

City Council Meeting
City Hall – Council Chambers
May 4, 2023
6:00 P.M. – Work Session
7:00 P.M. – Council Meeting

WORK SESSION

Mayor Matthew Santini opened Work Session at 6:07 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Council Member Wren made a motion to go into Closed Session for the purposes of Property, Personnel, and Potential Litigation. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 3-0 (Stepp/Roth/Hodge absent)

Mayor Santini closed Work Session at 6:33 P.M.

OPENING MEETING

Mayor Santini called the Council Meeting to order at 7:00 P.M.

Invocation by Council Member Cooley.

Pledge of Allegiance led by Council Member Wren.

The City Council met in Regular Session with Mathew Santini, Mayor presiding, and the following present: Kari Hodge, Council Member Ward One; Jayce Stepp, Council Member Ward Two; Calvin Cooley, Council Member Ward Four; Gary Fox, Council Member Ward Five; Taff Wren, Council Member Ward Six; Dan Porta, City Manager; Julia Drake, City Clerk; and Keith Lovell, Assistant City Attorney.

Absent: Cary Roth, Council Member Ward Three

REGULAR AGENDA

COUNCIL MEETING MINUTES

1. April 20, 2023, Council Meeting Minutes

Council Member Cooley made a motion to approve the April 6, 2023, Meeting Minutes. Council Member Wren seconded the motion. The motion carried unanimously. Vote: 5-0

APPOINTMENTS

2. Recreation Advisory Board – Josh Brock

Dan Porta, City Manager, stated the mayor's current appointee has requested that he be replaced on the Recreation Advisory Board. The mayor would like to appoint Josh Brock to fill the position and serve the remaining term until December 31, 2023.

Council Member Fox made a motion to approve the Recreation Advisory Board – Josh Brock Appointments. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 5-0

PUBLIC HEARING – 2nd READING OF ZONING/ANNEXATION REQUESTS

3. AZ23-01: 226 E Felton Rd

Applicant: Christopher Huth

Randy Mannino, Planning and Development Director stated the applicant requests annexation into the city. Recommended zoning is R-20.

Mayor Santini opened the public hearing for the zoning portion of the application. With no one to come forward, the public hearing was closed.

Mayor Santini opened the public hearing for the annexation portion of the application. With no one to come forward, the public hearing was closed.

Council Member Stepp made a motion to approve the annexation portion of AZ23-01: 226 E Felton Rd. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 5-0

Council Member Wren made a motion to approve the zoning portion of AZ23-01: 226 E Felton Rd. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Ordinance 14-23 and Ordinance 15-23

4. SU23-01: 401 & 403 N. Tennessee St.

Applicant: Duncan Auto Sales, Inc.

Mr. Mannino stated the applicant requests the continuation of a non-confirming use. The applicant is the owner of a used car business (401) and wishes to expand the business onto the adjacent property (403). The expansion will include additional parking and use of a private garage for repairing cars to be sold at the 401 N. Tennessee St. location.

Staff were not opposed to the request. The Planning Commission recommended approval 5-0.

Mayor Santini opened the public hearing.

Bobby Walker came forward to represent the applicant and to answer any questions.

With no one else to come forward, the public hearing was closed.

Council Member Stepp made a motion to approve SU23-01: 401 & 403 N. Tennessee St. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 5-0

SECOND READING OF ORDINANCES

5. Amendment to Alcohol Ordinance

Lillie Read, Downtown Development Authority Director stated the DDA Board is proposing a change to section 4-1 (Definitions) and section 4-59 (Pouring Licenses Limited to Certain Establishments) of the Alcohol Ordinance with the goal of providing JZ's Taste of Georgia with a path for keeping their current business open. DDA recommends approval. The Alcohol Control Board recommended denial 3-1.

Andrea Zmick, owner of JZ's, came forward and stated that approval of this ordinance would allow her to stay in business.

Council Member Stepp made a motion to approve the Amendment to Alcohol Ordinance. Council Member Wren seconded the motion. Motion carried. Vote: 4-1 with Council Member Hodge in opposition.

Reference Ordinance 16-23 and Ordinance 21-23

6. Alcohol Control Board – Attendance Ordinance

Keith Lovell, Assistant City Attorney, stated this ordinance is being proposed to outline the attendance requirements for Board Members.

Council Member Hodge made a motion to approve the Alcohol Control Board – Attendance Ordinance. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Ordinance 17-23

7. Planning Commission – Attendance Ordinance

Mr. Lovell stated this ordinance is being proposed to outline the attendance requirements for Board Members.

Council Member Fox made a motion to approve the Planning Commission – Attendance Ordinance. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Ordinance 18-23

8. Historic Preservation Commission – Attendance Ordinance

Mr. Lovell stated this ordinance is being proposed to outline the attendance requirements for Board Members.

Council Member Cooley made a motion to approve the Historic Preservation Commission – Attendance Ordinance. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Ordinance 19-23

9. Board of Zoning Appeals – Attendance Ordinance

Mr. Lovell stated this ordinance is being proposed to outline the attendance requirements for Board Members.

Public hearing was opened and with no one to come forward to speak for or against the item, Mayor Santini closed the public hearing.

Council Member Wren made a motion to approve the Board of Zoning Appeals – Attendance Ordinance. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Ordinance 20-23

FIRST READING OF ORDINANCES

10. Natural Gas Rates

Mr. Lovell stated Several ordinances relating to the Gas System rates is being updated in our Code of Ordinances, Chapter 24 – Utilities. Article IX, - Gas System. Division 2 – Rates.

This is a first reading and will be voted on at the May 18, 2023, City Council Meeting.

Council Member Hodge made a motion to add four (4) items to the agenda. Council Member Wren seconded the motion. Motion carried unanimously. Vote 5-0

BID AWARD/PURCHASES

11. Air Operator Purchase

Michael Dickson, Gas Department Director, stated the Gas System is requesting the purchase of an air powered operator for our Mueller tapping equipment. This piece of equipment will make our current specialized tapping and stopping operation more efficient by saving three hours of labor on each job. This equipment will also be used by Gas System personnel in place of contractor labor, saving approximately \$3,000 per job. The Mueller Company, LLC. is the sole

source provider of this equipment and they provided a quote of \$8,948.36. This is a budgeted item and Council's approval of this purchase was recommended.

Council Member Stepp made a motion to approve the Air Operator Purchase. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

CONTRACTS/AGREEMENTS

12. Pre-Demolition Asbestos Survey and Lead-Based Paint Screen

Steve Roberts, Parks and Recreation Director, stated Geo-Hydro will perform a pre-demolition asbestos survey and lead-based paint screen for the buildings located at 640 N. Tennessee St.

Council Member Hodge made a motion to approve the Pre-Demolition Asbestos Survey and Lead-Based Paint Screen. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

13. Subsurface Exploration and Engineering Evaluation – Aubrey Street Retaining Wall

Freddy Morgan, Assistant City Manager, stated that Geo-Hydro Engineers will provide geotechnical engineering services and an engineering report that provides a bearing capacity along the wall alignment for the proposed Aubrey Street retaining wall rehabilitation. We are asking for Council approval to enter into this agreement.

Council Member Fox made a motion to approve the Subsurface Exploration and Engineering Evaluation. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

14. Electric Department Building Renovation Proposal

Mr. Morgan stated this was the draft proposal for architectural and engineering services between the City of Cartersville and Croft and Associates for the renovation of the Electric Department facility.

Council Member Fox made a motion to approve the Electric Department Building Renovation Proposal. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

SURPLUS EQUIPMENT

15. Surplus Equipment

Mr. Morgan stated the list of vehicles/equipment provided was deemed as surplus by departments. If approved, they will be listed for sale on GovDeals.

Council Member Fox made a motion to approve the Surplus Equipment. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 5-0

ADDED ITEMS

16. Purchase of Six Patrol Vehicles

Mr. Porta stated that the Police Department was requesting approval to purchase five (5) patrol vehicles and one (1) unmarked vehicle to replace vehicles in their fleet. The older vehicles would be declared surplus. These vehicles are budgeted items for fiscal year 23/24 and would be paid for out of the General Fund.

The vehicles to be purchased are 2023 Chevrolet Tahoe Police two-wheel drive and will come equipped with lights, sirens, cages, push bumpers, consoles, partitions, etc. The vehicles would be purchased from Alan Jay Fleet Sales in Sebring, Florida and will be delivered in 30-60 days. The cost of the vehicles are as follows:

	<u>Unit Price</u>	<u>Total</u>
Five Chevrolet Tahoe Police Patrol	\$54,758.00	\$273,790.00
One Chevrolet Tahoe Police Admin.	\$48,175.00	<u>\$48,175.00</u>
		\$321,965.00

Council Member Cooley made a motion to approve the purchase of six patrol vehicles. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 5-0

17. Douthit Ferry Pre-Acquisition Project

Mr. Porta stated the preacquisition for this project is \$305,000 and recommended Council approval.

Council Member Fox made a motion to approve the Douthit Ferry Pre-Acquisition purchase. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

18. Settlement Agreement

Mr. Lovell stated the city had reached a settlement agreement with a previous employee, Larry Turner, for \$40,000 and recommended Council approval of the agreement.

Council Member Wren made a motion to approve the Settlement Agreement. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

19. Ante-Litem Notice

Mr. Lovell stated he had received an ante-litem notice regarding a slip and fall incident at Dellinger Park and recommended the Council to deny the notice.

Council Member Hodge made a motion to deny the Ante-Litem Notice. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Resolution 12-23

ADJOURNMENT

With no other business to discuss, Council Member Wren made a motion to adjourn.

Meeting Adjourned at 7:20 P.M.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:
/s/ _____
Julia Drake
City Clerk