

City Council Meeting
10 N. Public Square
January 22, 2015
6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member Tonsmeire

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; Catheryn Hembree, Deputy City Clerk and Keith Lovell, Assistant City Attorney. Connie Keeling, City Clerk; and David Archer, City Attorney was absent.

II. Regular Agenda

A. Council Meeting Minutes

1. January 8, 2015

A motion to approve the January 8, 2015 City Council Meeting Minutes as presented was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0

B. Resolutions

1. Ante Litem Notice

Keith Lovell, Assistant City Attorney, stated that an Ante Litem Notice regarding an alleged claim at Terminus Wake Park against the City relating to injuries from a wake boarding accident on or about July 14, 2014 was received by the City from Morgan & Morgan Attorneys at Law. Mr. Lovell recommends the City denies the claim due to it being for the wrong City.

Mayor Santini opened the floor for questions and comments. With no further comments Mayor Santini requested a motion.

A motion to approve Resolution No. 01-15 was made by Council Member Stepp and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

Resolution No. 01-15

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

WHEREAS, on or about January 13, 2015, the City of Cartersville received an Ante Litem Notice from Morgan & Morgan Attorneys at Law concerning Melissa Moore's alleged claim against the City relating to injuries resulting from a wakeboarding accident at Terminus Wake Park on or about July 14, 2014.

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

ADOPTED this the 22 day of January, 2015.

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

ATTEST:

/s/ Catheryn Hembree
Catheryn Hembree
Deputy City Clerk

2. Annual Update Adoption of CIE in accordance with the impact fee requirement

Randy Mannino, Planning and Development Director, stated that the City adopted Impact Fees in the last quarter of 2006 and would start in January 2007. In accordance with the Development Impact Fee Regulations as outlined by the State, the City is required to file an annual update of the Capital Improvements Element of the Comprehensive Plan. The City held the required public hearing for the updated information on November 6, 2014 and the Council approved a resolution allowing the item to be transmitted to the NW Georgia Regional Commission and the Department of Community Affairs for their review and approval. The Regional Commission and the Department of Community Affairs have approved the document and now the City is required to formally adopt it. Staff recommends approval of this resolution.

Mayor Santini opened the floor for a public hearing. With no further comments Mayor Santini closed the public hearing.

A motion to approve Resolution No. 02-15 was made by Council Member Hodge and seconded by Council Louis. Motion carried unanimously. Vote 6-0

Resolution No. 02-15
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 6, 2014 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 22 day of January, 2015.

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

ATTEST:

/s/ Catheryn Hembree
Catheryn Hembree
Deputy City Clerk

C. Other

1. Urban Redevelopment Plan Update

Richard Osborne, City Planner, stated that this is an update for the Council for the community development activities related to the Urban Redevelopment Plan. Mr. Osborne and County grant writers have been working on the North Town CDBG housing improvements project. This grant was first approved by the Department of Community Affairs in 2011, and targets improvements for low to moderate income owner-occupied North Towne houses. Improvements include repairs to roofs, windows, and doors. Work is nearly complete on the first two houses. Four more houses are proposed to be improved this year. This item requires no action from Council. After some discussion, Mr. Osborne mentioned that on April 25, 2015 the City will be hosting the Ray Southern Memorial Cleanup in ATCO.

D. Contracts/Agreements

1. Lease Agreement for City Buildings on Cherokee Avenue

Dan Porta, Assistant City Manager, stated that lease agreement rates for property located at 324 and 326 Cherokee Avenue has been modified from the current lease agreement and as required by the State statute the rental was publicly advertised. The property is being used by the Montessori School. The City received one proposal back from Independent Spirit LLC, which is the existing tenant. The bidder does agree to the terms of the agreement. Staff recommends approval for the lease agreement with Independent Spirit LLC for the rental of the two City properties.

A motion to approve Lease Agreement was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0

E. Bid Award/Purchases

1. Everbridge – Mass Communication System

Rebecca Bohlander, Communications and Public Relations Manager, stated that previously the City has been using Blackboard Connect for their mass communication system. After some changes to Blackboard Connect and some recent customer service concerns, the City looking into other mass communication companies. The City recommends we change to Everbridge due to an increase in technology, customer service, and reduction in cost. The 2015 Blackboard invoice was for \$14,486 and the invoice for Everbridge is for \$6,825. This is a price reduction of 52%. The county also uses Everbridge and we can share data is needed in an emergency situation, if both parties agree.

A motion to approve the use of Everbridge after final legal approval from the City Attorney's Office and to terminate relations with Blackboard was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously Vote 6-0

2. Utility Vehicles for the Police Department

Frank McCann, Assistant Police Chief, stated that he sent bids out with a specification sheet for two sports utility vehicles to 15 different businesses in the area. The Request for Bids was also placed on the City's website. Four bids were received by the December 31, 2014 deadline. The only company that met the majority of specifications was Robert Loehr Dodge in Cartersville. These new vehicles will be replacing aging vehicles in the fleet. These vehicles will be purchased with federal asset forfeiture funds at no cost to the tax payer. Chief McCann recommends the approval of the 2015 Dodge Durangos for \$61,812.22 from Robert Loehr Dodge. The vehicles will arrive fully equipped except for police equipment which will add up to \$8,000. The total with installation will not exceed \$69,812.00. The E-Verify and E-Save documents are submitted and on file.

A motion to approve the purchase of two vehicles for the Police Department was made

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

3. 24" Water Main Locate for DOT Temporary Bridge Design

Bob Jones, Superintendent of Water & Sewer, stated that in order to complete the bridge improvements on the Hwy 411/41 DOT project, a temporary bridge will need to be constructed to the north of the existing bridge that crosses over Pettit Creek. The temporary bridge will be constructed over the existing 24" water main by driving vertical piles on both sides of the main. In order to construct the bridge and protect the line, multiple exact location points are needed. Bids were taken from three local contractors; C&L Contractors, Kirkpatrick and Sons, and T.J. Lyle & Company. C&L Contractors was the low bidder based on unit rates. A total of 16 hours was spent on the initial line locations and three additional points of excavation to verify and mark the centerline of the pipe for DOT engineers. The lowest rate came to be \$5,020.00.

A motion to approve the 24" Water Main Locate for DOT Temporary Bridge Design was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

F. Added Items

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

1. Memorandum of Understanding

Keith Lovell, Assistant City Attorney, stated that a new Electric Department customer is requesting a Memorandum of Understanding explaining the City's Electrical Service to give to their board and to authorize approval. Mr. Lovell states that this is not a contract and recommends approval by Council.

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

2. Confidentiality Agreement with Transco

Gary Riggs, Superintendent of Gas, stated that Transco is requesting a confidentiality agreement before plans are given to the City for a new transfer station. Mr. Riggs recommends the Council approve this item.

A motion to approve the Confidentiality Agreement was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 6-0

3. Change Order

Tommy Culpepper, Police Chief, stated that the purchase price of an approved purchased order has changed. Council had previously approved the purchase of one vehicle for DEA at the cost of \$32,750.00. The production cycle has ended before the order was submitted. The cost of one model year newer is an increase of \$700.91. The cost is paid for through asset forfeiture. Chief Culpepper recommends approval.

A motion to approve the Change Order was made by Council Member Hodge and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

Tommy Culpepper, Police Chief, stated that due to the same issue the City had to go up one model year on new vehicles that would be added to the fleet. The increase is \$4,647, bringing the total to \$241,470. The cost is paid for through asset forfeiture.

A motion to approve the Change Order was made by Council Member Hodge and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

G. Monthly Financial Statement

1. November 2014

Tom Rhinehart, Finance Director, presented the November 2014 monthly financial statement with comparisons from the previous year of November 2013 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 November 2014. No action is needed by Council.

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/ _____
Catheryn Hembree
Deputy City Clerk