

City Council Meeting
10 N. Public Square
May 3, 2012
6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member McDaniel

Pledge of Allegiance led by Boy Scout Troop 24

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; Connie Keeling, City Clerk and David Archer, City Attorney.

II. Regular Agenda

A. Council Meeting Minutes

1. April 19, 2012

A motion to approve the April 19, 2012 City Council Meeting minutes as presented was made by Council Member Tate and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

B. Commendation/Recognition

1. Teachers of the Year

Mayor Santini stated that the recognition of the Cartersville Teachers of the Year is a long standing tradition by the City Council. The selection always includes an exemplary group and the 2013 group is no exception. Mayor Santini presented each of the following teachers a framed congratulatory resolution from the City of Cartersville.

Linda Ferguson	Cartersville Primary School
Scott Busby	Cartersville Elementary School
Omar Nunez	Cartersville Middle School
Jennifer Cupp	Cartersville High School

C. Public Hearing – 2nd Reading of Zoning/Annexation Requests

1. File AZ12-03: Annexation and Zoning Application by Shelby Grizzle Cornwell for property located at 102 Dogwood Drive from BC Jurisdiction to City R-20.

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 this tract of land is located at 102 Dogwood Drive and is a corner lot at the intersection with Jones Mill Road. It consists of approximately 0.56 acres. The lot is part of the Country Club Estates subdivision. This property is part of the City Annexation Initiative to incorporate “donuthole” tracts into the City limits for improved public safety coverage. If annexed the property would be zoned R-20 (Single-family Residential). Mr. Mannino stated there have been no changes since the first reading and the Planning Commission recommended approval of both the annexation and the rezoning.

Mayor Santini opened the floor for a public hearing for the zoning. After no comments from the floor, Mayor Santini closed the public hearing.

Mayor Santini opened the floor for a public hearing for the annexation. After no comments from the floor, Mayor Santini closed the public hearing.

A motion to approve the annexation Ordinance No. 23-12 was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

A motion to approve zoning Ordinance No. 24-12 was made by Council Member Pruitt and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 23-12

Petition No. AZ 12-03

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 Shelby Grizzle Cornwell . Property is located 102 Dogwood Drive. Said property contains 0.56 acres located in the 4th District, 3rd Section, Land Lot(s) 127 as shown on the attached plat Exhibit “A”. Annexation 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 19th day of April 2012.

ADOPTED this the 3rd day of May 2012. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

2. File SU12-01: Special Use Application by Fantaci, LLC for properties located at 301 N. Tennessee Street and 110 McEver Street to expand existing KIA Dealership onto adjacent M-U and O-C zoned properties.

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 reported this property is located at 301 N. Tennessee St and 110 McEver St. and consists of 0.615 acres. The applicant seeks a special use permit to expand the existing Kia Auto dealership to include these lots for overflow parking. Mr. Mannino stated that there have been no changes since the first reading and the Planning Commission recommended approval of the special use application.

Mayor Santini opened the floor for a public hearing for the special use application. After no comments, Mayor Santini closed the public hearing.

A motion to approve Ordinance No. 25-12 was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 25-12

Petition No. SU 12-01

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 Fantaci LLC. Property is located 301 N. Tennessee Street and 110 McEver Street. Said property contains 0.62 acres located in the 4th District, 3rd Section, Land Lot(s) 409 as shown on the attached plat Exhibit "A". Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

1. **To allow expansion of existing KIA car lot onto the adjacent Multi Use and Office Commercial properties**

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 19th day of April 2012.

ADOPTED this the 3rd day of May 2012. Second Reading.

/s/ Matthew J. Santini

Matthew J. Santini

Mayor

ATTEST:

/s/ Connie Keeling

Connie Keeling

City Clerk

D. Second Reading of Ordinances

1. **File T12-01: Text Amendment Application by the City of Cartersville to amend the Cartersville Sign Ordinance.**

Randy Mannino, Planning and Development Director reported the text amendment application is the proposal by City staff to revise the sign ordinance which was first adopted in 1995 and has not been substantially changed since that time. Revisions are needed due to newer sign technology, code enforcement, and the desire for greater content-neutrality for legal purposes. Mr. Mannino stated that there have been minor changes pertaining to the Douthit Ferry Road area since the first reading and the Planning Commission recommended approval of this text amendment to the sign ordinance.

Mayor Santini opened the floor for a public hearing for the ordinance. Terrance Broxterman and Julian Faulkenstein came forward. After no further comments from the floor, Mayor Santini closed the public hearing.

A motion to approve Ordinance No. 26-12 with the following changes:

1. Sign Twirling is permissible on Private Property
2. Electronic Signs with GDOT standards will be allowed on Douthit Ferry Road from West Avenue to Indian Mounds Road.

was made by Council Member Pruitt and seconded by Council Member Tate. Motion carried unanimously. Vote 5-1 with Council Member Hodge voting against.

Ordinance is on file in the Vault at the City Clerk's Office.

E. Contracts/Agreements

1. Appalachian Valley Fiber Network Pole Attachment Agreement.

David Myers, Electric Superintendent stated that a pole attachment agreement has been negotiated allowing Appalachian Valley Fiber Network to attach fiber optic cable to City of Cartersville Utility Poles. Mr. Myers stated that this agreement is consistent with the city's other pole attachment agreements and recommended approval.

A motion to approve the agreement with Appalachian Valley Fiber Network was made by Council Member Pruitt and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0

F. Resolution

1. Naming of Pettit Creek Trail – J. Wayne Self Boardwalk

Greg Anderson, Parks and Recreation Director stated that this section of the Pettit Creek Trail has been made possible through the generosity of Mr. Jeff Self, therefore the City of Cartersville would like to express its gratitude to Jeff and his family by naming the boardwalk contained within this section in honor of Jeff's father Wayne. Mr. Anderson stated that per the city naming policy he would like to recommend approval of this resolution naming the new boardwalk at Pettit Creek Trail the "J. Wayne Self Boardwalk"

A motion to approve Resolution No. 09-12 was made by Council Member Hodge and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0

Resolution No. 09-12

WHEREAS, at the regular scheduled meeting of the City Council of Cartersville, Georgia held on this third day of May 2012, a motion was made and duly seconded that the City of Cartersville recognize the easement gift by Jeff Self to the community; and

WHEREAS, Mr. Self donated the property easement for the Pettit Creek Trail Phase II and through his generosity all citizens of Cartersville and Bartow County will benefit for years to come from the use of the Pettit Creek Trail; and

WHEREAS, Jeff wishes to honor his father, Wayne Self, by allowing the City of Cartersville to name the trail boardwalk the "J. Wayne Self Boardwalk"; and

WHEREAS, Wayne, a past Bartow County Commissioner, was instrumental in starting the Fire Department, the EMS Department, the Water Department, and the Recreation Department during his tenure as Bartow County Commissioner as well as donating the easement for the original Pettit Creek Trail.

NOW, THEREFORE, BE IT RESOLVED, that the Cartersville Parks and Recreation Department and Recreation Advisory Board recommend to the Cartersville City Council that the Pettit Creek Trail boardwalk now be, “J. Wayne Self Boardwalk”, at Pettit Creek Trail; and

BE IT FURTHER RESOVLED, that the Cartersville City Council voted and approved the boardwalk naming as the “J. Wayne Self Boardwalk” and be it known to Jeff and his family and friends that this is a small gesture considering the great and positive impact our community received through this donation.

ADOPTED this the 3rd day of May 2012.

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

ATTEST:

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

G. Bid Award/Purchases

1. Commercial Mower

Greg Anderson, Parks and Recreation Director stated that he had solicited quotes for a rear discharge commercial zero-turn mower to use in the city parks. Mr. Anderson recommended the second lowest bid from a local dealer Taylor Farm Supply in the amount of \$10,146.27.

A motion to approve the purchase from Taylor Farm Supply was made by Council Member Hodge and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

2. Refuse Roll-out Carts

Bobby Elliott, Public Works Director stated that he had solicited three bid proposals on 400- 95-gallon refuse carts. Mr. Elliott recommended approval of the low bid from Otto-USA in the amount of \$19,600.00.

A motion to approve the purchase from Otto-USA was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

3. Sewer Manhole Rehabilitation Project

Ed Mullinax, Assistant Water Superintendent stated that the staff has an ongoing program for assessing and maintaining the sewer collection system. In 2008, the Water Department contracted with Mechanical Jobbers, Inc. to perform epoxy and fiberglass lining of deteriorated manholes in the sewer system. Mechanical Jobbers has agreed to perform rehabilitation/relining work for the same unit prices they bid in their 2008 contract. The \$50,000.00 budget will allow for relining of 150 to 200 vertical feet of manholes or approximately 20 manhole structures depending on their depth. Mr. Mullinax recommended approval.

A motion to approve the agreement with Mechanical Jobbers not to exceed \$50,000.00 was made by Council Member Pruitt and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0

4. Emergency Repairs to the Sewer Service for Commercial Site at 124, 126, and 128 Old Mill Road

Ed Mullinax, Assistant Water Superintendent stated that the sewer service line serving the commercial site at 124, 126, and 128 Old Mill Road was found to be collapsed and not draining properly. Hill City Onsite, Inc. agreed to provide equipment and labor to repair the line and restore sewer service to the site for an hourly rate of \$185.00. The Water Department did not have equipment capable of excavating to the necessary depth for these repairs and the hourly rate submitted was considered reasonable. Repairs required 41 hours to complete for a total charge of \$7,585.00 and Mr. Mullinax recommended approval.

A motion to approve the emergency repairs by Hill City Onsite, Inc. was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

5. Bottle Washer for Lab

Ed Mullinax, Assistant Water Superintendent stated that bids were accepted for a BOD bottle/flask/pipette washer for the wastewater lab. This is a specialized piece of equipment which saves many man hours each day. Mr. Mullinax recommended the low bid from Fisher Scientific in the amount of \$7,512.00.

A motion to approve the purchase from Fisher Scientific was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

A motion to remove the item from the table was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

III. Tabled

A. Contracts/Agreements

1. Downtown Development Authority

Mayor Santini stated that the DDA has requested that the city take over the Business Improvement District dedicated bank account and associated responsibility of this program and requests additional funds. Mayor Santini stated that city staff can assume the duties of the Business Improvement District and a discussion ensued. Harry Finchum and Saunders Jones III came forward.

A motion to have

1. The Business Improvement District funding controlled by the City
2. \$40,000.00 to be repaid to the City \$8,000.00 per year for a term of 5 years
3. Forgive the \$62,737.75
4. Disperse \$15,000.00 in operating expenses for the fiscal year ending June 30, 2012

was made by Council Member Hodge and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

Mayor Santini appointed a sub-committee to search for a new director. Those appointed are: Council Members Hodge, Pruitt and Tonsmeire; Cartersville Human Resources Director Dwight Hale and members of the DDA board. The deadline to hire a new director is July 5, 2012.

Chandler Ginn, of Boy Scout Troop 24 thanked the Mayor and Council for the support of Boy Scouts. After announcements a motion to adjourn the meeting was made by Council Member Stepp and needing no second. Motion carried unanimously. Vote 6-0

Meeting Adjourned

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk