City Council Meeting
10 N. Public Square
January 20, 2011
6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member Tate

Pledge of Allegiance led by Council Member Stepp

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. January 6, 2011

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

B. Presentations

1. Fiscal Year 2010 Audit Presentation

Lloyd Williamson, of Williamson and Company, the city's external audit firm, presented a brief presentation of the FY2010 audit and included the Comprehensive Annual Financial Report for the year ended June 30, 2010.

C. Second Reading of Ordinances

1. Amendment to Motor Vehicle and Traffic Ordinance

Bobby Elliott, Public Works Director stated that this ordinance modification is to prohibit trucks over six (6) wheels from turning right onto Erwin Street off Main Street west bound due to damage to buildings at the intersection and possible danger to pedestrian traffic on the sidewalks. Mr. Elliott stated that the City will have to get approval from the GDOT before signs can be erected and the ordinance enforced. Mr. Elliott stated there have been no additions or changes since the first reading and recommended approval.

A motion to approve Ordinance No. 05-11 was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 05-11

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that the <u>CITY OF CARTERSVILLE CODE OF ORDINANCES CHAPTER 12. MOTOR VEHICLES AND TRAFFIC. ARTICLE IX.</u>

TRAFFIC SCHEDULES. CODE SECTION 12-1014. PROHIBITED TRUCK TRAFFIC is hereby amended by adding a new paragraph (h) to Section 12-1014 as follows:

(1)

(h) "No trucks over six (6) wheels to make right turns onto North Erwin Street from West Main Street West Bound (SR 113/61)."

(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 that section 12-1014 is amended by adding the above provisions and that said section may be alphabetized as necessary to accomplish such intention. The remaining provisions of said section shall remain as is except for alphabetizing.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 6th day of January 2011.
ADOPTED this the 20th day of January 2011. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

D. Appointments

1. Planning Commission

Randy Mannino, Planning and Development Director stated that this appointment is for the Ward One Planning Commission position. Mr. Robert Ed Hicks has recently resigned because he is moving out of the City's jurisdiction. The unexpired term goes through January 31, 2014. Council person Kari Hodge nominated Travis Popham to fill the unexpired term and Mr. Mannino recommended approval.

A motion to approve the appointment of Travis Popham to the Planning Commission was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

E. Resolutions

1. Updated Capital Improvement Element (CIE) for Impact Fee

Randy Mannino, Planning and Development Director stated that the City adopted Impact Fees in the last quarter of 2006 which became effective in January of 2007. In accordance with the Development Impact Fee Regulations as outlined by the State, the city is required to file an annual update to the Capital Improvements Element (CIE) of the Comprehensive Plan because we collect said impact fees (now in our case because we have an active ordinance). Mr. Mannino stated that the required public hearing for the updated information was held on November 18, 2010, and council approved a resolution allowing this item to be transmitted to the Northwest Georgia Regional Commission (NWGRC) and the Department of Community Affairs (DCA) for their review and approval. Mr. Mannino stated that the NWGRC and DCA have approved the document and recommended approval of the document and resolution.

A motion to approve the Updated Capital Improvement Element for Impact Fees and Resolution No. 01-11 made by Council Member Tate and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

Resolution No. 01-11

ADOPTION RESOLUTION
Capital Improvements Element

WHEREAS, The City of Cartersville adopted a Capital Improvements Element as an amendment to the *Cartersville Comprehensive Plan*; and

WHEREAS, The City of Cartersville has prepared an Annual Update to the adopted Capital Improvements Element; and

WHEREAS, the Capital Improvements Element Annual Update was prepared, submitted, and reviewed in accordance with the "Development Impact Fee Compliance Requirements" and the "Minimum Planning Standards and Procedures for Local Comprehensive Planning" adopted by the Board of Community Affairs pursuant to the Georgia Planning Act of 1989, and an advertised Public Hearing was held on November 18, 2010 at 7:00 P.M. in the City Council meeting room at Cartersville City Hall; and

BE IT THEREFORE RESOLVED, that the City Council of the City of Cartersville does hereby approve and adopt the Capital Improvements Element Annual Update attached hereto and incorporated herein as Exhibit "A" as per the requirements of the Development Impact Fee Compliance Requirements.

ADOPTED this the 20th day of January 2011.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

F. Contracts/Agreements

1. Civic Plus – Website Update

Rebecca Bohlander, Communications and P. R. Manager stated that this is an agreement with Civic Plus for the Lite Redesign Website package. This will allow the City to update the website banner to include the new logo and update technical aspects of the site. Ms. Bohlander stated that additionally a banner for the Downtown Development Authority will be included at no additional charge and the DDA will be providing $1,000.00 to offset the cost of $4,800.00. Ms. Bohlander stated that at the end of 48 months, the City will receive an Advance Redesign of the website at no cost. Ms. Bohlander stated that once approved Civic Plus has given a 4 – 6 week timeline for the site to be updated and recommended approval.

A motion to approve the agreement with Civic Plus was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

2. Cancellation of Lease with Bartow Health Access

Dan Porta, Assistant City Manager stated that Bartow Health Access has been leasing the old City Fire Station on Martin Luther King, Jr. Drive since August 2007 with the lease renewing annually unless action is taken by the City Council to terminate the lease. With the forthcoming demolition of the old fire station so a new larger station can be built, the existing lease with Bartow Health Access needs to be terminated. Mr. Porta stated that Bartow Health Access has been aware of this and will be moving out of this building by the end of February 2011. Mr. Porta recommended approval of the termination of the existing lease as of February 28, 2011.

A motion to approve the cancellation of the Lease with Bartow Health Access was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

G. Bid Award/Purchases

1. Repair of 36" Water Line

Ed Mullinax, Assistant Water Superintendent stated that a backhoe operator for New Riverside Ochre hit the 36" water main that serves the north side of town and damaged the line at a bell connection. Mr. Mullinax stated that the Water Department had placed a band on the line but it is still leaking about 30 gallons per minute. A special order repair band will permanently repair the line without turning it off and cutting another piece of pipe. HD Supply Waterworks in Kennesaw located a foundry to make this special order band and can have it in one week at a cost of $10,975.00. Mr. Mullinax stated that this company could get the band weeks sooner than any other company and recommended approval.

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

H. Change Order

1. T. J. Lyle Regarding Wells and Johnson Streets Sewer and Water Relocation Projects.

Ed Mullinax, Assistant Water Superintendent stated that site conditions have been encountered on the Johnson Street Sewer relocation project and the Wells Street Water and Sewer relocation projects which require a Change Order to the contract. Concrete underlayment has necessitated saw cutting of the pavement and additional pavement debris for disposal. Additionally material encountered during trench excavation is not suitable for achieving compaction as backfill material. Mr. Mullinax stated the additional costs are estimated as follows: Johnson Street, $66,500.00 and Well Street, $40,200.00. Mr. Mullinax stated the total project costs, with addition of these change order expenses, will still be in line with the next lowest bidder and recommended approval.

A motion to approve the change orders for both projects was made by Council Member Pruitt and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

I. Monthly Financial Statement

1. November 2010

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

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