City Council Meeting
10 N. Public Square
March 21, 2013
9:00 A.M. – Work Session 8:00 A.M.

I. Opening Meeting

Invocation by Council Member Tonsmeire

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; Lindsey McDaniel Council Member Ward Four; Dianne Tate, Council Member Ward Five; Lori Pruitt, Council Member Ward Six; Sam Grove, City Manager; Renee Faunce, Deputy City Clerk, and Keith Lovell, Assistant City Attorney. City Clerk Connie Keeling and City Attorney David Archer were absent.

II. Regular Agenda

A. Swearing in of Civic Youth Day Officials

1. Civic Youth Day

Renee Faunce, Deputy City Clerk, administered the oath of office to the students who were appointed to the offices of School Board, Mayor, City Council, City Attorney, City Manager and City Clerk.

B. Council Meeting Minutes

1. March 7, 2013

A motion to approve the minutes of the City Council Meeting for March 7, 2013 as presented was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0.

C. Proclamations

1. Recognition of Jack Reeves for Service on the Alcohol Control Board

Randy Mannino, Planning and Development Director, recognized Mr. Jack Reeves for his 8 years of service on the Alcohol Control Board. Mr. Reeves was one of the original members and was acting chairman when he retired. Mr. Ric Napps, current Chairman of the Alcohol Control Board, also commended Mr. Reeves for his hard work, dedication, and leadership on the board. Mayor Matt Santini presented Mr. Reeves with a proclamation and a plaque.

Mr. Reeves thanked the Mayor, City Council, and the Board for their support throughout his years of service.

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

1. File #T13-01: Text Amendment to Add Definitions to the Zoning Ordinance

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. Randy Mannino, Planning and Development Director, explained this is an application to amend the definitions section of the Zoning Ordinance. The applicant, Brooke

Hodge, owner of Willow Day Spa, would like to offer permanent makeup, also known as cosmetic tattooing, as part of her spa services. This business is currently located downtown under the bridge.

There are currently no definitions of tattoo parlors and piercing parlors. City staff has researched definitions from state governments and health departments for this information. The goal of adding these definitions, as well as defining permanent makeup, is to allow cosmetic tattooing while still limiting traditional tattooing and piercing. Mr. Mannino stated that the Planning Commission recommended approval of the text amendment.

Ms. Brooke Hodge, owner of Willow Day Spa, and a member of her staff who will be performing these services, stood before Council and answered Council's questions regarding cosmetic tattooing.

Mayor Santini opened the public hearing for the text amendment to the zoning ordinance. After no further discussion, Mayor Santini 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 <u>CITY OF CARTERSVILLE CODE OF ORDINANCES CHAPTER 26 ZONING. ARTICLE II. INTERPRETATION AND DEFINITIONS. Section 2.2 Definitions</u> is hereby amended by adding the following definitions to Section 2.2 as indicated herein:

1.

That Article II. Interpretations and Definitions, Section 2.2.16.P, is hereby amended by adding the following definitions:

***Permanent makeup* is synonymous with cosmetic tattooing and includes the application of permanent eyeliner, eyebrows, full lip color, re-pigmentation or camouflage using tattooing techniques of placing pigments under the skin.**

***Piercing parlor* is any place in which a fee is charged for the act of penetrating the skin to make a hole, mark, or scar, generally permanent in nature. Does not include the use of a mechanized, pre-sterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both.**

2.

That Article II. Interpretations and Definitions, Section 2.2.20.T, is hereby amended by adding the following definition:

***Tattoo parlor* is any place in which is offered or practiced the placing of designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of any person with ink or any other substance, resulting in the permanent coloration of the skin, excluding permanent makeup (also known as cosmetic tattooing), by the aid of needles or any other instrument designed to touch or puncture the skin.**

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 21st day of March 2013.
ADOPTED this the day of April 2013. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

E. Other

1. Quitclaim Deed for 18 MLK Jr. Drive

Mr. Richard Osborne, City Planner, explained this item is needed to allow the release of a lien in the amount of $10,000 for property located at 18 MLK Jr. Drive. This lien, recorded on February 16, 2007, was for the first-time homebuyers' forgivable loan program as part of a federal grant that the city received. The property owners have resided in the house for the required 5 year period and the loan may now be forgiven by approval of the City Council. Mr. Osborne recommended approval of the quitclaim deed.

A motion to approve the recommendation of Mr. Osborne was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0.

F. Contracts/Agreements

1. Memorandum of Understanding with Voestalpine

Mr. Don Hassebrock, Assistant Electric Director, stated Voestalpine Automotive Body Parts is an Austrian company that is locating in the Highland 75 Industrial Park. This is the first company to locate in this industrial park. Mr. Hassebrock explained this is a Memorandum of Understanding (MOU) indicating the service terms of electric utilities. Mr. Hassebrock asked the Council to approve the MOU and to authorize the Mayor to sign the MOU.

A motion to approve the Memorandum of Understanding and to authorize the Mayor's signature as recommended by Mr. Hassebrock was made by Council Member Pruitt and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0.

G. Resolutions

1. Date and Time Change for Regularly Scheduled Council Meeting on July 4, 2013

Sam Grove, City Manager, stated this resolution changes the July 4, 2013 City Council meeting to Monday, July 1, 2013 to avoid having a Council meeting on Independence Day holiday. Mr. Grove recommended approval of the resolution.

A motion to approve the resolution as recommended by Mr. Grove was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0.

Resolution No.

WHEREAS, The Mayor and City Council has determined that it is in the best interest of the City of Cartersville and its inhabitants and their general health, safety and welfare to reschedule the below referenced meeting of the Mayor and City Council pursuant to the authority provided by the CODE OF ORDINANCES, CITY OF CARTERSVILLE, GEORGIA; and

THEREFORE, NOW BE IT RESOLVED, by the Mayor and City Council of the City of Cartersville that the meeting of the Mayor and City Council scheduled on the 4th day of July, 2013 at 7 PM in pursuant to Section 2-17 of the City of Cartersville Code of Ordinances is hereby rescheduled to the 1st day of July, 2013 at 7 PM.

NOW BE IT AND IT IS HEREBY RESOLVED.

ADOPTED this March 21, 2013

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

ATTEST:

/s/ Renee Faunce
Renee Faunce
Deputy City Clerk

H. Bid Award/Purchases

1. Stormwater Pipe

Mr. Tommy Sanders, City Engineer, reported there is a section of storm drain piping that has failed that travels through the Erwin Chase Apartment Complex. This section of piping helps convey water from Erwin Downs subdivision to the railroad ditch. The pipe invert has rusted out and is subject to collapsing at anytime. Two bids were received:

Southeast Culvert: $35,910.00
Contech Engineered Solutions: $41,145.30

Mr. Sanders recommended the low bid of $35,910.00 from Southeast Culvert.

A motion to approve the low bid from Southeast Culvert as recommended by Mr. Sanders was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0.

2. Telecommunications Equipment

Mr. Lamar Greeson, Fiber Optics Director, explained the amount of bandwidth the City purchases for resale needs to be increased. The needs, both internally and commercially, have exceeded our supply. Our present firewall and 11 year old bandwidth shaper is at its max capacity. The new electronics will allow us the gradual progression up to a gig of internet bandwidth and delivery of services up to a gig. This total cost of the increase is $58,626.91. Mr. Greeson stated this is not a budgeted item but that funds are available in the Fiber department budget for the purchase.

A motion to approve the recommendation of Mr. Greeson was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0.

3. Equipment for Municipal Courtroom

Mr. Tom Rhinehart, Finance Director, explained the court systems will be upgrading the current software to a version that will enable the court to go paperless with the court proceedings. As a result, the municipal court will be upgrading the current software, at no cost, and will be required to update the computer hardware that is used in the day to day operations.

The estimated total cost of the equipment involved is $14,735.00. This will be paid for by using funds collected in the form of the technology fee imposed in August 2013.

Mr. Rhinehart recommended approval of the purchase of the computer hardware.

A motion to approve the recommendation of Mr. Rhinehart was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0.

A second motion to approve the recommendation of Mr. Rhinehart including the dollar amount of $14,735.00 was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0.

I. First Reading of Ordinances

1. Amendment to the Fiscal Year 2012-13 Budget Ordinance

Mr. Tom Rhinehart, Finance Director, explained there is a need for a budget amendment due to adding the Downtown Development Authority as a City department. Also, the remaining funds of the Impact Fee Fund must be spent in this current fiscal year. This budget amendment takes care of both of these issues.

The Impact Fee Fund budget is amended by allocating the remaining funds of $153,668.73 to several other funds as stated in the ordinance. Mr. Rhinehart further explained that all of the projects these funds are being allocated to were listed in the original Impact Fee Fund documentation and are still considered eligible projects for use of these funds. Mr. Keith Lovell, Assistant City Attorney, stated there is a 6 year limit on spending these funds or we lose them.

The Downtown Development Authority will be shown as a separate department within the General Fund, therefore, the General Fund Budget will need to be amended as shown in the ordinance.

Mr. Rhinehart recommended approval of the amendment to the Fiscal Year 2012-2013 Budget Ordinance.

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 2012 - 2013 budget amendment to the Impact Fee Fund.

Budget Amendment Report

Fiscal Year 2012 - 2013

Department: Impact Fees

Acct No-	Description	2012-13 Approved Budget	Amendments	2012-13 Amended Budget
REVENUES				
	Prior Year Carryover	150,000	153,668.73	303,668.73
	Total Revenues - Impact Fees	**150,000**	**153,668.73**	**303,668.73**
Expenses	**Expense**			
271-6120-52-1200	Administration		20,025.88	20,025.88

271-6120-54-2500	Fire Protection	110,000	7,475.74	117,475.74
271-6120-54-2501	Police		85,694.34	85,694.34
271-6120-54-2502	Parks & Recreation	40,000	9,433.59	49,433.59
271-6120-54-2503	Roads		31,039.18	31,039.18
	Total Expenses - Impact Fees	**150,000**	**153,668.73**	**303,668.73**

Department: General Fund, SPLOST 2003 Fund, and SPLOST 2007 Fund

Acct No-	Description	2012-13 Approved Budget	Amendments	2012-13 Amended Budget
REVENUES				
100-1000-39-1009	Transfer from Impact Fee Fund	150,000	36,935.21	186,935.21
321-9100-39-1009	Transfer from Impact Fee Fund	0	31,039.18	31,039.18
322-9300-39-1009	Transfer from Impact Fee Fund	0	85,694.34	85,694.34
	Total Revenues	**150,000**	**153,668.73**	**303,668.73**
	Expenses			
Expenses				
100-1300-52-1300	Other Professional Services	15,000	20,025.88	27,025.88
100-2400-54-2200	Vehicles	0	7,475.74	7,475.74
100-5100-54-3100	Pettit Creek Trail Phase II	0	9,433.59	9,433.59
321-9100-54-1601	Douthit Multi-Lane	250,000	31,039.18	281,039.18
322-9300-54-1627	Police/Fire Joint Station	3,500,000	85,694.34	3,585,694.34
	Total Expenses	3,765,000	**153,668.73**	**3,918,668.73**

General Fund - Downtown Development Authority

Account Number		2012-13 Approved Budget	Amendments	2012-13 Amended Budget
Revenues				
100-1000-38-3008	DDA Admin Fee-15% BID Funds	0	1,500	1,500
100-1000-38-3009	DDA Special Events Sponsorship	0	8,000	8,000
100-1000-38-3010	DDA - Concession Income	0	1,500	1,500
100-1000-38-3011	DDA Bartow County Contribution	0	8,000	8,000
100-1000-35-1160	Fine & Forfeitures	779,000	44,000	823,000
100-1000-39-3700	Proceeds from Capital Leases	236,760	7,500	244,260
100-1000-39-1012	Operating Trans In-Motor Vehicle Tax	0	30,000	30,000
	Total Revenues	**1,015,760**	**100,500**	**1,116,260**
Personnel Expenses				
100-6110-51-1100	Regular Salaries	0	44,535	44,535
100-6110-51-1101	Salaries-Part Time Employees	0	20,285	20,285
100-6110-51-2100	Health & Dental Insurance	0	7,025	7,025
100-6110-51-2120	Life & Disability Insurance	0	340	340
100-6110-51-2200	Social Security Contributions	0	4,960	4,960
100-6110-51-2300	Retirement Contributions	0	3,000	3,000
100-6110-51-2500	Unemployment Insurance	0	3,000	3,000
100-6110-51-2600	Worker's Compensation Insurance	0	50	50
	Total Personnel Expense	**0**	**83,195**	**83,195**
Operating Expenses				
100-6110-52-1200	Professional Services	0	7,500	7,500
100-6110-52-1300	Other Professional Services	0	15,000	15,000
100-6110-52-1301	Prof. Services-GIS Mapping	0	500	500
100-6110-52-2100	Utilities	0	3,000	3,000
100-6110-52-2210	Uniform/Clothing Allowance	0	250	250
100-6110-52-2310	Maintenance - Office Equipment	0	2,500	2,500
100-6110-52-2320	Maintenance - Computer	0	300	300

100-6110-52-2330	Maintenance - Software	0	300	300
100-6110-52-2340	Maintenance - Building & Grounds	0	500	500
100-6110-52-2350	Maintenance - Heating & A/C	0	300	300
100-6110-52-2410	Equipment Lease	0	5,000	5,000
100-6110-52-3210	Communication-Phones & Cellular	0	7,640	7,640
100-6110-52-3300	Advertising	0	5,000	5,000
100-6110-52-3400	Postage	0	1,000	1,000
100-6110-52-3510	Travel & Related Expenses	0	1,250	1,250
100-6110-52-3520	Convention & Seminar Registration	0	1,500	1,500
100-6110-52-3530	Employee Training	0	1,500	1,500
100-6110-53-1110	Office Equipment & Supplies	0	750	750
100-6110-53-1111	Minor Equipment & Office Machinery	0	1,500	1,500
100-6110-53-1120	Minor Computer Supplies	0	1,000	1,000
100-6110-53-1122	Computer Equipment & Software	0	2,365	2,365
100-6110-53-1130	Minor Equipment & Supplies	0	1,000	1,000
100-6110-53-1134	Special Events Expense	0	1,000	1,000
100-6110-53-1135	Concession Stand Supplies	0	1,500	1,500
100-6110-53-1140	Janitorial Supplies	0	500	500
100-6110-53-1260	Fuel Expense	0	250	250
100-6110-53-1400	Memberships & Subscriptions	0	1,750	1,750
100-6110-58-2150	Lease Pool Payment-Interest	0	150	150
	Total Operating Expenses	**0**	**64,805**	**64,805**
Capital Outlay Exp				
100-6110-54-2300	Office Furniture & Equipment - Major	0	7,500	7,500
	Total Capital Outlay Expenses	**0**	**7,500**	**7,500**
	Total DDA Expenses	**0**	**155,500**	**155,500**
Other Expenses				
100-1100-57-1070	DDA Exp	55,000	(55,000)	0
280-1150-57-1070	DDA Exp-Motor Vehicle Tax Fund	30,000	(30,000)	0
280-1150-61-1100	Transfer to General Fund	0	30,000	30,000
	Total Expenses	**85,000**	**100,500**	**185,500**

Net impact on the general fund budget is $51,500 to incorporate the DDA budget of $155,500

BE IT AND IT IS HEREBY ORDAINED.

ADOPTED, this 21st day of March 2013. First Reading.
ADOPTED, this day of April 2013. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

A motion to add two items to the agenda was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0.

J. Added Item - Addition of 3 Options to the Citizens Survey and Cost Increase

Mr. Tom Quist, Assistant to the City Manager, reported there will be a cost increase of $3,500 dollars to add 3 additional options to the National Citizen Survey. The 3 options and their costs are:

Custom Benchmark Comparisons - $1,100
Demographic Subgroup Comparisons - $900
One Open-Ended Question - $1,500

This will bring the total cost of the survey to $13,800.00.

A motion to approve the cost increase of the citizens' survey as recommended by Mr. Quest was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0.

K. Added Item - Letter of Support for Bartow Health Access

Mr. Sam Grove, City Manager, explained this is a letter of support for Bartow Health Access to apply for FQHC federal status. Mr. Grove asked Council to give the Mayor authorization to sign the letter of support.

A motion to authorize the Mayor's signature was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0.

K. Monthly Financial Statement

1. January 2013

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

A motion to adjourn the meeting was made by Council Member Tonsmeire and needing no second. Motion carried unanimously. Vote 6-0.

Meeting Adjourned

/s/ ___________________________
Matthew J. Santini
Mayor

ATTEST:

/s/ ______________________________
Renee Faunce
Deputy City Clerk