

City Council Meeting
City Hall – Council Chambers
October 5, 2023
6:00 P.M. – Work Session
7:00 P.M. – Council Meeting

WORK SESSION

Mayor Matthew Santini opened Work Session at 6:03 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Mayor Santini closed Work Session at 6:44 P.M.

OPENING MEETING

Mayor Santini called the Council Meeting to order at 7:01 P.M.

Invocation by Council Member Roth.

Pledge of Allegiance led by Council Member Stepp.

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; Cary Roth, Council Member Ward Three; Calvin Cooley, Council Member Ward Four; Gary Fox, Council Member Ward Five; Dan Porta, City Manager; Julia Drake, City Clerk; and Keith Lovell, City Attorney.

Absent: Taff Wren, Council Member Ward Six

REGULAR AGENDA

COUNCIL MEETING MINUTES

1. September 21, 2023, Council Meeting Minutes

Council Member Fox made a motion to approve the September 21, 2023, Council Meeting Minutes. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

EMERGENCY READING OF ORDINANCES

2. Gas Rates Sec. 24-233 Correction

Keith Lovell, City Attorney, stated this Emergency Ordinance revision amends Article IX.- Gas System Division 2. – Rates Sec. 24-233, to correct the consumption price contained within the chart.

At the June 15th City Council meeting, this item was a first reading to amend some of the heat-only natural gas rates but failed to do a second reading of this ordinance, therefore, to get these rates adopted, it was recommended to approve this ordinance as an emergency reading.

Council Member Hodge made a motion to approve the emergency reading for the Gas Rates Sec. 24-233 Correction. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Ordinance 30-23

RESOLUTIONS

3. Pledging to Practice and Promote Civility

Dan Porta, City Manager, stated during his career with Cartersville, the Mayor and City Council have always respected each other's opinions, listened to differing viewpoints, and conducted themselves with civility and courtesy to each other. Due to the divisiveness that is going on at the Federal level and in other parts of the country, GMA has prepared a Resolution for cities in Georgia to adopt, and approval was recommended.

Council Member Fox made a motion to approve the Pledging to Practice and Promote Civility Resolution. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Resolution # 33-23

FIRST READING OF ORDINANCES

Mr. Lovell stated that the next two (2) items were not the first reading of ordinances, and they should be considered agreements.

4. Amendment and Restatement of the 1967 Retirement Plan

Mr. Lovell stated that City Council approved the Ordinance Amendment of the 1967 Pension Plan in August to allow the city to move plan assets to the Georgia Municipal Employees Benefit System (GMEBS). Within the past month, GMEBS has received an updated favorable approval letter from the Internal Revenue Service, which requires all cities to manage to adopt the newly restated plan documents. Therefore, our agreement with GMEBS will need to be modified to meet the new amendments to the overall Master Plan, along with some other minor plan updates to Cartersville's plan to have our plan more aligned with GMEBS's plan.

5. Amendment and Restatement of the 2017 Retirement Plan

Mr. Lovell stated that City Council approved the Ordinance Amendment of the 2017 Pension Plan in August to allow the city to move plan assets to the Georgia Municipal Employees Benefit System (GMEBS). Within the past month, GMEBS has received an updated favorable approval letter from the Internal Revenue Service, which requires all cities to manage to adopt the newly restated plan documents. Therefore, our agreement with GMEBS will need to be modified to meet the new amendments to the overall Master Plan, along with some other minor plan updates to Cartersville's plan to have our plan more aligned with GMEB's plan.

Council Member Hodge made a motion to approve the agreement modifications to the 1967 and 2017 Retirement Plan. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

SECOND READING OF ORDINANCES

6. Seasonal Policy on Electric Disconnects

Freddy Morgan, Assistant City Manager, stated this item is an electric disconnection seasonal policy addition. In the Summer, residential service will not be disconnected for non-payment if paid prior to 8:00 A.M. on the date of the scheduled disconnection, a National Weather Service Heat Advisory or Excessive Heat Warning is in effect or is forecasted to be in effect by the National Weather Service, in the county in which the meter scheduled for disconnection is located.

Council Member Fox made a motion to approve the Seasonal Policy on Electric Disconnects. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Ordinance #70-23

7. Natural Gas Rates

Mr. Morgan stated this is an update on the fees in the Code of Ordinances, Chapter 24 – Utilities. Article IX, - Gas System. Division 2 – Rates.

Council Member Cooley made a motion to approve the Natural Gas Rates. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Ordinance #71-23

BID AWARD/PURCHASES

8. New Vehicle for Administration Department

Mr. Morgan stated the Administrative Department needs an additional vehicle for use by multiple divisions for daily needs and training/travel. The previous vehicle, a 2004 Honda Pilot, has been transferred to the Public Works department. The request is to purchase a 2023 Ford Explorer in the amount of \$37,578.16. The requested vehicle is a non-budgeted item that will be covered by other departmental funds.

Council Member Fox made a motion to approve the New Vehicle for the Administration Department. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

9. Replacement Pick-Up Truck

Mr. Morgan stated the Parks and Recreation Department is requesting approval to purchase a 2023 Ford F-150 4x4 crew cab in the amount of \$48,086.32 to replace truck #708, a 2004 F-150. The requested truck replacement is a non-budgeted item that will be covered by other departmental funds.

Council Member Fox made a motion to approve the Replacement Pick-Up Truck. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

10. Pension Fund Investment Advisor Quarterly Invoice

Mr. Morgan stated Segal Marco Advisors has submitted their quarterly invoice. This invoice is paid from the Pension fund account in the amount of \$18,000.00 and is presented for approval.

Council Member Roth made a motion to approve the Pension Fund Investment Advisor Quarterly Invoice. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

11. Utility Associates Inc.

Frank McCann, Police Chief, stated the Police Department is requesting approval to purchase two Utility Associates in-car camera systems for our new patrol vehicles. This is a budgeted item and will be paid for utilizing S.P.L.O.S.T.

Council Member Stepp made a motion to approve the purchase from Utility Associates Inc. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

12. Motorola Radio Purchase

Chief McCann stated the Police Department is requesting approval to purchase seven Motorola in-car radios for our new patrol vehicles and the Bearcat which will be arriving in November 2023. This is a budgeted item and will be paid for out of S.P.L.O.S.T. funds.

Council Member Roth made a motion to approve the Motorola Radio Purchase. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

13. New Vehicles for Police Department

Chief McCann stated the Police Department is requesting approval for the purchase of two 2023 Chevrolet Tahoe's from Ginn Motor Company in the amount of \$96,380.00, this amount does not include the required add-ons, which have been requested not to exceed \$14,000.00 for a grand total of \$110,380.00. This is a budgeted request, to be paid from account 210-2110-54-2201.

Council Member Roth made a motion to approve the New Vehicles for the Police Department. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

Council Member Hodge made a motion to add two (2) items to the agenda. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

14. Switching Cubicles - Hanwha

Derek Hampton, Electric Department Director, stated the Electric Department is requesting authorization to purchase two switching cubicles to serve power to the upcoming Hanwha project. This is a sole-sourced item from Gresco, and the cost is a total of \$138,975.25. This is a budgeted expense.

Council Member Roth made a motion to approve the Switching Cubicles - Hanwha. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

15. Health and Vision Insurance Renewal for 2024

Mr. Porta stated that City staff met with One Digital, our health insurance agent, to review the health insurance proposals for 2024. Currently, City Employees are covered through Anthem (BC/BS) Insurance with the option of Point of Service (POS) or a Health Savings Account (HSA) insurance plan. Anthem first proposed a 16.6% rate increase on our account for 2024, and we had One Digital obtain proposals from other companies.

After receiving other proposals and meeting with One Digital, we have successfully negotiated only a 3.43% rate increase from Anthem for 2024. Based on our claims history, this is a more realistic rate increase.

A couple of changes that were proposed to make with this renewal is for the city to contribute 90% towards any employee's coverage under the Health Savings Account (HSA) coverage provided by Anthem, as employees are taking on more of the costs by paying a deductible first before having any doctor visits or hospitalization costs covered by Anthem. Currently, we only have four individuals covered under this plan. Decreasing their cost may incentivize other employees to take this coverage.

Also, it was recommended that the city begin to pay 80% of the monthly premiums for all our coverage types (employee only; employee/spouse; employee/child(ren); and family) to provide affordable insurance premiums, particularly for those who have family insurance which the city is only paying 75% of the insurance premium. By going to this new model, single employees would have to pay 5% more as they are only paying 15% of the monthly premium, and employees with family coverage would be paying less as they are currently paying 25% of the monthly premium. The other two-tier types (employee/spouse and employee/child(ren) are already paying 20% of the monthly premium.

In addition, One Digital has provided the Vision Insurance renewal from Anthem, which is a voluntary insurance (employee pays 100% of premium) at the same premium. These are budgeted items. It was recommended to approve the renewal of health and vision insurance coverage with Anthem Insurance for 2024.

Council Member Stepp made a motion to approve the Health and Vision Insurance Renewal for 2024. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

16. Tennis Court and Pickleball Resurfacing

Steve Roberts, Parks and Recreation Department Director, stated Parks and Recreation is seeking approval to resurface five tennis courts and repurpose courts 6-7 to permanent Pickleball Courts.

This project went to RFP on July 24, 2023, and remained until August 30, 2023, but we didn't receive any bids. Quotes were solicited from Signature Tennis, Talbot Tennis, and Court Makers, and Signature Tennis was the only Contractor who could start this year.

They will resurface the courts, tape and fill cracks, sand and repaint net poles, and paint new lines on the tennis courts. Install twelve net posts and six center anchors, a 4-foot fence for separation, six new pickleball nets with straps, and paint lines for the pickleball courts for \$98,400.00.

This is a budgeted expense, \$80,000 paid from Operating Expenses 100-5100-52-2341 and the remaining \$18,400 from Capital Expenses 100-5100-54-1301. Approval was recommended.

Council Member Cooley made a motion to approve the Tennis Court and Pickleball Resurfacing. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

17. WPCP Filter Media

Sidney Forsyth, Water Department Director, stated that the disk filters at the Water Pollution Control Plant require periodic cloth media replacement. A quote was received from the sole source provider and manufacturer of the filters and media for 32 replacement cloth filter "socks". Approval was recommended to purchase these items from Aqua-Aerobic Systems, Inc. for \$16,448.00. This is a budgeted maintenance item to be paid from account #505.3330.52.2361.

Council Member Roth made a motion to approve WPCP Filter Media. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

CONTRACTS/AGREEMENTS

18. Tallant Howell Engagement Agreement

Mr. Forsyth stated with regards to the new allocation of water storage in Lake Allatoona, it is necessary to execute an inter-governmental agreement with Bartow County for the sharing of that space since the allocation is in the name of both entities. Bartow County has engaged an attorney with specific experience in this type of negotiation, and the City should do likewise. It was recommended for the mayor sign a letter of engagement with Kevin Tallant of the Tallant Howell firm of Cumming, Georgia. Kevin successfully negotiated on behalf of the City of Cumming, for a similar agreement with Forsyth County.

Council Member Hodge made a motion to approve the Tallant Howell Engagement Agreement. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

19. Sewer Extension Delegation Agreement

Mr. Forsyth stated for the Cartersville Water Department to review and accept certain extensions to the sanitary sewer system, this authority must be specifically delegated by the Georgia Environmental Protection Division (EPD). After reviewing the City's sewer specifications and qualifications, the EPD has offered a delegation agreement.

Council Member Roth made a motion to approve the Sewer Extension Delegation Agreement. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

20. Rescission of Pine Grove Acquisitions & Douthit Ferry-Walnut Grove Dirt Agreements

Mr. Porta stated on May 18, 2023, City Council approved the Pine Grove Acquisitions & Douthit Ferry-Walnut Grove Dirt Agreement, which allowed the developer of the property across the new Water Administration Building to obtain the excess dirt from City property in exchange for the City to collect the excess dirt from John Cummings property. Property buyers have since changed, and the City would like to rescind these contracts.

Council Member Stepp made a motion to approve the Rescission of Pine Grove Acquisitions & Douthit Ferry-Walnut Grove Dirt Agreements. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

BID AWARD/PURCHASES

21. Public Works' Roof

Steven Foy, City Engineer, stated the roof of the Main Office of the Public Works facility, 330 S. Erwin Street, needs repair. The existing metal roof is estimated to be 40 years old and has several leaks. Bids were requested for the roof replacement, with 24 gauge standing seam metal panels, and the replacement of gutters and downspouts. We received estimates/proposals from Caliber Construction, All Around Roofing, and Alltop Roofing ranging from \$31,200.00 to \$45,000.00.

This is a budgeted item, and Public Works recommends approval of the lowest estimate from Alltop Roofing at \$31,120.00, with an amount not to exceed \$40,000.00 due to the potential need for decking repair.

Council Member Cooley made a motion to approve the Public Works' Roof. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

ADDED ITEMS

22. Fourth Amendment to Commercial Property Lease Agreement

Mr. Lovell stated that when the City of Cartersville purchased the property located at 640 N. Tennessee Street, there was a tenant at the location. It was previously agreed upon to allow Mr. Todd Dover to remain at the location, while maintaining the upkeep of the property. Mr. Dover's lease expired on July 31, 2023.

The City of Cartersville would like to extend Mr. Dover's lease until April 30, 2024. Currently, the lease states the extension to be until January 31, 2024, but requested the City Clerk to edit the lease to reflect the new expiration date of April 30, 2024.

Council Member Hodge made a motion to approve the Fourth Amendment to the Commercial Property Lease Agreement with an expiration date of April 30, 2024. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

23. Emergency Moratorium – Carter Grove

Mr. Lovell stated on December 15, 2022, the City Council approved a moratorium on development in the Carter Grove subdivision due to the inadequacy of the hydrants to have sufficient water pressure. This moratorium was set to expire on December 31, 2023.

Currently, the water pressure testing is in the final stages and this ordinance will allow the City Manager to cancel the moratorium at the time that testing is completed.

Council Member Hodge made a motion to authorize Dan Porta to administratively cancel the moratorium for Carter Grove. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

OTHER

24. Mission Road Sidewalk Discussion

Mr. Foy stated leadership within the City of Cartersville has expressed an interest in providing pedestrian connectivity along West Cherokee Avenue/Mission Road from where the existing sidewalk along West Cherokee Avenue ends at Charles Street to the existing sidewalk approximately 660 feet west of Duncan Drive. A cost estimate to install a 5-foot sidewalk in two phases has been obtained.

Phase 1 expands from Charles Street to Stately Oaks Drive, estimated cost at \$3,392,400, and Phase 2 expands from the railroad crossing just west of Silo Drive to approximately 660 feet west of Duncan Drive, estimated at \$2,890,102. Each phase requires a bridge replacement and a pedestrian crossing at the railroad tracks.

The cost for a multi-use trail would be approximately twice that of a 5-foot sidewalk since a multi-use trail is 10 feet wide and requires additional right of way.

Mr. Porta added that in March 2023, the Council approved the consultation portion of this project which would allow the City of Cartersville to pursue a consultant to get more information on what this project would cost. This is in no way an approval to move forward with the project as this item was simply a discussion.

Allan Forsyth, 25 Blackfoot Dr., came forward to speak for the project.

Tom Hall, 19 Brooklyn Dr., came forward to speak for the project.

PUBLIC COMMENTS

Melanie and William Butt, 23 Sterling Court, came forward to express their disapproval for the new retail establishment located in the downtown area. They stated it was offensive to have such in a window display.

Carol Weiss, 10 Felton Ct., came forward to ask for an exception for their fence and stated Code Enforcement had stated the fence had to come down because it was located on an easement.

Nicole Frances, 22 Felton Walk Blvd., came forward to express the same sentiments as Ms. Weiss regarding the fence.

Mr. Lovell stated he would investigate the cases and would get back in touch with them both. In closing, he did take their contact information so that he could follow up.

ADJOURNMENT

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

Meeting Adjourned at 7:41 P.M.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:
/s/ _____
Julia Drake
City Clerk