPCP Lab was made by Council Member Hodge and seconded by Council Member Tonsmeire.

Motion carried unanimously. Vote 5-0

3. Sewer Manhole Rehabilitation Project

Ed Mullinax, Assistant Water Superintendent stated that the Water Department has an ongoing program for assessing and maintaining the sewer collection system to reduce inflow and infiltration as required by the Georgia EPD and the Metropolitan North Georgia Water Planning. Mr. Mullinax stated that he had received a price from Concrete Conservation, Inc for the application of SpectraShield lining system at a price of $175 per vertical foot of lining and recommended approval for a total budgeted cost, not to exceed $60,000.

A motion to approve the low bid from Concrete Conservation, Inc. was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0

4. Valve Actuator Equipment for the Water Pollution Control Plant

Ed Mullinax, Assistant Water Superintendent stated that staff had received quotes for the purchase of valve actuators for the Water Pollution Control Plant. The equipment is for a retrofit to allow for automated control of valves used in the treatment process. Mr. Mullinax recommend approval of the low bid from Charles Finch Valve Company in the amount of $31,854.00.

A motion to approve the purchase from Charles Finch Valve Company was made by Council Member Tate and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

G. Contracts/Agreements

1. Valve Actuator Installation and Electrical Connection for the Water Pollution Control Plant

Ed Mullinax, Assistant Water Superintendent stated that staff had received quotes for the installation of valve actuators and associated electrical wiring. This retrofit allows for automated control of valves used in the treatment process. Mr. Mullinax recommended approval of the low bid from Southeastern Industrial Contracting Co. in the amount of $5,992.23.

A motion to approve the low bid from Southeastern Industrial Contracting Co. was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0

2. Amendment to Main Street Gateway Project

Tommy Sanders, Public Works Director stated that GDOT has requested this no cost contract amendment for the Main Street Gateway project which corrects an error in the asphalt specifications that were referenced in the original Contract. The off system asphalt specifications are to be deleted from the contract and the on system asphalt specifications are to be added to the contract. Mr. Sanders recommended approval.

A motion to approve the amendment to the Main Street Gateway Project was made by Council Member Stepp and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

3. Main Street Gateway Project Supplemental Agreements

Tommy Sanders, Public Works Director stated that the following Supplemental Agreements are necessary to complete the construction of the Main Street Gateway Project. Mr. Sanders stated that these items were not included in the original contract between the City and C.W. Matthews and he recommended approval.

a. Supplemental Agreement #2 - No cost agreement to substitute Concrete Barrier Wall pay item for Traffic Shift including signing and striping.

b. Supplemental Agreement #3 - $24,408.00 for guardrail post installation by hand digging to protect underground utilities from damage in very tightly spaced shoulder area.

c. Supplemental Agreement #4 -$3,312.00 for adjusting four (4) sanitary sewer manholes for our Water Department.

d. Supplemental Agreement #5 - $79,390.20 for the addition of two pay items that were not included in original contract, $24,722.70 for 7166 SY of milling and $54,667.50 for the installation of bermuda sod.

A motion to approve the supplemental Agreements for the Main Street Gateway Project was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0

H. Monthly Financial Statement

1. February 2013

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

I. Discussion

Mayor Santini stated that he would like to address some concerns about the Main Street Gateway Project that had been brought to his attention. Mayor Santini stated that although most of the comments had been positive there have been some questions as to why there are no traffic signals at key intersections. Tommy Sanders, Public Works Director came forward and stated that Main Street is actually State Route 113 and is under the authority of the Georgia Department of Transportation. Before a traffic signal can be placed on a State Route a traffic study must be done and presently the volume on Main Street at any given intersection is not enough to warrant a signal. Mr. Sanders stated that the DOT does not fund traffic signals and the cost for an intersection is approximately $150,000 to $200,000

Herb Cox came before council to express concerns about his utility bill. Both Tommy Sanders and Tom Rhinehart came forward and assured Mr. Cox that they would look into the situation.

After announcements a motion to adjourn the meeting was made by Council Member Stepp and needing no second, motion carried unanimously. Vote 5-0

Meeting Adjourned

/s/ ___________________________
Matthew J. Santini
Mayor

ATTEST:

/s/ ______________________________
Connie Keeling
City Clerk