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

I. Opening Meeting

Invocation and Pledge of Allegiance led by Cub Scout Troop Pack 15

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; Sam Grove, City Manager; Connie Keeling, City Clerk and David Archer, City Attorney. Lori Pruitt, Council Member Ward Six was absent.

II. Regular Agenda

A. Council Meeting Minutes

1. February 3, 2011

A motion to approve the February 3, 2011 City Council Minutes as presented was made by Council Member Tate and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

B. Second Reading of Ordinances

1. Amendment to Parade Permit Ordinance

Greg Anderson, Parks and Recreation Director stated that his department wishes to have the Parade Permit Ordinance amended. The amendment would allow a parade permit application to be accepted by the City of Cartersville not more than one (1) year prior to the proposed event. This is a change from sixty (60) days prior to the event. Mr. Anderson stated that changing the application would coincide with park patrons being able to reserve park facilities one year in advance thus allowing for better planning and coordination of large events that use both park facilities and parade routes. Mr. Anderson stated that there have been no changes since the first reading and recommended approval.

A motion to approve Ordinance No. 06-11 was made by Council Member McDaniel and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 06-11

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 22. STREETS AND SIDEWALKS. ARTICLE II. PARADES Section 22-37 Application paragraph (b) is hereby amended by deleting said paragraph (b) in its entirety and replacing it with the following:

1.

"(b) *Filing period*. An application for a parade permit shall be filed with the city manager or his designee not less than ten (10) days or more than one (1) year before the date on which it is proposed to conduct the parade."

2.

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 remaining provisions of Section 22-37, shall remain unchanged.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 3rd day of February 2011.
Second Reading and Adoption this the 17th day of February 2011.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

C. Proclamations

1. Arbor Day

Randy Mannino stated that Arbor Day is a nationally celebrated observance that encourages tree planting and care. Founded by J. Sterling Morton in 1872, it is celebrated in Georgia each year on the third Friday in February. Mr. Mannino stated that this proclamation officially recognizes Arbor Day in the City of Cartersville and is one of the items that needed to be completed for eventual certification into the Tree City USA program. Dianne Tate read the proclamation and she and Mayor Santini presented the proclamation to Sherry Henshaw with Keep Bartow Beautiful

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

1. File Z11-01 Rezoning application by T-Shell Cartersville LLC for property located at 9 Medical Drive (approximately 1.3 acres) from P - S (Professional Services) to O-C (Office Commercial).

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 9 Medical Drive just off State Route 20 in the Cloverleaf area near the Cartersville Medical Center. Mr. Mannino stated that this property was one of a few tracts that were annexed into the City in 2001. The subject tract, similar to surrounding lots, has an annexation condition placed on it that Medical Drive must be upgraded before this private drive can be accepted as a public street and that it was never a publicly maintained street in the Bartow County jurisdiction prior to annexation. The applicants seek to rezone this property from P-S (Professional Services) to O-C (Office Commercial) to allow for a greater variety of medical uses in this building. At this time the applicant has not requested that the annexation condition be modified or eliminated. Mr. Mannino stated that the Planning Commission recommended approval of the rezoning with the condition that only the following uses be allowed:

Clinics (excludes veterinary clinic)
Hospices – Hospitals
Laboratories (medical and dental)
Medical Offices (excludes veterinary)
Nursing Home Facilities
Personal Care Homes (SU)
Research Laboratories

Mayor Santini declared a Public Hearing for the zoning application open. Corley Thomas, representative came forward. After no further comments, Mayor Santini declared the Public Hearing closed.

No Action Required

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

Petition No. Z11-01 (reference case AZ01-09)

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 T-Shell Cartersville LLC. Property is located 9 Medical Drive. Said property contains 1.3 acres located in the 4th District, 3rd Section, Land Lot(s) 95 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.

1. **Rezoning from P-S to O-C with the condition that only the following uses be allowed:**

   Clinics (excludes veterinary clinic)
   Hospices
   Hospitals
   Laboratories (medical and dental)
   Medical offices (excludes veterinary)
   Nursing home facilities
   Personal care homes (SU)*
   Research laboratories

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 17th day of February 2011.
ADOPTED this the day of. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

E. First Reading of Ordinances

1. Amendment to Permit Fees Ordinance

Sam Grove, City Manager stated that he is requesting a waiver of all building, electrical, mechanical, and plumbing permit fees for six (6) residential construction projects to be completed by Bartow Area Habitat for Humanity on behalf of the City of Cartersville. By avoiding these permit fees, Habitat will be able to apply more funding towards the construction of the homes, resulting in a higher quality build. Mr. Grove stated that this ordinance will allow the city to waive fees in the future by process of a resolution. Funding for the project is through the CDBG Supplemental Recovery Grant and Mr. Grove 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 17. PLANNING AND DEVELOPMENT. V. PERMIT FEES is hereby amended by creating a new Section17-91 in its entirety as follows:

1.

Section 17-91. Waiver of Fees.

The Mayor and City Council, may by resolution waive the fees for inspection required by Sections 17-77,17-79,17-80, and 17-82 for 501(C) (3) entities constructing or remodeling low income housing through a City of Cartersville sponsored grant.

2.

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.

First Reading this the 17th day of February 2011.
ADOPTED this the day of. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

2. Amendment to Retirement Plan Ordinance

Dan Porta, Assistant City Manager stated that the Cartersville Pension Board sent out RFP's for investment advisor services and received fourteen proposals. After reviewing the proposals, the Pension Board recommends Weeks Retirement solutions (WRS) for investment advisor services. Mr. Porta stated that this ordinance needed to be amended due to the recommended change from SunTrust to WRS. Mr. Porta recommended approval.

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

Whereas, the City of Cartersville Retirement Board has reviewed the proposed amendment and hereby recommends said amendment to the Mayor and City Council.

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that the Code of Ordinances City of Cartersville, Georgia CHAPTER 16. PERSONNEL, DIVISION 2. RETIREMENT PLAN, Sec. 16-51. Adopted; short title; definition. (a) is hereby amended by deleting said section in its entirety and replacing it as follows:

Section 16-51. Adopted; short title; definition.

"(a) The Cartersville Retirement Plan was created on April 15, 1973 with Lincoln National Life Insurance Company, Fort Wayne, Indiana, and in 2011the plan's assets have been transferred over to Benefit Trust Company, a Kansas company, a copy of which is on file in the office of the city manager. The Retirement Plan and all of its business shall be transacted and all of its funds shall be invested by WRS; and all of its cash, securities and other property shall be held in trust by Benefit Trust Company, for the purposes set forth in this plan."

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 17th day of February 2011.
ADOPTED this the day of. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

F. Appointments

1. Downtown Development Authority

Sam Grove, City Manager stated that three members of the DDA board of directors terms expire this month. Mr. Grove stated that Harry Finchum, Susan Howard, and Nancy Jackson have been active and strong supporters of the downtown business district and recommended their reappointment. Mr. Grove stated these members terms will expire on February 18, 2015.

A motion to approve the reappointment of Harry Finchum, Susan Howard and Nancy Jackson was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0

G. Contracts/Agreements

1. Georgia Department of Transportation 2005 Transportation Enhancement Grant for Leake Mound – Etowah Riverwalk Link

Greg Anderson, Parks and Recreation Director stated that this agreement with G-DOT and the City of Cartersville is for the 2005 Transportation Enhancement Grant for the Leake Mounds-Etowah Riverwalk Link. This agreement states that the City of Cartersville has acquired a permanent easement per Federal Highway Administration requirements and that the City has the authority to receive and expend federal funds for the purpose of the proposed project. Mr. Anderson recommended approval of this agreement and the authorization of the Mayor to sign any remaining documents pertaining to the Leake Mounds-Etowah Riverwalk Link TE Grant.

A motion to approve the G-DOT agreement and to authorize the Mayor to sign any remaining documents pertaining to the Leake Mounds-Etowah Riverwalk Link TE Grant. was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

2. Weeks Retirement Solutions Regarding Investment Advisor

Dan Porta, Assistant City Manager stated that since May 2002 the City of Cartersville Pension Plan, which currently has $24 million in assets, has used Sun Trust as our investment advisor and plan trustee. The purpose of the investment advisor is to work with the Pension Board on the type of investments that the Pension Plan assets are invested. The plan trustee takes care of the retiree benefit payments. Last fall the Pension Board decided to issue a request for proposal (RFP) for investment advisor and plan trustee services. A total of fourteen proposals were received and reviewed to ensure that each firm's proposal met the RFP requirement. A total of five firms were invited for an interview by the Pension Board. Mr. Porta stated that after interviewing each firm, the Pension Board voted and recommended Weeks Retirement Solutions (WRS) as the investment advisor and Benefit Trust Services as plan trustee. WRS submitted a proposal with actual five year investment returns of 5.35% (net of fees) compared to some other firms who only submitted theoretical fund returns. Mr. Porta recommended approval to change from SunTrust to WRS for investment advisor services.

A motion to approve Weeks Retirement Solutions as the Investment Advisor was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

3. Condrey and Associates Regarding Wage and Salary Study

Sam Grove, City Manager stated that this is an agreement with Condrey and Associates to complete a comprehensive Wage/Salary Study to include reviewing internal positions/salaries, complete a market survey of comparable municipalities/entities, and compare the city's current salary structure to the market. Mr. Grove stated that it has been approximately 10 years since the city has completed a salary survey. The cost for this survey will be $24,500.00, will be complete by May 17, 2011 for budget consideration. Mr. Grove recommended approval.

A motion to approve the agreement with Condrey and Associates was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 5-0

H. Bid Award/Purchases

1. Retiree Insurance Renewal

Dan Porta, Assistant City Manager stated that staff has met with a group of eight retirees and discussed the two best options for their health insurance coverage. The two options were a passive PPO offered through Humana Medicare Advantage and a Medicare supplement offered through United Healthcare. After discussing both insurance options, the retirees unanimously decided on the United Healthcare Medicare supplement. Mr. Porta stated the monthly premium for this coverage is slightly less than the current monthly premium and the plan will become effective on April 1, 2011. Mr. Porta recommended approval of the change to United Healthcare Senior Supplement.

A motion to approve the agreement with United Healthcare was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

2. Reconstruct South Hanger Taxiway Pavement

Dan Porta, Assistant City Manager stated that the Cartersville – Bartow County Airport Authority received funding from the Federal Aviation Administration and the Georgia Department of Transportation to help pay 95% of the south hangar taxiway pavement reconstruction. The City and Bartow County have agreed to split the remaining 5% of the costs. Mr. Porta stated that the grant will flow through the City and required paperwork will need to be signed by the Mayor, City Clerk and City Attorney. Mr. Porta stated that the Airport Authority issued bids for the paving work and Bartow Paving was hired as the paving contractor. The total projected cost of the project is $373,211.00 with the City's share at $9,331.00. Mr. Porta recommended approval of this expenditure and the authorization of the Mayor, City Clerk and City Attorney to sign the required grant paperwork.

A motion to approve the agreement to reconstruct the South Hanger Taxiway Pavement and to authorize the Mayor, City Clerk and City Attorney to sign the required grant paperwork was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

3. Emergency Repair to Damaged Water Main: Water Plant to Main Street

Jim Stafford, Water and Sewer Superintendent stated the 36" ductile iron water main from the water plant to Main Street was damaged when a back hoe operator working for New Riverside Ochre hit the line. The city had to do an emergency repair and hire an outside contractor T. J. Lyle & Co., Inc. to do the backhoe work because the city's backhoe could not handle the job. Mr. Stafford stated that his expenditure is $5,200.00 and will be paid from the maintenance to water mains budget. Mr. Stafford recommended approval.

A motion to approve the emergency repair by T. J. Lyle & Co. Inc. was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

4. Video System for Police Vehicles

Tommy Culpepper, Chief of Police stated that each police patrol vehicle is equipped with an in-car video system. These systems have been instrumental in collecting evidence and answering complaints regarding officer conduct. Chief Culpepper stated that the current vendor, ICOP, has filed for bankruptcy and is looking to be purchased by a company with a competing in-car video product on the market and he no longer feels that this company can provide timely sales and service of this equipment. Chief Culpepper requested the approval to expend an additional $8,500.00 from DEA Asset Forfeiture to cover the cost of changing systems from ICOP to Digital Ally. The new systems are easier to install and will provide quality video. These systems will operate on the current server and will be installed in the four (4) new patrol vehicles and the new vehicles cannot be put into operation until these systems are installed. Chief Culpepper stated the original cost (approved on September 16, 2010) for the purchase of the vehicles and all equipment was $83,324.00. Chief Culpepper stated that other vehicles will be equipped with the new video systems as the old systems fail to operate and recommended approval of this change.

A motion to approve the use of an additional $8,500.00 in DEA Funds to purchase Video Systems from Digital Ally was made by Council Member McDaniel and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0

I. Monthly Financial Statement

1. December 2010 Financial Report

Tom Rhinehart, Finance Director presented the December 2010 monthly financial statement with comparisons from the previous year of December 2009 by funds along with supplemental financial information comparing the year to date revenues and expenses for each fund and a report of cash position through December 2010.

Tom Quist and Don Liotta gave an overview on the upcoming Habitat for Humanity project.

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