

City Council Meeting  
City Hall – Council Chambers  
January 18, 2024  
6:00 P.M. – Work Session  
7:00 P.M. – Council Meeting

## **WORK SESSION**

Mayor Matthew Santini opened Work Session at 6:02 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Mayor Santini closed Work Session at 6:37 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 Hodge.

The City Council met in Regular Session with Matthew 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; Alyssa Cordell, Council Member Ward Six; Dan Porta, City Manager; Julia Drake, City Clerk; and Keith Lovell, City Attorney.

## **REGULAR AGENDA**

### **COUNCIL MEETING MINUTES**

#### **1. January 4, 2024, Council Meeting Minutes**

Council Member Fox made a motion to approve the January 4, 2024, Council Meeting Minutes. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 6-0

### **OTHER**

#### **2. FY2023 Audit Presentation**

Tom Rhinehart, Finance Department Director, stated that Christopher McKellar with Mauldin and Jenkins would give a presentation on the city's FY 2023 annual audit.

Mr. McKellar gave an overview of the FY2023 Audit.

Dan Porta, City Manager, took a moment to thank Mauldin and Jenkins for their services, Mr. Rhinehart, and his staff for their diligence in facilitating and all department heads for being conscious of the annual budget.

## **APPOINTMENTS**

### **3. Planning Commission**

Randy Mannino, Planning and Development Director stated Lamar Pendley, Steven Smith, and Alissa Cooley would like to continue serving as Board Members of the Planning Commission. Mr. Pendley's new term as the Mayor's Appointee will expire on January 31, 2026. Mr. Smith's and Mrs. Cooley's terms will expire January 31, 2028. Additionally, Council Member Alyssa Cordell would like to appoint John Clayton to replace Jeffrey Ross, with a new term expiring January 31, 2028.

Council Member Fox made a motion to approve the Planning Commission reappointments and appointment of the Planning Commission Members. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 6-0

## **PUBLIC HEARING – 1<sup>st</sup> Reading of Zoning/Annexation Requests**

### **4. Z23-06: Rezoning Application Center Road Townhomes**

Mr. Mannino stated this was a rezoning of approximately 103.85 acres from R-20 (Single Family Residential) to RA-12 (Residential Attached) for the development of approximately 199 Townhouse units on Center Rd adjacent to I-75.

Staff does not oppose the rezoning and recommends the following conditions if the zoning is approved:

- 1) No more than 199 lots/units shall be built in Etowah Preserve Phase 2 as presented in this application and on the concept plan.
- 2) No development or Finished Floor Elevation (FFE) is to occur above the 1050 ft elevation without the review and approval of the Water Department.
- 3) A 50ft. buffer must be provided between the development and the Proposed Center Road Re-alignment.
- 4) A 50ft. buffer must be provided between the development and the Right-of-Way for Interstate 75.
- 5) Developer to provide necessary easements for a natural gas line extension on the property from Center Rd to Hwy 20.
- 6) As referenced in the letter from Commissioner Steve Taylor, the owner/developer is required to leave in place the unnamed county service road on property identified as Tax Parcel C108-0001-001 and access to Center Road from adjoining properties, identified as Tax Parcel ID Nos. 00780172-001 and 0078-0101-001, or to provide an alternative solution for access to Center Road for said adjoining properties.
- 7) Incorporate the A&R Engineering, Inc traffic study recommendations dated April 20, 2023, into the approved site plans.

In closing, Mr. Mannino stated that the Planning Commission recommended denial, 4-0.

Mayor Santini opened the public hearing.

Karl Lutjens, 114 Old Mill Rd. came forward to represent the applicant. He gave an overview of the application and reviewed the benefits for the community.

Chris West, Douglasville, representative of Merrill Trust, to state that the owner was aware of the zoning but was unaware of the conditions on the zoning.

Continuing, Mr. Lutjens stated that if approved, it was projected to break ground in approximately a year and that the applicant found the conditions acceptance.

Bobby Walker, 15 S. Public Square, representative for Tilley Properties Inc., came forward to discuss the progress of working on an easement agreement and that Tilley Properties Inc is in favor of the application.

Guy Taff, 56 Cassville Rd., came forward to state that he is in favor of the application.

With no one else to come forward to speak for or against the application, the public hearing was closed.

Discussion commenced regarding the impact of these homes on the school system and the reason that the Planning Commission denied the application.

Mr. West returned and stated that he did not want to speculate on the number of bedrooms these units would have but would be willing to adhere to any condition that the Mayor and Council wanted to impose with a bedroom number requirement.

Mr. Lutjens returned to the podium to state during the Planning Commission Meeting, he stated that all bedrooms would be three-bedroom as a worst-case scenario in reference to the impact it would have on the school system. Furthermore, he stated that there are approximately 200 less students enrolled in the Cartersville School System compared to 2018 and 2020. The 199 proposed homes would have little impact on the school system, in his opinion.

This was a first reading and would be voted on at the next scheduled City Council Meeting scheduled for February 1, 2024.

## **5. Z24-01: 109/111 Douglas Street**

Mr. Mannino stated the applicant requested a change in zoning from P-S (Professional Services) to M-U (Multiple Use) for approximately 0.5 acres located at 109 & 111 Douglas St. in Land Lot 410 of the 4th District, 3<sup>rd</sup> Section. Tax ID No. C004-0011-009. The applicant proposes the rezoning to allow a landscape company to operate and have outdoor storage of landscape supplies. A Special Use permit, SU24-01, is also to be reviewed per the M-U ordinance requirements. In closing, Mr. Mannino stated the Planning Commission recommended approval 3-0.

Mayor Santini opened the public hearing.

Daneise Archer, 704 West Ave, applicant, came forward to represent the application and stated that Appalachian Landscape would be using 105 Douglas Street as their office and was interested in also leasing 109/111 Douglas Street as storage for their landscape material. Continuing, she stated that the largest piece of equipment that would be stored at this property would be a bobcat. Furthermore, Ms. Archer stated she owned the property of 212 N. Tennessee St. and is willing to allow Appalachian Landscape to utilize the Tennessee St. property as the main entrance and exit for the Douglas Street property and proceeded to show a visual of this proposed entrance/exit.



Nena Jones, 112 Douglas St., came forward and stated that she was in favor of the application, however, wanted to ensure that the residential feel of Douglas Street was preserved.

With no one else to come forward to speak for or against the application, the public hearing was closed.

This was a first reading and would be voted on at the next scheduled City Council Meeting scheduled for February 1, 2024.

#### **6. SU24-01: 109 Douglas St.**

Mr. Mannino stated the applicant is proposing the rezoning, Z24-01, of the 0.50-acre property located at 109 Douglas St. from the P-S (Professional Services) zoning district to M-U (Multiple Use). The rezoning is to allow a landscape company (Specialty Contractor) to operate and have outdoor storage of landscape supplies. A Special Use permit is required by the M-U district zoning ordinance to allow outdoor storage of landscape materials and supplies.

The Planning Commission recommended approval, 3-0 with the following conditions:

- The special use permit is valid only for the named applicant, title holder and specialty contractor associated with the application.
- A visual screen is to be installed along the property lines that abut a residential zoning district or land use.

- Driveway access to Douglas St. is not allowed. Driveway access to Tennessee St will be provided by applicant through applicants' property.

Mayor Santini opened the public hearing.

Ms. Archer returned and stated that Appalachian Landscape did state that they would ensure that the lot would be landscaped and would appeal to the community and was willing to adhere to the conditions set forth by the Planning Commission.

Mr. Lovell asked Ms. Archer to have Appalachian Landscape provide a list of items and equipment that would be proposed to be stored at the location before the second reading of the application on February 1, 2024.

With no one else to come forward to speak for or against the application, the public hearing was closed.

This was a first reading and would be voted on at the next scheduled City Council Meeting scheduled for February 1, 2024.

#### **7. T24-01: 135 Wansley Dr.**

Mr. Mannino stated this is a Text Amendment to Chapter 26, Zoning, Article X, Industrial district Regulations, Sec. 10.2, Heavy Industrial District, to add "Automotive storage yards and wrecker service" as a permitted use in Sec. 10.2.2 (A). This use is allowed in the Light Industrial zoning district, but not in Heavy Industrial. Staff members do not oppose the amendment. The Planning Commission recommended approval 4-0.

Mayor Santini opened the public hearing.

Darrell Simpson, 135 Wansley Dr., came forward and apologized for not knowing this not an allowed use of Heavy Industrial.

With no one else to come forward to speak for or against the application, the public hearing was closed.

This was a first reading and would be voted on at the next scheduled City Council Meeting scheduled for February 1, 2024.

Jayce Stepp left the meeting at 8:07pm.

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

### **FIRST READING OF ORDINANCES**

#### **8. Water and Sewer Capacity Fee Update.**

Sidney Forsyth, Water Department Director, stated on May 25, 2000, the City adopted a water and sewer capacity fee ordinance in addition to its normal rates for water and sewer service. The water and sewer capacity fees are deposited into a dedicated City account to fund the expansion and extension of the City's water, wastewater, and sewer facilities and/or capacity.

Since the initial ordinance adoption, these capacity fees have not been amended. The City contracted with Hazen & Sawyer to study and update these fees. The resulting recommendations are reflected in this ordinance update. The fee changes reflect the actual cost of capacity expansion and extension of City water and sewer facilities and treatment.

These one-time fee increases, based on a single-family home inside the city, with ¾” meter service will increase by \$160.00 for water and \$170.00 for sewer. Fees for services with larger than 4” meters will be based on an equivalent residential unit (ERU) cost per gallon of capacity requested.

Mr. Lovell stated that there was a study done and this information needed to be recorded in the meeting.

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

This was a first reading and would be voted on at the next scheduled City Council Meeting scheduled for February 1, 2024.

## **RESOLUTIONS**

### **9. Excess Right of Way Road Abandonment – Old Mill**

Mr. Lovell stated the City has deemed that it is in the best interest to abandon the excess right of way in Land Lots 633 and 634, 4th District, 3rd Section, City of Cartersville, Bartow County, Georgia as indicated on Exhibit “C” is no longer necessary for the municipal street system and no substantial public purpose is served by it and that the City shall be relocating traffic in the adjacent area and as such; that said excess right of way in Land Lots 633 and 634, 4th District, 3rd Section, City of Cartersville, Bartow County, Georgia indicated on Exhibit “C” is declared to longer be part of the City of Cartersville Municipal Street System and the rights of the public in and to that section of the Municipal Street Section shall cease as of January 19, 2014, and quitclaimed as indicated on Exhibit “D.” It was requested to authorize the Mayor and City Clerk to sign and execute all documents necessary for the transfer.

Council Member Hodge made a motion to approve the Excess Right of Way Abandonment – Old Mill Resolution. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Resolution 02-24

## **CONTRACTS/AGREEMENTS**

### **10. Visioning Session Agreement with Catherine Bennett Consulting, LLC**

Mr. Porta stated in preparation for our January 2024 City Council Visioning, the proposal to contract with Catherine Bennett Consulting to facilitate our meetings was recommended. This is a budgeted item.

Council Member Fox made a motion to approve the Visioning Session Agreement with Catherine Bennett Consulting, LLC. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

## **11. Geo Hydro Inspections and NPDES Compliance Services**

Freddy Morgan, Assistant City Manager, stated Geo-Hydro Engineers will provide construction materials testing, special inspection, and NPDES compliance services for the new CFD Fire Station #5. These services are needed throughout the construction process. We are asking for Council approval to enter into this agreement.

Council Member Roth made a motion to approve the Geo Hydro Inspections and NPDES Compliance Services. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

## **12. SpryPoint Customer Portal – Discovery and Integration Documents**

Mr. Morgan stated SpryPoint has submitted a discovery and two integration agreements for approval as we move forward with the Customer Portal implementation. These agreements have been reviewed internally and with our partners Invoice Cloud and Sensus.

Council Member Fox made a motion to approve the SpryPoint Customer Portal – Discovery and Integration Documents. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

## **BID AWARD/PURCHASES**

### **13. SpryPoint Customer Portal Annual Subscription Invoice**

Mr. Morgan stated that SpryPoint has submitted a discovery and two integration agreements for approval as we move forward with the Customer Portal implementation. These agreements have been reviewed internally and with our partners Invoice Cloud and Sensus. Approval was recommended.

Council Member Fox made a motion to approve the SpryPoint Customer Portal Annual Subscription Invoice. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

### **14. SuperVac Fans Purchase**

Hagen Champion, Assistant Fire Chief, stated this was for the purchase of two SuperVac positive pressure ventilation fans for the new engines expected to arrive in the spring of 2024. We sought quotes from three authorized dealers and received three quotes back and selected the lowest quote from Ten-8 Fire & Safety with a total pricing of \$10,295.46. SuperVac fans match the equipment we have placed on the new Tower and eliminate Carbon Monoxide exhaust exposure for firefighters or citizens when ventilating a building. This request is within the budgeted amount as a capital expense for FY 23/24 and will be paid for through the general fund and reimbursed through the 2020 SPLOST as funds become available.

Council Member Cooley made a motion to approve the SuperVac Fans Purchase. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

## **15. Pipe Purchase Grassdale Road Improvements**

Michael Dickson, Gas Department Director, stated the Gas System is requesting the purchase of 2,870 feet of 4-inch steel pipe for the Grassdale Road Improvements Project. Three bids were requested but only two were submitted. Irby Utilities of Kennesaw, GA submitted the low bid of \$27,781.00. This is a budgeted item and Council's approval to accept this bid was recommended.

Council Member Hodge made a motion to approve the Pipe Purchase Grassdale Road Improvements. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

## **ADDED ITEMS**

### **16. Employee Wellness Incentive**

Mr. Porta stated that the Walmart Gift Cards are an incentive for employees to participate in the Wellness Program. This incentive is reimbursable by our insurance company.

Council Member Roth made a motion to approve the Employee Wellness Incentive. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

### **17. Grassdale Road Sidewalk Project Utility Certification**

Steven Foy, City Engineer, stated the Georgia Department of Transportation District Utilities Manager will need a utility certification letter for Grassdale Road Sidewalk Project (P.I. 0016638) prior to the project plans being finalized. Staff recommended the certification letter be signed so that the utility certification for Grassdale Road Sidewalk Project (P.I. 0016638) can be completed, which will keep this project moving forward and on schedule. The Georgia Department of Transportation has programmed funding for the utility work that must be done.

Council Member Fox made a motion to approve the Grassdale Road Sidewalk Project Utility Certification. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

### **18. Amendment to Cartersville-ECCO AMI Agreement**

Mr. Morgan stated our original agreement was signed on December 7, 2023, needed to be amended to extend the deadline from December 31, 2023, to December 31, 2024.

Council Member Fox made a motion to approve the Amendment to Cartersville-ECCO AMI Agreement. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

### **19. Certificate of Dedication and Maintenance Agreement**

Mr. Lovell stated this was for Water and Sewer for the project known as Brightside at Cloverleaf. It was recommended for approval.

Council Member Cooley made a motion to approve the Certificate of Dedication and Maintenance Agreement. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0



**20. Historic Preservation Grant Resolution**

David Hardegree, Planning and Development Assistant Director stated this was a grant application to assist local historic preservation projects and funding of the survey required every ten (10) years. The city will provide a 40 percent local cash match for the total contribution not to exceed \$16,000.00. Approval was recommended to authorize the filing of the grant application.

Council Member Hodge made a motion to approve the Historic Preservation Grant Resolution. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Resolution 03-24

**MONTHLY FINANCIAL STATEMENT**

**21. November 2023 Financial Report**

Mr. Rhinehart presented the November 2023 Financial Report and compared the numbers to November 2022.

**ADJOURNMENT**

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

Meeting Adjourned at 8:20 P.M.

/s/ \_\_\_\_\_  
Matthew J. Santini  
Mayor

ATTEST:  
/s/ \_\_\_\_\_  
Julia Drake  
City Clerk