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

I. Opening Meeting

Invocation by Council Member McDaniel

Pledge of Allegiance led by The Young Marines

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. September 15, 2011

A motion to approve the September 15, 2011minutes as presented was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

B. Proclamations

1. Red Ribbon Week

Mayor Santini stated that this proclamation is at the request of two young ladies, Jessica Allen and Micenna Brooks, who are involved with the Young Marines Organization. Red Ribbon Week will take place week of October 23-31, 2011 as a commitment in the fight against illegal drugs and those that promote their use.

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

1. SU11-02 Special Use Application by Russell Hawkinson for property located at 119 South Avenue to allow the residence to be used as a place of assembly.

Randy Mannino, Planning and Development Director stated that this tract is located at 119 South Avenue, halfway between Neel Street and Cook Street. This property is large compared to adjacent residential tracts (over 1 ½ acres) and includes a large residence constructed over one hundred years ago. The applicant seeks a special use permit to operate a

Place of Assembly at this location for weddings, receptions, and other events. Mr. Mannino stated that the only comments from staff were from the Water Department stating that if cooking is done on the premises a back flow preventer and grease trap would need to be installed. Mr. Mannino stated that there have been no changes since the first reading; however the owners had offered two conditions to be attached to the zoning should it be approved.

1. That the special use permit be personal to the Hawkinsons and not run with the property, such that any future owner of 119 South Avenue will have to reapply for the permit.
2. That any hired events at 119 South Avenue will end by 10:00 p.m. with clean-up to end by 11:00 p.m. "Hired events" shall refer to events where the property is being rented for use.

Mayor Santini opened the floor for a public hearing. Those coming forward for the zoning were Peter Olson and Audrey Hawkinson. Those coming forward against the zoning were Maureen Kirkland, Linda Denham, Susan York, Joe Lynch, Jerry Simmons, Lynn Pritchett, Anna Martinez, and Jerry Tiberio. There being no further comments Mayor Santini closed the public hearing.

A motion to deny the application was made by Council Member Stepp and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

D. Resolutions

1. Recognition of National Community Planning Month

Richard Osborne, City Planner stated that October has been designated National Community Planning Month by the American Planning Association (APA) as a way to highlight the role of planners and planning in our community. This year's theme, "New Ideas for America's Future," reflects on how planners help envision the future and address the needs of communities. Mr. Osborne stated that this resolution recognizes the importance of community planning in Cartersville and recommended approval.

A motion to approve Resolution No. 26-11 was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

Resolution No. 26-11

A RESOLUTION TO RECOGNIZE NATIONAL COMMUNITY PLANNING MONTH

CITY OF CARTERSVILLE, GEORGIA

WHEREAS, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people work and live; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the month of October is designated as National Community Planning Month throughout the United States of America and its territories, and

WHEREAS, The American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our settlements and environment; and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to recognize the participation and dedication of the members of planning commissions and other planners who have contributed their time and expertise to the improvement of the City of Cartersville; and

WHEREAS, we recognize the many valuable contributions made by professional community and regional planners of the City of Cartersville and extend our heartfelt thanks for the continued commitment to public service by these professionals;

NOW, THEREFORE, BE IT RESOLVED THAT, the month of October 2011 is hereby designated as Community Planning Month in the City of Cartersville in conjunction with the celebration of National Community Planning Month.

This Resolution is adopted this 6th day of October 2011.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

2. Time Change for December 1, 2011 Council Meeting

Sam Grove, City Manager stated that the City of Cartersville's annual Christmas Parade is on the first Thursday night in December which conflicts with the regularly scheduled City

Council Meeting. Mr. Grove stated that this resolution changes the meeting time for the December 1, 2011 City Council Meeting from 7:00 p.m. to 9:00 a.m. and recommended approval.

A motion to approve Resolution No. 27-11 was made by Council Member McDaniel and seconded by Council Member Pruitt. 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 meetings 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 meetings listed below of the Mayor and City Council are hereby rescheduled pursuant to Section 2-17 of the City of Cartersville Code of Ordinances:

- **December 1, 2011 at 7 PM rescheduled to December 1, 2011 at 9 AM**

NOW BE IT AND IT IS HEREBY RESOLVED.

ADOPTED this 6th day of October, 2011.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

E. Grant Application/Acceptance

1. Community Development Block Grant 2011 Award

Tom Quist, Assistant to the City Manager stated that the city has received a Statement of CDBG Award from the Georgia Department of Community Affairs for the 2011 CDBG program. The award is in the amount of $199,802.00 and it is for the purpose of housing rehabilitation activities in the North Town Neighborhood. Mr. Quist recommended approval.

A motion to approve the acceptance of the 2011 CDB Grant Award was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

F. Change Order

1. Engineering Services – Main Street to Center Road 16-inch Water Main Connector

Ed Mullinax, Assistant Water Superintendent stated that the Water Department currently has a contract with Jordan, Jones, and Goulding (JJ&G) to provide Engineering Services for Design, Bidding and Construction Services for the Main Street to Center Road 16-inch Water Main Connector Project for an amount not to exceed $110,100.00. In order to complete the design, additional environmental studies and permitting services will be required which are outside the scope of services of the original contact. JJ&G has submitted a proposal in an amount not to exceed $8,800.00 for these services. Mr. Mullinax stated that this price is considered reasonable and will bring the total adjusted contract to an amount not to exceed $118,900.00. This will be paid with SPLOST funds and recommended approval.

A motion to approve the engineering services with JJ & G was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

G. Bid Award/Purchases

1. Yearly Approval to Purchase Chemicals for WTP and WPCP

Ed Mullinax, Assistant Water Superintendent stated that the following chemicals are purchased for the water plant and the wastewater plant on a weekly, bi-weekly, monthly, semi-annually or yearly basis. At times the department may buy a larger order which is over $5,000.00. Typically the water department receives fixed prices for a year at a time and asked for council approval to purchase the following chemicals from the designated vendors until July 1, 2012 to eliminate a number of agenda items this year and to expedite the ability to order chemicals on an as needed basis. Mr. Mullinax stated that if it was necessary to rebid these products pricing will be brought forward for Council and recommended approval of these yearly purchases.

- General Chemical — Aluminum Sulfate
- Key Chemical Co. — Hydroflurosilic Acid
- Burnett Lime Co. — Calcium Hydroxide

A motion to approve the yearly purchase of chemicals was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

2. Main Street Gateway Bid Award

Dan Porta, Assistant City Manager stated that a Public Bid Opening occurred on September 28, 2011 at Public Works for the Main Street Gateway. Mr. Porta stated that this project will receive $500,000.00 in GDOT funds for the road construction portion and an amount up to $400,000.00 for landscaping expenses. The landscaping bid submitted by C.W. Matthews is $274,414.15, so is all of the landscaping material used meets GDOT standards plus the $500,000.00 road construction grant, then the city will be reimbursed a total of $774,414.15 from GDOT, bringing the city's cost to $1,380,484.94. Mr. Porta stated that the proposed budget in the 2003 SPLOST was $3.4 million (City funds), making this project come in about $1.8 million under budget. Mr. Porta recommended the low bid from C.W. Matthews Contracting Co. for this project.

A motion to approve the recommended bid from C. W. Matthews was made by Council Member Pruitt and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

3. Main Street Gateway Construction Administration and Inspection

Dan Porta, Assistant City Manager stated that the Main Street Gateway construction project will require an outside firm to provide construction management and inspection services. Croy Engineering has submitted a proposed budget for this service with a not to exceed figure of $158,600.00. This number is based on the rate of $70 per hour for an inspector which includes the inspector's truck. Mr. Porta stated that this number is in line with industry averages and he anticipates that this job will not require full time inspection and this job coming in under the proposed budget depending on the length of time to construct the project which can vary based on several variables including utility relocations, weather, contractor staffing, and work load. Mr. Porta recommended approval of the proposal from Croy Engineering.

A motion to approve Croy Engineering was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

4. Bartow Paving

Bobby Elliott, Public Works Superintendent stated that this bid is for work at 1130 N. Tennessee Street (near the Farm Bureau Insurance Office Entrance), to improve an issue with storm water that flows from Tennessee Street into this parking lot entrance. Mr. Elliott stated that this work will use asphalt to divert the water down the street to a catch basin and into the storm water system instead of into the parking lot of this business. Mr. Elliott stated that the cost for this work is $5,934.06 and recommended approval of Bartow Paving to do this work.

A motion to approve the agreement with Bartow Paving was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

H. Contracts/Agreements

1. Certification Acceptance Qualification Agreement

Bobby Elliott, Public Works Superintendent stated that the Georgia Department of Transportation has requested that the city become authorized as a qualified Local Public Agency (LPA) to manage core activities for Federal-aid funded projects. This request was made so that more of the pre-construction activities for the Douthit Ferry Road Project can be handled locally. This agreement is the first step in getting authorized. Mr. Elliott stated that this agreement advises GDOT on who they need to deal with on various issues, (the City has entered the City Engineer on all issues involving a registered engineer, and the Mayor on all the remaining issues) and recommended approval.

A motion to approve the Certification Acceptance Qualification Agreement was made by Council Member Hodge and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0

2. LMIG (formerly LARP) Contract with GDOT for Resurfacing Various City Streets

Bobby Elliott, Public Works Superintendent stated that this contract is the Local Maintenance and Improvement Grant (LMIG) for resurfacing between the City and GDOT. This GDOT grant is in the amount of $141,983.72 and includes patching, leveling, resurfacing, and striping of Terrell Drive, Donn Drive, and Quality Drive. Mr. Elliott recommended approval.

A motion to approve the LMIG Contract was made by Council Member Pruitt and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

3. Settlement Agreement with Carolina Transformers

David Archer, City Attorney stated that the City of Cartersville is alleged to have sent transformers in the 1980’s to Carolina transformer and its predecessors for disposal. Since they failed to dispose of them properly it has become a superfund site which had cleanup cost in excess of $10,000,000.00. Although the City did nothing wrong in this matter, federal law places joint and severally liability on anyone who provided materials to the site. Mr. Archer stated that the City of Cartersville has settled this matter for $20,000.00 and recommended final approval.

A motion to approve the Settlement Agreement with Carolina Transformers subject to the Mayor and City Attorney’s approval was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

4. Addendum to Intergovernmental SPLOST Agreement

Sam Grove, City Manager stated that Bartow County had incorrectly identified the public safety communication system in the original agreement and this addendum corrects this error. Mr. Grove recommended approval.

A motion to approve the addendum to the SPLOST Agreement was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously.

Vote 6-0

Mayor Santini stated that there was one item to be added to the agenda. A motion to add an item to the agenda was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

I. Added Item

1. Purchase of replacement computers

Tommy Culpepper, Police Chief stated that his department needed to replace six desk top computers to replace outdated units. Chief Culpepper stated that the amount for the six new Dell Computers is $8,199.36 and will be paid from Asset Forfeiture Funds (DEA).

A motion to approve the purchase of computers was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Vote 6-0

Mayor Santini asked if there was any further business to come before council. Julian Falkenstein asked to present a proposal for the upcoming changes to the sign ordinance. Sam Grove presented a plaque from the Electric Cities of North Carolina to David Myers in appreciation for the assistance from the City of Cartersville Electric after the recent storm damage in their area.

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

Meeting Adjourned

/s/ ___________________________
Matthew J. Santini
Mayor

ATTEST:

/s/ _______________________________
Connie Keeling
City Clerk