

City Council Meeting
10 N. Public Square
November 17, 2011
6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member Pruitt

Pledge of Allegiance led by Council Member McDaniel

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. November 3, 2011

A motion to approve the November 3, 2011 City Council Minutes as presented was made by Council Member Tate and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

B. Other

1. 2011 Election Results

Connie Keeling, City Clerk presented the official results of the November 8, 2011 City Election. Ms. Keeling stated that there were no changes when the official results were certified by the Bartow County Board of Elections and recommended approval.

A motion to approve the November 8, 2011 City Election Results was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

This report constitutes the returns of the General Election held on November 8, 2011 to the Governing Authority of the City of Cartersville, as required by the Georgia Municipal Election Code.

The purpose of the General Election was to elect the Mayor, City Council Members from Wards Two, Four, and Six and School Board Members Wards Three, Four and At Large.

Results of the November 8, 2011 General Election is as follows:

Office	Votes Received
Mayor: Matthew J. Santini	1822
Write in Votes	13
City Council Ward 2 Jayce B. Stepp	330
Write in Votes	5
City Council Ward 4 Lindsey McDaniel	85
Write in Votes	0
City Council Ward 6 Lori Pruitt	134
Write in Votes	0
Office	Votes Received
School Board At Large Linda P. Benton (I)	1230
Saunders Jones III	710
Write in Votes	3
School Board Ward 3 Clift Dempsey	382
Travis Popham	407
Write in Votes	0
Cartersville Referendum for Sunday Alcohol Sales	
Yes	1186
No	807
Countywide SPLOST	
Yes	2957
No	1899

The number of registered voters is 9368.

The number voting at Cartersville West Precinct, Civic Center is 1030.

The number voting early at Cartersville West Precinct, Civic Center is 250.

The number voting at Cartersville East Precinct, Chamber of Commerce is 571.

The number voting early at Cartersville East Precinct, Chamber of Commerce is 123.

The number of valid absentee ballots is 27.

The number of provisional ballots is 0.

C. Second Reading of Ordinances

1. Amendment to Budget Ordinance for Fiscal Year 2010-11

Tom Rhinehart, Finance Director stated that after completion of the Fiscal Year 2010-11 close, the general fund and special revenue funds need to be amended. By amending these budgets, the city's general and special revenue funds will be in compliance with Generally Accepted Accounting Principles. Mr. Rhinehart stated that these adjustments reflect the necessary changes needed to keep the budgets of these funds at a zero based level for the fiscal year. The actual general fund revenues totaled \$53.6 million while the actual expenses totaled \$53.4 million. Mr. Rhinehart stated that there have been no changes since the first reading and recommended approval.

A motion to approve Ordinance No. 22-11 was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 22-11

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 2010-2011 be amended as follows:

2010 - 2011 Budget Summary

<u>General Fund</u>	<u>Revenues</u>	<u>Expenditures</u>
Revenues	\$53,629,265.00	
Expenditures:		
Legislative		\$34,323,160.00
Administration		\$ 985,655.00
Finance Dept.		\$ 1,015,580.00
City Clerk Dept.		\$ 720,210.00
Police		\$ 5,024,470.00
Fire		\$ 5,432,420.00
Public Works		\$ 2,541,060.00
Recreation		\$ 2,731,495.00
Planning & Development		\$ 855,215.00

Special Revenue Funds**Police Forfeiture Assets – Federal Funds****Revenues**

210-2110-36-1001	Interest Income	\$2,350.00
210-2110-35-1300	Confiscated/Forfeited Funds – Federal	\$364,990.00
210-2110-35-1301	Conf/Forf Funds-Dept of Treasury-IRS	\$6,215.00
210-2110-39-2100	Sale of Fixed Assets	\$8,325.00

Expenditures

210-2110-53-1122	Computer Equipment	\$17,090.00
210-2110-53-1172	DEA Expenses (Federal)	\$84,890.00
210-2110-53-1181	Computer Hdwre & Sftwre (DEA-Fed)	\$3,615.00
210-2110-52-2341	Maint Bldgs & Grounds (DEA-Fed)	\$1,300.00
210-2110-52-3210	Communications – Phones & Internet	\$40,210.00
210-2110-52-3532	Employee Education-Highlands College	\$995.00
210-2110-52-2360	Maint – Vehicle & Equipment	\$5,595.00
210-2110-54-2201	Vehicles	\$185,685.00
210-2110-54-2322	Instruments & Implements	\$42,500.00

Police Forfeiture Assets – State Funds**Revenues**

211-2120-35-1300	State Forfeitures	\$3,000.00
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Expenditures

211-2120-53-1172	State Expenses	\$3,000.00
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Grant Funds**Revenues**

340-9200-33-4350	GDOT Grant-South Hangar Paving	\$280,640.00
340-9200-33-4413	Supplemental Disaster Recovery Grant	\$142,315.00
340-9200-33-4415	GDOT Grant-South Apron Rehabilitation	\$90,390.00
340-9200-33-4444	DNR Grant-Pettitt Creek Trail Phase II	\$35,180.00
340-9200-33-4445	Energy Efficiency Grant	\$8,690.00

Expenditures

340-9200-57-110	GDOT Grant-South Hangar Paving	\$280,490.00
340-9200-54-1307	Pettit Creek Trail – Phase II	\$36,730.00
340-9200-54-2316	Supplemental Disaster Recovery Grant	\$142,315.00
340-9200-54-2317	GDOT Grant-South Apron Rehabilitation	\$87,790.00
340-9200-54-2318	Energy Efficiency Grant	\$8,690.00
340-9200-54-2323	Blue Trail Canoe/Kayak Launch	\$1,200.00

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**

271-6120-32-2912	Impact Fees-Library	\$2,000.00
271-6120-32-2913	Impact Fees-Fire Protection	\$2,000.00
271-6120-32-2914	Impact Fees-Police	\$2,000.00
271-6120-32-2915	Impact Fees-Parks & Recreation	\$2,000.00
271-6120-32-2916	Impact Fees-Roads	\$2,000.00
271-6120-32-2917	Impact Fees-Administration	\$ 500.00
271-6120-32-2918	Impact Fees-CIE Prep	\$ 500.00

Expenditures

271-6120-57-1020	Impact Fee Exp-Library	\$2,000.00
271-6120-52-1200	Impact Fee Exp-Administration	\$ 500.00
271-6120-52-1600	Impact Fee Exp-Miscellaneous	\$ 500.00
271-6120-54-2500	Impact Fee Exp-Fire Protection	\$2,000.00
271-6120-54-2501	Impact Fee Exp-Police Protection	\$2,000.00
271-6120-54-2502	Impact Fee Exp-Parks & Recreation	\$2,000.00
271-6120-54-2503	Impact Fee Exp-Roads	\$2,000.00

Hotel/Motel Tax**Revenues**

275-1140-31-4100	Hotel – Motel Tax	\$378,130.00
275-1140-31-4110	Hotel/Motel Tax Penalties	\$975.00

Expenditures

275-1140-61-1100	Transfer Out to General Fund	\$118,350.00
275-1140-57-1060	Cartersville-Bartow Tourism Council	\$210,755.00
275-1140-57-1062	CVB – Start-up Funds	\$50,000.00

Motor Vehicle Rental Tax**Revenues**

280-1150-31-4400	Motor Vehicle Rental Tax	\$51,015.00
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Expenses

280-1150-57-1070	Downtown Development Authority	\$31,015.00
280-1150-52-1303	Prof Services-Econ Dev Sal & Benefits	\$20,000.00

SPLOST 2003**Revenues**

321-9100-33-4432	Road Revenue-Bartow County Reimb	\$305,905.00
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321-9100-36-1011	Interest-2003 SPLOST Bank Account	\$ 2,815.00
321-9100-36-1022	Interest-1 st Union Investments	\$33,435.00

Expenditures

321-9100-54-1601	Douthit Multi-Lane	\$67,980.00
321-9100-54-1603	Main Street Gateway	\$163,155.00
321-9100-54-1604	Street Milling and Resurfacing	\$4,500.00
321-9100-54-1608	Storm Water	\$42,295.00
321-9100-54-1612	GIS Installation	\$13,455.00
321-9100-54-1613	Mission Road Curve	\$2,770.00
321-9100-54-1621	Main St to Center Rd-16" Water Main	\$48,000.00

SPLOST 2007

Revenues

322-9300-36-1010	Interest Income	\$26,945.00
322-9300-33-4431	Road Revenue-DOT Reimb	\$88,035.00
322-9300-33-7100	SPLOST 2007 Revenue	\$4,103,930.00
322-9300-33-7110	GA DOT Reimbursement	\$147,050.00

Expenditures

322-9300-54-1603	Misc Intersection/Safety Improvements	\$6,005.00
322-9300-54-1604	Street Milling & Resurfacing	\$188,930.00
322-9300-54-1607	New Bridge-Nancy Creek & Sugar Valley	\$91,205.00
322-9300-54-1608	Sugar Valley & Burnt Hickory Rd	\$7,975.00
322-9300-54-1613	Industrial Park Road Improvements	\$1,336,040.00
322-9300-54-1614	Utility Relocate/Improvement-Gas	\$260.00
322-9300-54-1616	Utility Relocate/Improvement-Water/Sewer	\$309,770.00
322-9300-54-1618	Main Street Corridor-Underground Fiber	\$100,000.00
322-9300-54-1621	Public Wks New Equipment Barn	\$6,000.00
322-9300-54-1622	Stormwater Projects	\$81,465.00
322-9300-54-1625	Northside Park Land	\$1,244,265.00
322-9300-54-1627	Police/Fire Joint Station	\$537,075.00
322-9300-54-1628	Fire Station #3	\$456,910.00
322-9300-54-1630	Fire Station #2-MLK Drive	\$60.00

Cartersville Building Authority

Revenues

325-9500-37-1107	Contributed Capital-Bartow County	\$289,410.00
325-9500-37-1108	Contributed Capital-City of Cartersville	\$289,410.00
325-9500-37-1109	Contributed Capital-Other	\$395,340.00
325-9500-36-4198	Interest Revenue	\$190.00

Expenditures

325-9500-58-1111	CBA 2004 Bond Principal Expense	\$455,000.00
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325-9500-58-1137	Bond Interest Expense 2004 Issue	\$335,015.00
325-9500-58-1138	Bond Interest Expense 2008 Issue	\$166,990.00
325-9500-56-2003	Issue Cost Amortization	\$17,345.00

SPECIAL REVENUE FUNDS BUDGET - \$7,070,680.00

ADOPTED, this day of November 2011. First Reading.

ADOPTED this day of November 2011. Second Reading.

/s/ Matthew J. Santini

Matthew J. Santini

Mayor

ATTEST:

/s/ Connie Keeling

Connie Keeling

City Clerk

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

1. File ZMA11-01/Z11-05: Zoning map amendment application by the City of Cartersville to readopt the official zoning map of the city.

Randy Mannino, Planning and Development Director stated that in September of 2010 the City of Cartersville re-adopted the official zoning map as part of an overall overhaul of the zoning ordinance. At that time staff announced its intention to do an annual adoption of the map in order to keep it current with recent zoning and annexation case information and activity. Mr. Mannino stated that this map amendment will serve a dual purpose. In addition to the annual case updates, council has requested the opportunity to consider amending a portion of the map along the east side of South Avenue between Leake Street and Cook Street by changing the zoning from Multiple Use (M-U) to Residential (R-7), to try and maintain consistency with the west side of South Avenue, as well as the majority of the residential Olde Town Historic Neighborhood. Mr. Mannino stated that the Planning Commission had recommended acceptance of the map without the changes to South Avenue and the second reading for this case will be December 15, 2011.

Mayor Santini opened the floor for a public hearing. Dianne Mooney, Chris Moreland, and Clay Mooney came forward to speak against the zoning change for South Avenue and Allison Dillon came forward to speak for the change. With no further comments Mayor Santini closed the public hearing.

NO ACTION REQUIRED

E. First Reading of Ordinances

1. Amendment to Alcohol Ordinance Regarding Sunday Package Sales

Randy Mannino, Planning and Development Director stated that on Tuesday, November 8, 2011 the citizens of Cartersville voted to allow Sunday Sales for package stores. This amendment to the Alcohol Ordinance is required to allow Sunday Sales for Package from 12:30 p.m. to 11:30 p.m., which differentiates between pouring and package Sunday Sales. This ordinance deletes Section 4-180 in its entirety and defines the hours of operation for Package Outlets. Mr. Mannino 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 **CITY OF CARTERSVILLE CODE OF ORDINANCES CHAPTER 4. ALCOHOLIC BEVERAGES.** is amended as follows:

1.

ARTICLE I. In General. Division 1. Generally Section 4-1. Definitions is hereby amended by adding the following:

“Sunday Sales License means pouring license or license to sell by the drink malt beverage and wine and/or distilled spirits on Sundays.”

2.

ARTICLE I. In General. Division 2. Regulation of Establishments. Sec. 4.9 Sale Unlawful at Certain Times. is hereby amended by deleting said section in its entirety and replacing it as follows:

“Sec 4.9. Sale Unlawful at Certain Times. It shall be unlawful for any person to sell any malt beverage and wine and distilled spirits on any Christmas Day or on any day prior to 6:00 a.m. or after 12:00 p.m., unless specifically provided for herein. Additionally, it shall be unlawful for any person to sell by package distilled spirits on Thanksgiving Day.”

3.

ARTICLE IV. Caterers. Sec 4-180. Sunday Sales is deleted in its entirety and

replaced as follows:

“Sec. 4-180 Reserved.

4.

ARTICLE II. Licensing Requirements. Division 5. Hours of Operation Sec 4-121. Package Outlets is hereby amended by deleting it in its entirety and replacing it as follows:

“Sec. 4-121. Package Outlets

(a) Distilled Spirits. No retailer shall be in his place of business, or open his place of business, or furnish, sell or offer for sale any distilled spirits at any of the following times:

- (1) At any time on Thanksgiving or Christmas Day; or**
- (2) At any time in violation of an ordinance or regulation or of a special order of the mayor and city council; or**
- (3) On Monday through Saturday before 8:00 a.m. or after 11:45 p.m.; or**
- (4) On Sunday before 12:30 p.m. or after 11:30 p.m.**

(b) Malt beverage and wine. It shall be unlawful for any person to sell or serve any malt beverage and wine at any of the following times:

- (1) At any time on Christmas Day; or**
- (2) On Monday through Saturday prior to 8:00 a.m. or after 12:00 p.m.; or**
- (3) On Sunday before 12:30 p.m. or after 11:30 p.m.**
- (4) Additionally, package wine outlets may not serve after 9:00 p.m. on any day.**

5.

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.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 17th day of November 2011.

Second Reading and Adoption this the day of 2011.

/s/ Matthew J. Santini

Matthew J. Santini
Mayor

ATTEST:

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

2. Amendment to Alcohol Ordinance Regarding “Growlers”

Randy Mannino, Planning and Development Director stated that the Alcohol Control Board had approved a request to add Growlers as an allowed use to the Alcohol Ordinance. Mr. Mannino explained that a beer growler allows the customer to buy beer in a 64 ounce bottle that is filled from the keg at the store and sealed for freshness. This type of sale allows the customer to purchase fresh and sometimes rare beers from the keg in a reusable jug at a cheaper price. Mr. Mannino recommended approval.

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 4. ALCOHOLIC BEVERAGES.** is hereby amended as follows:

1.

Article I. In General. Division 2. Regulation of Establishment. Sec 4-18. Container Limitations is hereby amended by adding a new paragraph (d) as follows:

“The sale of Growlers, in compliance with this Ordinance is authorized for package outlets, authorized to sell alcoholic beverages, excluding distilled spirits, by the package. Furthermore, the filling of Growlers by means of tapped keg shall not constitute the breaking of a package as contemplated by O.C.G.A. § 3-3-26. The term ‘Growler’ shall mean a glass bottle not to exceed 64 ounces that is filled by a licensee or employee of a package outlet with beer from a keg. Growlers may only be filled from kegs procured by the licensee from a duly licensed wholesaler. Only professionally sanitized and sealed Growlers may be filled and made available for retail sale. Every customer who purchases a Growler shall, at the time of the purchase, be provided written documentation by the licensee regarding the open containers laws of the state and City of Cartersville.”

2.

Article I. In General. Division 1. Generally Sec 4-1 Definitions is hereby amended by deleting the definition of *Package* in its entirety and replacing it with the following:

“*Package* means distilled spirits, wine or malt beverages sold, offered or stored including but not limited to kegs, bottles, growlers, can, or other original consumer container for sale at retail in sealed containers, not for opening or consumption upon the premises of the package outlet.”

3.

Article I. In General. Sec 4-1 Definitions is hereby amended by adding the following definition to said section.

“*Growler* means a glass bottle not to exceed 64 ounces that is filled by a licensee or employee of a package outlet with beer from a keg.”

4.

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.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 17th day of November 2011.

Second Reading and Adoption this the day of 2011.

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

ATTEST:

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

F. Contracts/Agreements

1. Purchase of Property for Habitat Project

Tom Quist, Assistant to the City Manager stated that the City has made an offer to Harold and Isabel Bearden to purchase the property located at 23 Fairview Street for its appraised value of \$19,500.00 with the City paying the closing costs and they have accepted. Mr. Quist stated that all costs for this purchase, including closing costs, are

reimbursable under the CDBG program and is anticipated to be the location of the future home of the fourth of six Habitat for Humanity houses. Mr. Quist recommended approval of purchasing this property at the total cost of \$20,245.22.

A motion to approve the purchase of 23 Fairview Street was made by Council Member Hodge and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

G. Change Order

1. Change Order #1 with Potts Construction – Extension of Harris Street

Dan Porta, Assistant City Manager stated that due to the construction of the new Public Safety Headquarters on Cassville Road, the back entrance to the city cemetery will be closed and a new back entrance will be made with the extension of Harris Street. The general contractors for the construction of this facility have solicited bids for the extension of Harris Street. The estimated road extension was \$70,000.00, however, the total cost is proposed at \$23,950.00, a savings of \$46,050.00. Mr. Porta explained that the local paving contractor, Bartow Paving will be handling the curb, gutter and asphalt paving for this project at a cost of \$12,306.70, which is part of the total cost and recommended approval.

A motion to approve Change Order #1 for the extension of Harris Street was made by Council Member Tate and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

H. Engineering Services

1. General Services Agreement Task Order No. 2 – Southland Engineering

Bobby Elliott, Public Works Superintendent stated that this is a Phase II Study of the CSX Railroad Ditch Basin. The initial Phase I study focused on the main ditch line extending north and terminating at Leake Street. The primary objective of this study is to model a detention facility located at the intersection of Old Mill Road and Tennessee Street, and to model a secondary ditch line extending west through the Erwin Downs Subdivision and terminating at the existing city detention pond on Old Mill Road adjacent to the Shaw Industries call center. Mr. Elliott stated that this study will determine the benefits of the additional pond and provide detailed insight to alleviating the flooding in Erwin Downs and the Erwin Street area. Mr. Elliott stated that the Database Preparation cost will be \$5,500.00 and the Models and Report will be \$7,200.00 and recommended approval.

A motion to approve Task Order #2 with Southland Engineering was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried

unanimously. Vote 6-0

I. Bid Award/Purchases

1. Recycling Roll Out Cart

Bobby Elliott, Public Works Superintendent stated that bids were solicited from three vendors for 1000, 35-gallon and 200, 65-gallon roll out carts for recycling. Mr. Elliott stated the low bid was from Otto-USA at \$35.00 each for the 35-gallon and \$40.00 each for the 65-gallon for a total amount of \$44,300.00 with freight and therefore recommended approval.

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

2. Seized Vehicle

Tommy Culpepper, Chief of Police stated that many months ago a 2010 Chevrolet Camaro SS was seized in a drug arrest and the vehicle has recently been forfeited to the United States and has been awarded to the City of Cartersville Police Department. The cost to acquire this vehicle through the U. S. Marshalls Service is \$5,369.55 and will be paid for with funds from the DEA. This vehicle will be used for counter drug and undercover operations. Chief Culpepper stated the estimated value of this vehicle is approximately \$30,000.00 and recommended approval.

A motion to approve the purchase of the seized vehicle was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

3. Track Hoe Work at Water Pollution Control Plant

Ed Mullinax, Assistant Water Superintendent stated that accumulated solids have to be removed from a three million gallon tank at the wastewater plant. Blankenship Sand Co., LLC has a track hoe with a 50 foot reach. This type of equipment is able to sit outside the tank on the ground and scoop out the contents so that the solids can be moved. Mr. Mullinax stated that this contractor has agreed to provide the track hoe and operator at a cost of \$6,000.00 per week and recommended approval for up to two weeks work.

A motion to approve up to two weeks work from Blankenship Sand Co., LLC was made by Council Member Tate and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

4. Pipe for Natural Gas Main

Michael Hill, Assistant Water Superintendent stated that the Gas System is

required to relocate 1,400 feet of gas main in conflict with the acceleration/deceleration lane for the new Cloverleaf Elementary School. A total of seven quotes were requested with the low bid being from Edgen Murray in the amount of \$14,472.00 for 1,800 linear feet of 4-inch ERW X42. The remaining 400 linear feet will be used to replenish inventory for use on smaller projects.

Mr. Hill stated that additionally the Gas System is installing 6,000 feet of 2-inch P.E. gas main on S.R. 61 to provide Gas Service to the Airport. A total of five quotes were requested with the low bid being from Consolidated Pipe in the amount of \$7,600.00 for 10,000 linear feet. The remaining 4,000 feet will be used to replenish inventory for use on smaller projects. Mr. Hill recommended approval of both Edgem Murray and Consolidated Pipe.

A motion to approve both purchases was made by Council Member Pruitt and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

5. Park Security System

Dan Porta, Assistant City Manager stated that this request is for two cameras and a network video recorder to be the first phase of a security camera system for Dellinger Park. The areas to be covered in this phase are the tennis area parking and the main parking lot. Mr. Porta stated this past summer Dellinger Park had reports of vehicle break ins and other random incidents. After meeting with the Cartersville Police Department and the City's IT Department, it was determined that the installation of a security camera system would be the most efficient and useful tool in catching and/or deterring thieves. Mr. Porta recommended the state bid price from Vicon Industries, Inc. in the amount of \$11,156.00.

A motion to approve the park security system from Vicon Industries was made by Council Member Tate and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

J. Discussion

1. Malt Beverage Tax Refunds

Tom Rhinehart, Finance Director stated that the City had received notice from two malt beverage vendors that since 2007 they have erroneously paid the malt beverage taxes to the City of Cartersville that should have been paid to the City of Emerson. The beverage vendors are North GA Distributing Co. and Eagle Rock Distributing. Mr. Rhinehart stated that verification of the addresses of the business establishments involved was conducted and the addresses were indeed found to be in the City of Emerson. As a result, both of the distributing companies have asked that the city reimburse them for the overpayments in order for the funds to be sent to the City of Emerson. North GA Distributing will deduct the overpayment of \$9,844.80 from their next malt beverage tax remittance due December 10, 2011 and Eagle Rock Distributing is asking that the city

issue a check to them in the amount of \$18,245.64. Since these amounts involve prior fiscal years along with the current fiscal year, the city will record the necessary entries to reflect the correct amount. Mr. Rhinehart recommended approval.

A motion to approve refunds to North Georgia Distributing and Eagle Rock Distributing was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

K. Monthly Financial Statement

1. September 2011

Tom Rhinehart, Finance Director, presented the September 2011 monthly financial statement with comparisons from the previous year of September 2010, 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 September 2011.

L. Public Hearing

1. Appeal Requested by Tarascos Tacos and Wings

Mayor Santini stated that he was going to set aside this item since no representative from Tarascos Tacos and Wings was present.

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

Meeting Adjourned

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk