City Council Meeting
10 N. Public Square
November 1, 2012
6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member Hodge

Pledge of Allegiance led by Council Member Stepp

The City Council met in Regular Session with Mayor Matthew Santini 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; Renee Faunce, Deputy City Clerk, and Keith Lovell, Assistant City Attorney. Lindsey McDaniel, Council Member Ward Four; Connie Keeling, City Clerk; and David Archer, City Attorney were absent.

II. Regular Agenda

A. Council Meeting Minutes

1. October 18, 2012

A motion to approve the October 18, 2012 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0.

B. Second Reading of Ordinances

1. Amendment to Animal Control Ordinance

City Manager Sam Grove stated this amendment provides for a greater guidance to Animal Control and Law Enforcement than the current ordinance. It defines animals based on their actions and behavior, not their breed. It also sets up an animal control board made up of five members. Three permanent members and two alternate members. These members will serve a three year term. No changes have been made to the ordinance amendment since the first reading. Mr. Grove recommended approval of this amendment including an effective date of the Council's choice as to allow enough time to appoint the board members.

A motion to approve the amendment to the Animal Control Ordinance No. 46-12 as recommended by Mr. Grove was made by Council Member Tonsmeire with an effective date of December 1, 2012 and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0.

Ordinance No. 46-12 is on file at the office of the City Clerk

2. Amendment to Electric Rate Ordinance

Mr. David Myers, Electric Director, explained this is a 2nd revision of the original proposed electric rate ordinance. Mr. Myers stated these are rates based on a settlement with large industrial customers. Mr. Myers does not agree with some of the rates structured in this revision, therefore he does not recommend approval of this version.

After some discussion with council members, the council voted to approve the ordinance as amended in the 1st revision with a few changes. The wording Nuclear Construction Charge (NCC) will be changed to Future Construction Charge (FCC). ECC-1 and FCC-1 charges shall be reviewed annually and that said charges shall be reviewed and modified as necessary by the Electric Director.

A motion to approve the 1st revision of the Electric Rate Ordinance pending said changes was made by Council Member Stepp and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0.

Ordinance No. 47-12 through 67-12 are on file at the office of the City Clerk
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3. Amendment to Budget Ordinance for Fiscal Year 2011-12

Mr. Tom Rhinehart, Finance Director, explained this budget amendment is a necessary process to keep the funds at a zero based level for the fiscal year. This will ensure the budget is in compliance with GAAP (Generally Accepted Accounting Principles). No changes have been made to the ordinance since first reading. Mr. Rhinehart recommended approval of the amendment to the budget ordinance.

A motion to approve Ordinance No. 68-12 as recommended by Mr. Rhinehart was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0.

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 68-12

NOW BE IT HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, GEORGIA that the Annual Budget of the City of Cartersville for the fiscal year 2011-2012 be amended as follows:

2011 - 2012 Budget Summary

General Fund	Revenues	Expenditures
Revenues	$43,053,130.00	
Expenditures:		
Legislative		$19,807,600.00
Administration		$ 982,820.00
Finance Dept.		$ 1,037,500.00
City Clerk Dept.		$ 681,235.00
Police		$ 5,132,655.00
Fire		$ 5,922,735.00
Public Works		$ 2,633,825.00
Recreation		$ 3,041,200.00
Planning & Development		$ 813,560.00

Special Revenue Funds
Police Forfeiture Assets – Federal Funds

Revenues		
210-2110-36-1001	Interest Income	$1,000.00
210-2110-35-1300	Confiscated/Forfeited Funds – Federal	$312,425.00
	Prior Years Carryover	$1,000,000.00

Expenditures		
210-2110-53-1122	Computer Equipment	$8,245.00
210-2110-53-1172	DEA Expenses (Federal)	$75,270.00
210-2110-53-1110	Office Equipment & Supplies	$4,330.00
210-2110-53-1112	Minor Office Equipment	$430.00
210-2110-52-3210	Communications – Phones & Internet	$46,870.00
210-2110-52-3532	Employee Education-Highlands College	$40 .00
210-2110-52-3531	Employee Training	$2,740.00
210-2110-54-2201	Vehicles	$175,500.00
	Transfer to SPLOST 2007 Fund	$1,000,000.00

Police Forfeiture Assets – State Funds

Revenues

211-2120-35-1300	**State Forfeitures**	**$3,000.00**

Expenditures

211-2120-53-1172	**State Expenses**	**$3,000.00**

Grant Funds

Revenues

340-9200-39-1025	**Transfer from General Fund**	**$1,200.00**
340-9200-33-4350	**GDOT Grant-South Hangar Paving**	**$14,275.00**
340-9200-33-4413	**Supplemental Disaster Recovery Grant**	**$317,785.00**
340-9200-33-4444	**DNR Grant-Pettit Creek Trail Phase II**	**$123,325.00**
340-9200-33-4445	**Energy Efficiency Grant**	**$288,740.00**

Expenditures

340-9200-54-1307	**Pettit Creek Trail – Phase II**	**$123,325.00**
340-9200-54-2316	**Supplemental Disaster Recovery Grant**	**$317,785.00**
340-9200-54-2318	**Energy Efficiency Grant**	**$288,735.00**
340-9200-54-2323	**Blue Trail Canoe/Kayak Launch**	**$15,480.00**

Development Agreement

Revenues

270-2410-37-1000	**Public Safety Development Agreement**	**$2,500.00**
270-5110-37-1000	**Recreation Development Agreement**	**$2,500.00**

Expenditures

270-2410-52-1316	**Public Safety Development Fee Expense**	**$2,500.00**
270-5110-52-1316	**Development Agreement-Recreation Exp**	**$2,500.00**

Impact Fees

Revenues

	Prior Year Carryover-Library	**$29,395.00**

Expenditures

271-6120-57-1020	**Impact Fee Exp-Library**	**$29,395.00**

Hotel/Motel Tax

Revenues

275-1140-31-4100	**Hotel – Motel Tax**	**$420,025.00**
275-1140-31-4110	**Hotel/Motel Tax Penalties**	**$140.00**

Expenditures

275-1140-61-1100	**Transfer Out to General Fund**	**$175,035.00**
275-1140-57-1060	**Cartersville-Bartow Tourism Council**	**$245,130.00**

Motor Vehicle Rental Tax

Revenues

280-1150-31-4400	**Motor Vehicle Rental Tax**	**$49,585.00**

Expenses

280-1150-57-1070	**Downtown Development Authority**	**$29,585.00**
280-1150-52-1303	**Prof Services-Econ Dev Sal & Benefits**	**$20,000.00**

SPLOST 2003

Revenues

321-9100-33-7110	**GA DOT Reimbursement**	**$200,000.00**
321-9100-36-1011	**Interest-2003 SPLOST Bank Account**	**$ 1,300.00**

321-9100-36-1022	**Interest-1st Union Investments**	**$61,330.00**
	Prior Year Carryover	**$1,825,370.00**

Expenditures

321-9100-54-1601	**Douthit Multi-Lane**	**$202,000.00**
321-9100-54-1603	**Main Street Gateway**	**$1,082,000.00**
321-9100-54-1604	**Street Milling and Resurfacing**	**$245,000.00**
321-9100-54-1608	**Storm Water**	**$45,000.00**
321-9100-54-1612	**GIS Installation**	**$8,400.00**
321-9100-54-1615	**Misc Intersections**	**$195,000.00**
321-9100-54-1620	**West Ave Intersection Improvements**	**$2,600.00**
321-9100-54-1621	**Main St to Center Rd-16" Water Main**	**$308,000.00**

SPLOST 2007

Revenues

322-9300-36-1010	**Interest Income**	**$36,710.00**
322-9300-33-7100	**SPLOST 2007 Revenue**	**$4,000,000.00**
322-9300-39-3708	**Revenue Bond Precedes**	**$3,807,090.00**
	Transfer from DEA Fund	**$1,000,000.00**

Expenditures

322-9300-54-1604	**Street Milling & Resurfacing**	**$31,000.00**
322-9300-54-1607	**New Bridge-Nancy Creek & Sugar Valley**	**$3,000.00**
322-9300-54-1608	**Sugar Valley & Burnt Hickory Rd**	**$12,000.00**
322-9300-54-1613	**Industrial Park Road Improvements**	**$571,000.00**
322-9300-54-1614	**Utility Relocate/Improvement-Gas**	**$31,000.00**
322-9300-54-1616	**Utility Relocate/Improvement-Water/Sewer**	**$24,300.00**
322-9300-54-1621	**Public Wks New Equipment Barn**	**$2,500.00**
322-9300-54-1627	**Police/Fire Joint Station**	**$7,153,000.00**
322-9300-54-1630	**Fire Station #2-MLK Drive**	**$1,016,000.00**

Cartersville Building Authority

Revenues

325-9500-37-1107	**Contributed Capital-Bartow County**	**$256,825.00**
325-9500-37-1108	**Contributed Capital-City of Cartersville**	**$335,815.00**
325-9500-37-1109	**Contributed Capital-Other**	**$555,485.00**
325-9500-36-4198	**Interest Revenue**	**$65.00**

Expenditures

325-9500-58-1111	**CBA 2004 Bond Principal Expense**	**$475,000.00**
325-9500-58-1112	**CBA 2008 Bond Principal Expense**	**$185,000.00**
325-9500-58-1137	**Bond Interest Expense 2004 Issue**	**$296,065.00**
325-9500-58-1138	**Bond Interest Expense 2008 Issue**	**$166,365.00**
325-9500-58-1139	**Bond Interest Expense 2012 Issue**	**$6,010.00**
325-9500-56-2003	**Issue Cost Amortization**	**$18,020.00**
325-9500-58-1140	**Amortization of Loss Expense**	**$1,730.00**

SPECIAL REVENUE FUNDS BUDGET - $14,645,885.00

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 18th day of October 2012.
ADOPTED this the 1st day of November 2012. Second Reading.

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

ATTEST:

/s/ Connie Keeling

Connie Keeling
City Clerk

C. Public Hearing

1. Approval of Capital Improvements Element Annual Update and Corresponding Transmittal Resolution

Mr. Randy Mannino, Planning and Development Director, reported that due to the Impact Fees ordinance, the City is required by the state to file an annual update to the Capital Improvements Element (CIE) of the Comprehensive Plan. The City is required to hold a public hearing regarding the update and forward it with a transmittal resolution to the Northwest Georgia Regional Commission (RC) and the Department of Community Affairs (DCA) for their review. Once they have reviewed the draft resolution, it will be sent back to the City and brought back before the Council for final approval.

Mr. Mannino recommended approval of the Capital Improvements Element update and the transmittal resolution to allow it to be sent to the RC and DCA for their review.

Mayor Santini opened the Public Hearing. After no comments, Mayor Santini closed the public hearing.

A motion to approve Resolution No. 17-12 the Capital Improvements Element update and the transmittal resolution as recommended by Mr. Mannino was made by Council Member Tate and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0.

Resolution No. 17-12

TRANSMITTAL RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, GEORGIA.

Capital Improvements Element

WHEREAS, The City of Cartersville adopted a Capital Improvements Element as an amendment to the *Cartersville Comprehensive Plan*; and

WHEREAS, The City of Cartersville has prepared an Annual Update to the adopted Capital Improvements Element; and

WHEREAS, the Capital Improvements Element Annual Update was prepared in accordance with the "Development Impact Fee Compliance Requirements" and the "Minimum Planning Standards and Procedures for Local Comprehensive Planning" adopted by the Board of Community Affairs pursuant to the Georgia Planning Act of 1989, and a duly advertised Public Hearing was held on November 1, 2012, at 7:00 P.M. in the City Council meeting room at Cartersville City Hall;

BE IT THEREFORE RESOLVED, that the City Council of the City of Cartersville does hereby submit the draft Capital Improvements Element Annual Update to the Northwest Georgia Regional Commission for Regional and State review, as per the requirements of the Development Impact Fee Compliance Requirements.

ADOPTED this the 1st day of November 2012.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

D. Resolutions

1. Metropolitan Planning Organization (MPO) for Transportation Planning Purposes

Planning and Development Director, Randy Mannino, explained that based on the population numbers of the 2010 Census, Cartersville and surrounding areas have exceeded a population threshold which requires us to be part of a Metropolitan Planning Organization (MPO) for Transportation Planning Purposes. An MPO is a federally required transportation policy-making and planning body with representatives of local, state, and federal government and transportation authorities. The County's boundary is adjacent to 2 other MPO's, Rome and Atlanta. As opposed to being included in one of the adjacent MPO's, the current objective is for the Cartersville-Bartow area to form its own MPO. This allows us to control the Transportation Planning project lists and vision for our own region. Mr. Mannino recommended approval of the resolution.

A motion to approve the resolution as recommended by Mr. Mannino was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0.

Resolution No. 18-12

TO DESIGNATE *Bartow County* AS THE METROPOLITIAN PLANNING ORGANIZATION FOR THE *Cartersville-Bartow County* URBANIZED AREA as per 23 U.S.C. 134

WHEREAS, the unincorporated portions of Bartow County as well as the City of Cartersville continue to experience significant population growth; and

WHEREAS, this growth has been significant enough that in March of 2012 the U.S. Department of Commerce, Bureau of the Census officially designated the new Cartersville-Bartow Urbanized Area, and

WHEREAS, Federal law described in 23 U.S.C. 134 requires existing and newly-designated Urbanized Areas to have a "Continuing, Cooperative, and Comprehensive transportation planning process", and that the Governor of the State officially designate a local Metropolitan Planning Organization to facilitate this process; and

WHEREAS, Metropolitan Planning Organizations are eligible for Federal transportation planning and transit funds; and

WHEREAS, Metropolitan Planning Organizations must be able to track and administer the Federal transportation planning and transit funds under generally accepted accounting principles and as allowed in the Federal Acquisition Regulations Subpart 31.2 and not prohibited by the Laws of the State of Georgia; and

WHEREAS, these funds will be used by the Metropolitan Planning Organization to conduct Federally-required transportation planning activities that will improve the transportation system and help coordinate the area's future orderly growth within the area bounded, at a minimum, by the existing Urbanized Area plus the contiguous area expected to become urbanized within the next 20 years; and

WHEREAS, the *Bartow County* has ongoing planning programs and an experienced and professional technical staff that can continue and expand their transportation planning efforts and programs; and

WHEREAS, all Metropolitan Planning Organizations are subject to all relevant current and future Federal laws and regulations including, but not limited to, 23 U.S.C. 134

(Metropolitan Planning), 23 C.F.R. 450 Subpart C (Metropolitan Transportation Planning and Programming), 23 C.F.R. 420 (Administration of PL funds), the Intermodal Surface Transportation Efficiency Act, and the Transportation Equity Act for the 21st Century; and

WHEREAS, the interests of the *City of Cartersville* will be adequately safeguarded in the area's transportation planning process through direct representation on the Metropolitan Planning Organization's policy-making board in accordance with 23 U.S.C. 134 (b)(2).

NOW, THEREFORE, LET IT BE RESOLVED, that the Cartersville City Council does hereby recommend the *Bartow County Engineering Office* as the local Metropolitan Planning Organization for the *Cartersville-Bartow County* Urbanized Area; and

FURTHER, that the City of Cartersville urges the Governor of the State of Georgia to officially designate the Bartow County Engineering Office as the local Metropolitan Planning Organization in accordance with 23 U.S.C. 134 (b).

ADOPTED this the 1st day of November 2012.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

E. Contracts/Agreements

1. Purchase of 149 Etowah Drive

Mr. Tom Quist, Assistant to the City Manager, explained this is one of three properties we have been planning to acquire and demolish through the Pre-Disaster Mitigation Grant Program. We are attempting to purchase the property through a short sale. Mr. Quist asked the council to give the Mayor authorization to make an offer to Wells Fargo Bank in the amount of $80,000 dollars and also make a counter offer if needed, not to exceed the fair market value of $97,300 dollars. Mr. Quist also asked the Council to authorize the Mayor and City Clerk to sign all related documentation.

A motion to approve the recommendation of Mr. Quist was made by Council Member Tate and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0.

2. Purchase of 22 and 24 Martin Luther King, Jr. Drive

Mr. Tom Quist, Assistant to the City Manager, stated the City is interested in purchasing these two properties for the sites of the final two homes built in partnership with Habitat for Humanity. The purchase price of each location is $7,500 dollars for a total of $15,000 dollars plus closing costs. There are no structures to be removed on the properties. All expenses are reimbursable through the 2009 CDBG Disaster Recovery Grant. Mr. Quist recommended approval of the purchase of these two properties.

A motion to approve the purchase of these two properties as recommended by Mr. Quist was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0.

F. Bid Award/Purchases

1. A New Dimension Graphic Design and Printing for Annual Calendar

Mrs. Rebekah Bohlander, Communications/Public Relations Manager, stated she had received three bids for the printing of the 2013 calendar. All three bids were very close. Mrs. Bohlander recommended approval of the lowest bid from New Dimensions Printing for a total cost of $8,778.61 which includes printing and postage.

A motion to approve the recommendation of Mrs. Bohlander was made by Council Member Hodge and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0.

2. Meter Reading Handheld Units

Finance Director, Tom Rhinehart, explained that we will not be able to get support for the current meter reading hand held units after December, 2012. We also may not be able to get repairs done if needed. Mr. Rhinehart reported he had met with several vendors for the purchase of 7 new handheld units. He would like to purchase 4 units now and the other 3 over time as needed. This is an unbudgeted item, however, budgeted funds will be allocated to cover the cost. The vendor he recommends is HD Supply Power Solutions in the amount of $37,210 dollars for all 7 units including 2 days of on-site training if needed. The price for 4 units is $23,000 dollars. However, the $37,210 dollars quote is a locked in dollar amount.

A motion to approve the purchase of the handheld units as recommended by Mr. Rhinehart was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0.

Mr. Ed Matheny, Director of Operations with Aqua Design Systems located at 207 Jeff Davis Place in Fayetteville Georgia, addressed the Mayor and Council regarding a bid his company placed for improvements to the pool at Dellinger Park. Mr. Matheny explained his company was more than qualified to do the job and asked the Council to consider Aqua Design Systems for the project.

Mayor Santini explained to Mr. Matheny that this particular project had not yet been presented to the Council, therefore they would not be able to make any comments at this time. The Mayor further thanked Mr. Matheny for attending the meeting.

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

Meeting Adjourned

/s/ ___________________________
Matthew J. Santini
Mayor

ATTEST:

/s/ ______________________________
Renee Faunce
Deputy City Clerk