

City Council Meeting  
10 N. Public Square  
July 21, 2022  
6:00 P.M. – Work Session  
7:00 P.M. – Council Meeting

## **WORK SESSION**

Mayor Matthew Santini opened Work Session at 6:05 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Council Member Stepp made a motion to enter into a Closed Session for the purposes of Potential Litigation. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

Mayor Santini closed Work Session at 6:58 P.M.

## **OPENING MEETING**

Mayor Santini called the Council Meeting to order at 7:02 P.M.

Invocation by Council Member Roth.

Pledge of Allegiance led by Council Member Fox.

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; 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: Calvin Cooley, Council Member Ward Four

## **REGULAR AGENDA**

### **COUNCIL MEETING MINUTES**

#### **1. July 7, 2022**

Council Member Fox made a motion to approve the July 7, 2022 Council Minutes. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

### **SECOND READING OF ORDINANCES**

Council Member Wren made a motion to appoint Council Member Cary Roth as acting Mayor Pro-Tem. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

Mayor Santini recused himself and left the Council Chambers. Acting Mayor Pro-Tem Roth called the next item.

## 2. Two-Hour Parking Ordinance Amendment

Dan Porta, City Manager, stated the city received a request from a local business for four spaces dedicated to two-hour parking along Church Street. After reviewing current ordinances and looking at other areas within or near downtown Cartersville, the request for four two-hour parking spaces makes sense, especially when Cartersville High School is in session; approval was recommended of the change to the ordinance upon the second reading.

Council Member Fox made a motion to approve the Two-Hour Parking Ordinance Amendment as amended. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 4-0

### Ordinance no. 16-22

Now be it and it is hereby ordained by the Mayor and City Council of the City of Cartersville, that the CITY OF CARTERSVILLE CODE OF ORDINANCES, CHAPTER 12 – MOTOR VEHICLES AND TRAFFIC. ARTICLE XI. - TRAFFIC SCHEDULES. Sec. 12-1006. – Two-hour parking. (a) is hereby revised by adding the following to paragraph (a):

1.

#### Sec. 12-1006. – Two-hour parking. (a)

Parking is limited to two (2) hours, Monday through Friday, 8:00 a.m. through 5:00 p.m., excluding official City holidays, and except as designated herein, at the following locations:

Church Street, from N. Tennessee Street to N. Dixie Avenue.

2.

All other existing provisions of Sec. 12-1006 (a) shall remain as is.

3.

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 the sections of this ordinance may be renumbered to accomplish such intention and any ordinance or part thereof not amended shall remain in effect and be unchanged.

#### BE IT AND IT IS HEREBY ORDAINED.

FIRST READING: July 7, 2022  
SECOND READING: July 21, 2022

ATTEST:

  
JULIA DRAKE, CITY CLERK

  
MATTHEW J. SANTINI, MAYOR



Mayor Santini returned to the Council Chambers.

## **PUBLIC HEARING – 1<sup>ST</sup> READING OF ZONING/ANNEXATION REQUESTS**

### **3. SU 22-02 40 Curtis Ct.**

**Applicant: Andrew Schultz**

Randy Mannino, Planning and Development Director, stated the applicant requests a Special Use Permit to allow Cheerleading/gymnastics facilities and indoor athletic training facilities in the H-I (Heavy Industrial) zoning district.

Planning Commission Meeting: 7-12-22. Planning Commission recommends approval (6-0).

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

This is a first reading and will be voted on at the August 4, 2022 City Council Meeting.

## **FIRST READING OF ORDINANCES**

### **4. Southern Cove: Jayson Frederick**

Mr. Mannino stated that the owners of Southern Cove, Jayson and Ellis (Buddy) Frederick, are proposing a change to the Specialty Shop Code of Ordinances to allow distilled spirits to be sold. Currently, the code only allows craft beer and wine sales. In addition, they are requesting that the percentage of sales to be changed from 35% to 49% and to change the craft beer requirement to allow any beer, including domestic beer.

Jayson Frederick, 63 River Walk Pkwy, and Buddy Frederick, 388 Oliver Dr., Dallas, came to the podium to represent their proposal and stated that they are currently selling wine based spirits and alcohol sales in their establishment is currently only 11%, with the remaining 89% being from retail sales.

Mayor Santini inquired the reasoning of changing the percentage of alcohol sales from 35% to 49% to which Mr. Jayson Frederick stated that his establishment is not needing the change but is requesting the change to be more consistent with the Cigar Bar Ordinance.

Continuing, Mayor Santini asked why the request to serve domestic beer. Mr. Jayson Frederick stated that even though Southern Cove offers 52 craft beers, several customers prefer a beer that they are familiar with. With this being said, the domestic beer, if approved, would replace a few of the craft beer, however, craft beer will remain as it offers a unique feel to the establishment. Overall, Mr. Frederick just wants to have more of a selection for his customer base.

This is a first reading and will be voted on at the August 4, 2022 City Council meeting.

## **5. Downtown Business Improvement District Ordinance**

Keith Lovell, Assistant City Attorney, stated the necessary 51% of signatures from property owners were obtained and the Public Hearing was held at the July 7, 2022 City Council meeting without any comments. The DDA is seeking Council's approval to adopt the Downtown Business Improvement District ordinance and Intergovernmental Agreement.

DDA staff and board, as well as city staff, have reviewed the BID information and approval was recommended.

This is a first reading and will be voted on at the August 4, 2022 City Council Meeting.

## **RESOLUTIONS**

### **6. Creation of Festival Zones**

Lillie Read, Downtown Development Authority Director, stated this request was for the creation of a Festival Zone for Sunday, September 18 for Intercultural Festival's Tacos and Jaritos event.

Council Member Roth asked why the Intercultural Fest is always held on a Sunday.

William Moses, 23 Green Apple Ct, came forward to state that the cost of musicians and other rentals are at a lower cost on Sundays.

Council Member Wren made a motion to approve the Creation of Festival Zone. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

**Resolution No. 17-22**

**of the**

**City of Cartersville, Georgia**

**WHEREAS, the Cartersville City Council approved a Festival Ordinance in 2014; and**

**WHEREAS, the Downtown Development Authority (DDA) wishes to establish a Festival Zone for the following events to be held downtown:**

09/18 Intercultural Festival (1pm-7pm)

**WHEREAS, the DDA Board recommends that these events be designated a controlled Festival Zone; and**

**WHEREAS said Festival Zone will allow those of 21 years and older, who show proof of identification and receive a wristband or other means of identification, be allowed to consume purchased alcoholic beverages within the Festival Zone; and**

**WHEREAS, the Director of Planning and Development will receive all necessary proposals and applications prior to each event with the understanding that alcoholic beverages will only be sold by an approved alcohol-license holding businesses or caterer.**

**NOW, THEREFORE BE IT RESOLVED by the City of Cartersville that the above listed events be designated a Community Festival Zone.**

**ADOPTED this the 21th day of July 2022.**

*/s/ Matt Santini*  
**Matt Santini**  
**Mayor**

**ATTEST:**

*/s/ Julia Drake*  
**Julia Drake**  
**City Clerk**



**CONTRACTS /AGREEMENTS**

**7. Water and Sewer Rate Study**

Sidney Forsyth, Water Department Director, stated the most recent water and sewer rate study was performed in 2000, and is well overdue for updating.

Hazen and Sawyer Engineering has proposed to develop a Dynamic Water and Wastewater Rate Analysis Model (Microsoft Power BI Model). This model will be used to evaluate flat and consumptive charges, connection and capacity fees, wastewater surcharges, and capital improvement projects and plans. Once completed, the model will be owned and used by City staff to update rates and fees to maintain financial stability while continuing to focus on fairness to customers.

Hazen has proposed to complete the model in six months from notice to proceed for a cost not to exceed \$98,000.00. This is a budgeted expense that will be paid from account 505.3320.52.1305.

Council Member Fox\_ made a motion to approve the Water and Sewer Rate Study. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

## **8. Annual EPD Water Testing Contract**

Mr. Forsyth stated the invoice is for water quality testing performed by the Department of Natural Resources Environmental Protection Division (EPD) Drinking Water Program. The EPD laboratory has performed this annual testing for the City for many years. The fee is based on the population served by a water system and has been \$9,200 for the past nine years. Using the EPD laboratory has the benefit of streamlined reporting and being 100 % method compliant.

Approval was recommended for payment of the invoice and authorization to contract with EPD for drinking water analysis for the period 7/1/2022 to 6/30/2023. This is a budgeted item and will be paid through account 505.3310.52.1600 – Other Services and Fees.

Council Member Fox made a motion to approve the Water and Sewer Rate Study. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

## **BID AWARD/PURCHASES**

### **9. Towable Compressors**

Mr. Forsyth stated The Water Department uses two towable air compressors to power jackhammers, tapping machines, and various other pneumatic tools. The current compressors were purchased in 1995 and 1996 respectively, and have needed replacement for a couple of years.

Quotes were requested and received, with the lowest bid from Flint Equipment Company for \$26,000.00 each. The items are currently in stock and available for immediate delivery.

It was recommended to purchase two replacement compressors from Flint Equipment Company for a total of \$52,000.00. This is a budgeted item to be paid from account 505.3320.54.3404.

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

## **10. Natural Gas Main Extension Great Valley Commerce Center**

Brian Friery, Gas Department Assistant Director, stated sealed bids were opened for this project on July 7, 2022 following a four-week advertisement in the City's official organ and postings on the Georgia Procurement Registry as well as the City's official website. Out of two (2) bid proposals received, the low bid was submitted by Southeastern Natural Gas Services of Rome, Inc. of Lindale, Georgia in the amount of \$194,100.00. The second bid was submitted by Pride Utility Construction Company LLC of Chestnut Mountain, Georgia in the amount of \$206,400.00.

By an engineer's estimate prepared October 12, 2021, the construction cost of this project was estimated at \$122,000.00 with a portion of the materials provided by the City. The bid proposal received is significantly higher than the estimate based on today's volatile costs associated with labor, equipment, materials and fuel. This project, however, is fully reimbursable by a separate Extension Agreement between the City and the Developer approved by Council at the regular June 2, 2022 Council Meeting whereas the Developer agrees to reimburse the City all of the costs associated with this project.

The Developer has been notified of the bid proposal received and has accepted the amount. Southeastern Natural Gas Services of Rome, Inc. has completed numerous projects for the Gas System in the past and is fully capable of satisfactorily completing this project. The Gas System, therefore, recommends the City award the construction contract for this project to Southeastern Natural Gas Services of Rome, Inc. in the total amount of \$194,100.00.

Council Member Roth made a motion to approve the Natural Gas Main Extension Great Valley Commerce Center. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

## **11. Super 104 Mower**

Tom Gilliam, Parks and Recreation Director, stated this item for the Super 104 Mower that is the same mower from the other 2 previously approved Super 104's from a few months ago. Taylor Outdoor Power Equipment has given us a price in the amount of \$25,644.00 with a delivery date of mid to late August. This Super 104 Mower will cut Rectangular Fields (Football/Soccer) in under 10 minutes. It will also cut Diamond Shaped Fields (Baseball/Softball) in under 7 minutes. Adding this 3<sup>rd</sup> Super 104 mower will allow our Parks Maintenance staff to get to other projects needed throughout the grass-cutting season by saving even more time during each week. This is a budgeted item.

Council Member Hodge made a motion to approve the Super 104 Mower. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

## **12. Annual Membership in the Northwest GA Regional Commission**

Mr. Porta stated these are the annual dues for the membership and participation in the Northwest Georgia Regional Commission. The total \$23,222.00 for fiscal year July 1, 2022 through June 30, 2023 and is a budget expense.

Council Member Stepp made a motion to approve the Annual Membership in the Northwest Georgia Regional Commission. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

**MONTHLY FINANCIAL STATEMENT**

**13. May 2022 Financial Report**

Tom Rhinehart, Finance Director, presented the financial report from May 2022 comparing the numbers to May 2021.

**ADJOURNMENT**

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

Meeting Adjourned at 7:38 P.M.

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

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