City Council Meeting
10 N. Public Square
May 5, 2011
6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member Tonsmeire

Pledge of Allegiance led by Mayor Santini

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 Keith Lovell, Assistant City Attorney. David Archer, City Attorney was absent.

II. Regular Agenda

A. Council Meeting Minutes

1. April 21, 2011

A motion to approve the April 21, 2011 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

Sarah Tonsmeire and Quacky gave a presentation on the upcoming Duck Derby.

B. Commendation/Recognition

1. Cartersville School System Teachers of the Year 2012

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 2012 group is no exception. Mayor Santini presented each of the following teachers a framed congratulatory resolution from the City of Cartersville.

Margaret Zimmer	Cartersville Primary School
Becky Rhodes	Cartersville Elementary School
Kathy Hays	Cartersville Middle School
Valerie Webb	Cartersville High School

2. 2010 Outstanding Preservation Projects

Pete Alday, Director of Community Services stated that as we celebrate National Historic Preservation Month, it is appropriate to recognize outstanding preservation projects for the calendar year 2010. Mr. Alday stated that the Cartersville Historic Preservation Commission has chosen the following three properties to receive this recognition from Mayor Santini and Daneise Archer:

305 West Main Street	Home of Margaret Rose White
35 Etowah Drive	An infill house belonging to William Hagler
29 West Main Street	Specialty Accounting owned by Dianne Burwell

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

1. File AZ11-01: Annexation and zoning application by Nicholas Startup for property located at 42 Natchi Trail from County jurisdiction to City R-20

Mr. 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 that this tract is located at 42 Natchi Trail midway along this narrow street off Indian Mounds Road. This property backs up to Dellinger Park. The applicants seek to annex for City services. The property, if annexed, would be zoned R-20 (Single Family Residential). Mr. Mannino stated that there have been no changes since the first reading and recommended approval of the annexation and zoning.

Mayor Santini declared a Public Hearing for the zoning application open. After no comments, Mayor Santini declared the Public Hearing closed.

Mayor Santini declared a Public Hearing for the annexation application open. With no comments, Mayor Santini declared the Public Hearing closed.

A motion to approve Ordinance No. 12-11 was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 12-11

Petition No. AZ11-01

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 Nicholas Startup. Property is located at 42 Natchi Trail. Said property contains 1.4 acres located in the 4th District, 3rd Section, Land Lot(s) 812 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 21st day of April 2011.
ADOPTED this the 5th day of May 2011. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

A motion to approve Ordinance No. 13-11 was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 13-11

Petition No. AZ11-01

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 Nicholas Startup. Property is located 42 Natchi Trail. Said property contains 1.4 acres located in the 4th District, 3rd Section, Land Lot(s) 812 as shown on the attached plat Exhibit "A". Property is hereby rezoned from County A-1 (Agricultural) to R-20 (Single Family

Residential). Zoning 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 21st day of April 2011.
ADOPTED this the 5th day of May 2011. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

2. File Z11-02: Rezoning application by Berrey Properties (Randy Berrey, representative) for property located at 1009 and 1011 N. Tennessee Street (approximately 1.2 acres) from P-S (Professional Services) to O-C (Office Commercial)

Mr. 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 that these tracts are located at 1009 and 1011 N. Tennessee Street across the street from the Guyton Park (Fuddruckers) shopping center. These properties include former single-family residential structures that have been renovated for commercial use. The applicant seeks to rezone the properties from low-density commercial (P-S) to medium-density commercial (O-C) for greater potential use of the properties. Mr. Mannino stated that there have been no changes since the first reading and recommended approval of the rezoning.

Mayor Santini declared a Public Hearing for the zoning application open. After no comments, Mayor Santini declared the Public Hearing closed.

A motion to approve Ordinance No. 14-11 was made by Council Member Hodge and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 14-11

Petition No. Z11-02

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 Berrey Properties Inc. Property is located 1009 and 1011 N. Tennessee Street. Said property contains 1.23 acres located in the 4th District, 3rd Section, Land Lot(s) 239 as shown on the attached plat Exhibit "A". Property is hereby rezoned from P-S (Professional Services) to O-C (Office Commercial) with the following conditions. Zoning 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 21st day of April 2011.
ADOPTED this the 5th day of May 2011. Second Reading.

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

ATTEST:

/s/ <u>Connie Keeling</u>
Connie Keeling
City Clerk

D. Public Hearing

1. First Reading of Urban Redevelopment Plan

Mr. Randy Mannino, Planning and Development Director stated that staff has been working on a revision to the Urban Redevelopment Plan. This revision would amend the existing Northwest Industrial Area boundary to add the single tract of the former Goodyear plant property located on Cassville Road. Mr. Mannino stated that the property owner is aware of the proposed revision and is amenable to the amendment. Based on the State Department of Community Affairs procedures for amending the plan there must be two public hearings held; the first of which was this meeting; and a resolution passed to amend the plan at the second public hearing.

Mayor Santini declared a Public Hearing for the first reading of the Urban Redevelopment Plan open. After no comments Mayor Santini declared the public hearing closed.

E. Appointments

1. Board of Zoning Appeals

Mr. Randy Mannino, Planning and Development Director stated that the Board of Zoning Appeals consists of seven members that were previously appointed at large by the City Council for three year staggered terms. Per recent amendments to the Zoning Ordinance, after completion of their previous term, members will now be appointed by the Mayor and Council members for staggered terms of four years, with the exception of the Mayor's appointment which will be for a two-year term. Mr. Mannino stated that the terms of four members will expire over the next few months. Two members have stated that they are willing to continue to serve and they are Ken Wilson appointed by Council Member Tonsmeire and Linda Brunt appointed by Council Member Tate. The new appointees are Malcolm Cooley appointed by Council Member McDaniel and David Caswell appointed by Council Member Hodge. Mr. Mannino stated that the new appointees terms will continue through the full terms of the council member that appointed them and recommended approval.

A motion to approve all appointments as recommended was made by Council Member McDaniel and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

F. Easements

1. Collins Point Holding, LLC

Keith Lovell, Assistant City Attorney stated that this is an easement between the City of Cartersville and Collins Pointe Holding, LLC regarding Auto Zone. In exchange for the easement the owner wanted the standard protection language from the City's use of the easement in regards to maintenance and repair. Mr. Lovell stated that council would need to authorize the Mayor and City Clerk to sign all documents and recommended approval.

A motion to approve the easement as recommended was made by Council Member Stepp and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

G. Contracts/Agreements

1. Contract for Performing Services – Eddie Lee Wilkins Youth Association

Tom Rhinehart, Finance Director stated that this is an annual contract with the Eddie Lee Wilkins Youth Summer Program for 2011. Mr. Rhinehart stated that this contract is requested to be approved earlier than all other service contracts to allow the Wilkins group to access City funds relative to this summer's program. The only change in the contract is an added provision for a monthly financial report due by the fifth of the month showing the use of city funds. Mr.

Rhinehart recommended approval.

A motion to approve the contract with the Eddie Lee Wilkins Youth Association was made by Council Member McDaniel and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

2. Georgia Department of Transportation: Right of Way Agreements Regarding Main Street Gateway Project.

Dan Porta, Assistant City Manager stated that these agreements are required by the Georgia Department of Transportation (GDOT) for right of way certification for the Main Street Gateway and Main Street Gateway Landscaping in order to acquire GDOT funding. Mr. Porta recommended approval.

A motion to approve both of the GDOT Right of Way Agreements was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

3. Addendum to Agreement with Community-Y Health Network.

Dan Porta, Assistant City Manager stated that Community-Y Health Network (CHN) was hired in 2011 to provide wellness services for city employees covered under our health insurance plan. The original 2011 contract amount was $121,600.00 paid in installments, however, CHN has offered the city a 10% discount if the city would prepay the remaining contract balance. Mr. Porta stated that this discount would save the city $5,985.00 and recommended approval of this contract addendum and the prepayment of $53,865.00 to CHN.

A motion to approve the addendum to the agreement with Community-Y Health Network was made by Council Member Pruitt and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0

4. Georgia Department of Transportation Airport Project Grant.

Dan Porta, Assistant City Manager stated that the Cartersville-Bartow County Airport Authority has applied for and received a second grant from the Georgia Department of Transportation for an environmental assessment and completion of airport taxiway pavement reconstruction. The City Council previously approved the airport taxiway pavement reconstruction work done by Bartow Paving in the amount of $373,210.94. This GDOT grant and the earlier grant that the City Council previously approved will help pay for 97% of the work, with the city and Bartow County paying the other 3%. Mr. Porta stated that the combined total of both grant projects is $495,500.94 with the city/Bartow County match of $15,256.94. Mr. Porta stated that the total amount of this grant project is $179,544.00 and the local match is $6,867.00 and recommended approval with authorization for the Mayor and City Clerk to sign all documents.

A motion to approve the grant as recommended was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

H. Other

1. Amendments to Cartersville Pension Plan

Dan Porta, Assistant City Manager stated that the Retirement Board has recommended the following changes be approved to the Cartersville Pension Plan:

1. Buyback Benefit at Termination (Section 6.9). In 2001, the city changed the waiting period to join the Pension Plan from age 21 with one year waiting period, to age 18 with a six month waiting period. The amendment will give employees an option to purchase this "lost" time. The buyback will not have any adverse affect on the Pension Plan as the employee will be paying the cost.

2. Terminal Pay (Section 6.10). When an employee leaves employment with the city, their vacation payout will be processed through the Pension Plan. This change will save the city 7.65% in FICA and Medicare costs and will not have any negative effect on

the employee.

Mr. Porta stated that the only additional cost that the city will pay is some minor additional actuarial calculation costs, depending on how many individuals choose to buyback their time and recommended approval.

A motion to approve the changes to the retirement plan was made by Council Member Stepp and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

I. Bid Award/Purchases

1. Employment Learning Innovations, Inc.

Sam Grove, City Manager stated that the City needs to purchase materials to complete a workplace sensitivity/employment law training for all City of Cartersville Employees. Mr. Grove stated that this material is produced by Employment Learning Innovations, Inc. (ELI) at a cost not to exceed $24,000.00 and recommended approval.

A motion to approve the purchase from Employment Learning Innovations, Inc. was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

2. North Node Emergency Generator
(Items 2 & 3 voted as one motion)

Dan Porta, Assistant City Manager stated that the Fiber Department has a need to install an emergency generator with automatic power transfer in case of electrical outages at the North Node at 279 Industrial Park Road. The electronics at the North Node supports some of the larger city customers as well as multiple electric sub-station sites. Mr. Porta stated that this unit is identical to the one at Reservoir Hill on Morningside Drive. Mr. Porta stated that materials and labor to install a Kohler 14kW, natural gas generator is $7,899.99 and recommended approval.

3. Dell Computer Server and Software

Dan Porta, Assistant City Manager stated that a new server is needed to operate the Cogsdale Utility Billing and Great Plains Accounting System as well as the GIS system. The primary computer server for the utility billing and accounting system has not been upgraded in over 7 years and processing speeds for daily transactions have slowed down. Mr. Porta stated with the upgrade to version 10 of Cogsdale to take place in June, and the need to have a reliable backup the purchase of the new server is a necessity. Mr. Porta recommended the purchase of a new Dell server for $26,910.30 and operating software for $6,588.72.

A motion to approve the purchase of the generator and the server and software was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

4. Sugar Valley Road Relocation

Michael Hill, Assistant Gas Superintendent stated that it is necessary to relocate the gas line in conflict with Bartow County's road project on Sugar Valley Road. The cost of tapping and stopping to relocate the existing facilities on Sugar Valley Road is $10,450.00. Mr. Hill stated that this work requires specialized equipment and training and is performed by only one company in the southeast; S. J. Patterson Company. Mr. Hill recommended approval.

A motion to approve the gas line relocation by S. J. Patterson Company was made by Council Member Tate and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

5. New Rood on Lift Stations at Water Pollution Control Plant

Ed Mullinax, Assistant Water Superintendent stated that the roofs on the WPCP Primary and Secondary lift stations are in need of replacement. Bids were taken to do this replacement and Mr. Mullinax recommended the low bid from Elite Roofing of Georgia in the amount of $7,882.00.

A motion to approve Elite Roofing was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

6. Upgrade Solids Collector for Water Treatment Plant

Ed Mullinax, Assistant Water Superintendent stated that the clari-track units in the settling basins at the Water Plant run automatically to remove settled mud. These control units are failing and parts to rebuild them are unavailable. Mr. Mullinax stated that he would like to change to a single PC controlled unit that will replace 5 units. Bids were received to do this replacement and Mr. Mullinax recommended the low bid from Masters Electronics LLC in the amount of $14,500.00 to provide equipment, calibrate, and train plant personnel.

(Council Member Tate excused herself from the meeting)

A motion to approve the purchase from Master Electronics LLC was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

7. Water Pollution Control Plant – Repair of Screw Lift Pump

Ed Mullinax, Assistant Water Superintendent stated that the lower thrust bearing for the screw lift pump at the Wastewater Plant had to be replaced. This is a necessary part for the operation of this pump. The contractor performing the welding repair on this same piece of equipment is supplying the part. Mr. Mullinax explained that this is a sole supplier for this repair and recommended the purchase of this part from Southern Machine & Fabrication Company in the amount of $7,200.00.

A motion to approve the repairs by Southern Machine & Fabrication Company was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0

J. Change Order

1. Emergency River Pump Station

Ed Mullinax, Assistant Water Superintendent stated a previous engineering agreement was approved for work to permit and install a 48” casing into the Etowah River for emergency pump station intake. Mr. Mullinax stated that they had looked at an additional site which added to the scope of work and the increase in engineering cost for this project is $20,000.00. Mr. Mullinax recommended approval of a change order for Jordan, Jones, and Goulding contract in the amount of $20,000.00 to cover this extra work, which will make this contract not to exceed $66,000.00

A motion to approve the engineering agreement with JJ&G was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

K. Added Items:

Mayor Santini stated that there were four items to be added to the agenda. A motion to add these items to the agenda was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

1. Engineering on Pump Building at Water Treatment Plant

Ed Mullinax, Assistant Water Superintendent stated that the pump building at the Water Treatment Plant is sliding down the hill due to unstable sub structure. Mr. Mullinax stated that Jordan, Jones, and Goulding assisted the city in developing a design build contract, and permitting, site work, preconstruction conference, and would like to have them follow the contractors work and make sure it is done according to design. The cost of these services is not to exceed $90,420.00 and Mr. Mullinax recommended approval.

(Council Member Tate returned to the meeting)

A motion to approve the engineering agreement with J J & G was made by Council

Member Pruitt and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0

2. Emergency Replacement of Water Treatment Plant Transformer

Ed Mullinax, Assistant Water Superintendent stated that a transformer at the Water Treatment Plant was destroyed by an electrical power surge during the storm on April 27, 2011. This transformer is necessary for the operation of one of the four high service pumps which deliver water from the plant to the distribution system. Mr. Mullinax stated the current pump station repair project at the plant is scheduled to take two of the other high service pumps out of service next week. A replacement transformer has been ordered to avoid operating with no backup pump or risk a delay claim by the contractor on the pump station repair project. Mr. Mullinax stated that CES of Cartersville had quoted a price of $12,500.00 for the replacement transformer with a delivery date of May 16, 2011 and recommended approval.

A motion to approve the purchase from CES of Cartersville was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0

L. Surplus Equipment

1. Surplus Items

Tom Rhinehart, Finance Director stated in an effort to bring all surplus items before Council he had asked all the departments to provide a list of items. Mr. Rhinehart explained that these items will be sold on the Gov-Deals website with the exception of the valves from the Gas Department. After talking with the Gas Department, it was determined that the valves be sold as is; however if they do not bring a high enough bid they will be sold for scrap metal. Mr. Rhinehart recommended these items be declared surplus.

A motion to approve the surplus items was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

M. Added Items

1. Title VI American Disabilities Act

Keith Lovell, Assistant City Attorney stated that for ongoing contracts with the GDOT and the State of Georgia they require that the city designate and administrator as well as adopt a policy statement for the ADA program. Mr. Lovell explained that this emergency ordinance adopts both the policy statement as exhibit A and appoints the Human Resource Director as the administrator/coordinator. The reason for the emergency reading is that council approved DOT contracts earlier in the meeting.

A motion to approve Ordinance No. 15-11 was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 15-11

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that the CITY OF CARTERSVILLE CODE OF ORDINANCES is hereby amended by adding the following:

1.

WHEREAS, the City of Cartersville pursuant to Title VI of the Civil Rights Act of 1964, as amended and the Americans With Disabilities Act of 1990, the City of Cartersville shall name a Title VI/ADA coordinator and formally adopt a Title VI/Americans With Disabilities Statement.

NOW THEREFORE BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council that the Human Resource Director is to be appointed the Title VI/ADA Coordinator and adopts the Title VI/ADA compliance statement attached hereto as Exhibit "A" and incorporated herein by reference.

2.

It is necessary that said Ordinance be emergency in nature and adopted with one reading to comply with contractual obligations of the City.

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 to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED.

ADOPTED this the 5th day of May 2011. Emergency Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

Title VI/American Disabilities Act (ADA)

The City of Cartersville is committed to ensuring that no person is excluded from participating in, or denied the benefits of, or be subject to discrimination in the receipt of the City's services or programs on the basis of race, color, national origin, or any other characteristics protected by law, including Title VI of the Civil Rights Act of 1964, as amended. Further, under the Americans with Disabilities Act (ADA) of 1990, no entity shall discriminate against an individual with a physical or mental disability in connection with the provision of transportation.

Therefore, consistent with Title VI of the Civil Rights Act of 1964 and the American with Disabilities Act of 1990 (ADA), the City of Cartersville has designated an individual as the City's Title VI/ADA Coordinator. The City formally designates the City's Human Resources Director as the Title VI/ADA Coordinator. The Coordinator is responsible for accepting complaints of discrimination on the basis of disability in the provision/delivery of services, activities, programs, or benefits provided by the City. Complaints shall be submitted in writing within the following time frames:

Title VI: No later than 180 days from the date of the alleged discrimination.
ADA: No later than 60 days from the date of the alleged discrimination.

Complaints shall include the name, address, and phone number of the Complainant, along with the location, date, and description of the problem/issue. Complaints shall be processed in accordance with the applicable law.

This process does not apply to complaints relating to employment by the City of Cartersville. Other procedures are available for these types of complaints.

2. Ante Litem Notice

Keith Lovell, Assistant City Attorney stated that the City had received an Ante Litem Notice from Page Perry, LLC of Atlanta and Barry B. Green of Cartersville concerning a shooting by a Bartow County Deputy approximately 6 months ago. The City of Cartersville Police Officers were not involved in this according to the investigation; therefore, Mr. Lovell recommended this be denied and presented a resolution to council for approval.

A motion to approve Resolution No. 08-11 was made by Council Member Pruitt and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

Resolution No. 08-11

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

WHEREAS, on or about May 4, 2011, the City of Cartersville received an Ante Litem Notice from Page Perry, LLC concerning Thomas and Susan Gooch's alleged claim against the City relating to the death of their daughter Yvonne Hollis on December 16, 2010.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and City Council that the City of Cartersville denies the Ante Litem Notice claim submitted as referenced above based on the information currently available to it, and directs the City Attorney's Office to inform Page Perry, LLC of said denial.

BE IT AND IT IS HEREBY RESOLVED this the 5th day of May 2011

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

After announcements a motion to adjourn the meeting was made by Council Member Hodge and needing no second. Motion carried unanimously. Vote 6-0

Meeting Adjourned

/s/ ___________________________
Matthew J. Santini
Mayor

ATTEST:

/s/ ______________________________
Connie Keeling
City Clerk