

City Council Meeting
City Hall – Council Chambers
May 18, 2023
6:00 P.M. – Work Session
7:00 P.M. – Council Meeting

WORK SESSION

Mayor Pro-Tem Calvin Cooley opened Work Session at 6:00 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Mayor Pro-Tem Cooley closed Work Session at 6:39 P.M.

OPENING MEETING

Mayor Pro-Tem Cooley called the Council Meeting to order at 7:00 P.M.

Invocation by Council Member Roth.

Pledge of Allegiance led by Council Member Fox.

The City Council met in Regular Session with Calvin Cooley, Mayor Pro-Tem presiding, and the following present: Jayce Stepp, Council Member Ward Two; Cary Roth, Council Member Ward Three; Gary Fox, Council Member Ward Five; Dan Porta, City Manager; Julia Drake, City Clerk; and Keith Lovell, Assistant City Attorney.

Absent: Mathew Santini, Mayor; Kari Hodge, Council Member Ward One; Taff Wren, Council Member Ward Six

REGULAR AGENDA

COUNCIL MEETING MINUTES

1. May 4, 2023, Council Meeting Minutes

Council Member Fox made a motion to approve the May 4, 2023, Meeting Minutes. Council Member Roth seconded the motion. The motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

SECOND READING OF ORDINANCES

2. Natural Gas Rates

Keith Lovell, Assistant City Attorney, 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.

Council Member Fox made a motion to approve the Natural Gas Rates. Council Member

Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

Reference Ordinances 22-23, 23-23, 24-23, 25-23, 26-23, and 27-23

FIRST READING OF ORDINANCES

3. 3rd Quarter Reporting Text Amendment

Randy Mannino, Planning and Development Director stated following the 3rd Quarter Reporting in November 2022, it was recommended to change the requirements to include four quarters (Oct-Sept) in the reporting versus the previous requirement of only three quarters (Jan-Sept).

This is a first reading and will be voted on at the June 1, 2023, City Council Meeting.

APPOINTMENTS

4. Board of Zoning Appeals

Mr. Mannino stated the current terms for Ward 1, Kevin McElwee, Ward 3, Patrick Murphy, Ward 4, Malcolm Cooley and Ward 5, Linda Brunt on the Board of Zoning Appeals will expire in June. They would like to continue serving and if reappointed, their new terms would expire on June 1, 2027.

Council Member Fox made a motion to approve the Board of Zoning Appeal Appointments. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

CONTRACTS/AGREEMENTS

5. 2023-2024 GEMS Main Street MOU

Lillie Read, Downtown Development Authority Director, stated the DDA is seeking approval from Council for the annual MOU with DCA for our accredited Main Street program. The DDA and staff recommend approval.

Council Member Roth made a motion to approve the 2023-2024 GEMS Main Street MOU. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

6. Professional Services Agreement for Downtown Flood Study

Wade Wilson, Public Works Director, stated There are several areas within the Downtown Area that are currently mapped as Localized Floodplain. The proposed engineer/surveyor will get detailed information that should better define this floodplain. The attached agreement from Barge Design Solutions will include fieldwork by their surveyors and analysis by their qualified engineering department. The information provided from this study should provide the city with

better information to assist in planning of floodplain management and potential areas of need to reduce flooding potential.

The agreement for these services is \$51,300. Public Works will utilize America Rescue Plan Act (ARPA) Funds for this project. To qualify for these funds, we feel that this project would help our stormwater division “manage, reduce and recapture stormwater” drainage in the future based on identifying flood areas in the downtown area. Therefore, this project would meet the requirements for eligibility of ARPA funds. This is not a budgeted item but will utilize available ARPA funds.

Council Member Fox made a motion to approve the Professional Services Agreement for Downtown Flood Study. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

7. Second Amendment to Development Agreement for Jackson Farm

Mr. Lovell stated this amendment updates the name of the owners.

Council Member Stepp made a motion to approve the Second Amendment to Development Agreement. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

8. Satisfaction and Release of Extension Agreement

Mr. Lovell stated Great Valley Commerce Center, LLC has completed all obligations and payments of the Gas Department’s gas extension agreement for the Great Valley Commerce Center Project. Since they have met all the requirements.

Council Member Roth made a motion to approve the Satisfaction and Release of Extension Agreement. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

9. Approving Plan of Finance and Revenue Bonds

Mr. Lovell stated the Bartow-Cartersville Joint Development Authority (BCJDA) is requesting approval of the financing and issuance of revenue bonds for Hanwha Q Cells’ sewerage and solid waste disposal facilities.

Council Member Fox made a motion to approve the Plan of Finance and Revenue Bonds. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

10. First Amendment to Real Estate Sales and Purchase Agreement

Dan Porta, City Manager, stated this amendment between JB Henderson Properties and the City of Cartersville extends the Due Diligence Period for 60 days, Closing Date for 60 days and Exhibit B most 60 days, or similar updated time frame that corresponded to original schedule time frame.

Council Member Fox made a motion to approve the First Amendment to Real Estate Sales and Purchase Agreement. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

11. City of Cartersville Rebranding Project

Logan Bagley, Public Relations and Communications Manager, stated this is a contract with Doug Chatham Design Studio to partner with the city's PR and Communications Manager on the city rebranding project. This project aims to establish a new brand identity package for the City of Cartersville, which will provide a consistent look and strong messaging that resonates with both citizens and visitors. The services offered total \$12,500.00.

Council Member Stepp made a motion to approve the City of Cartersville Rebranding Project. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

12. Second Amendment to the Solar Power Purchase Contract

Derek Hampton, Gas Department Director, stated the Electric Department is requesting approval of the provided second amendment to the Power Purchasing Contract with MEAG Power. The most significant of the changes would be a 30% increase in power costs from the first amendment to the PPC. This increase is due to the developer's inability to get financing at First Amendment pricing now.

Also added is an agreement to lower that unit cost if they can secure the solar panels at a lower than current price.

Council Member Fox made a motion to approve the Second Amendment to the Solar Power Purchase Contract. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

BID AWARD/PURCHASES

13. 2600kVA Transformer Purchases

Mr. Hampton stated The Electric Department recommends the purchase of (4)-2550kVA 480/277V transformers from UTB Transformers for \$61,226 each to serve power for a new customer choice customer. The proposed vendor was not the cheapest but offered a much shorter delivery time. This is needed to meet the customer's schedule for February 2024. This is a budgeted expense in the pending FY23-24 budget.

Council Member Stepp made a motion to approve 2600kVA Transformer Purchases. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

14. Public IP Address Space

Steven Grier, FiberCom Director, stated FiberCom is requesting approval to pay Brander Group Inc. \$42,496.00 for a block of 1024 IP addresses. These IP addresses will be assigned to future FiberCom customers for delivery of internet services. This is to supplement our current block of IP addresses that are nearing depletion. This is not a budgeted item, but funds are available.

Council Member Stepp made a motion to approve the Public IP Address Space. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

15. Truck Purchases

Freddy Morgan, Assistant City Manager, stated Five F150s will be purchased from Prater Ford. One will be purchased for Planning, one for the Electric Department and three will be purchased for the Gas Department. These are not budgeted but will be covered by departmental funds.

Council Member Stepp made a motion to approve the Truck Purchases. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

16. Track Steer Loader

Steve Roberts, Parks and Recreation Director, stated this request is for approval to purchase a Track Steer Loader from Franklin Tractor Co. located in Cartersville. We attained 3 quotes from Franklin Tractor Co., Ag Pro of Cartersville and Bobcat of Atlanta located in Marietta. Staff recommends the New Holland from Franklin Tractor Co. based on the design of the machine and safety features of the New Holland. The New Holland C345 with the safety glass door cost \$88,632.00. This is not a budgeted purchase, but funds are available through the General Fund.

Council Member Fox made a motion to approve Track Steer Loader, as the best qualifying bid. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

17. Water Material for Stock

Sidney Forsyth, Water Department Director, stated the Water Department received quotes for stock material for water system repair and replacement material. The lowest bidder was Core & Main for \$22,995.00. This is a budgeted item to be paid from account #505.3320.52.2390.

Council Member Roth made a motion to approve the Water Material for Stock. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

ENGINEERING SERVICES

18. Watershed Protection Plan Monitoring

Mr. Forsyth stated the City's NPDES discharge permit requires the development of a Watershed Protection Plan. In accordance with this approved plan, the City must perform long-term water quality monitoring, and fish and macroinvertebrate habitat assessments, with annual reports submitted to the Georgia EPD accordingly.

Rindt Engineering has historically performed this service for the city and has submitted a Task Order proposal for this year at a cost of \$59,500.00. This item is budgeted.

Council Member Fox made a motion to approve the Watershed Protection Plan Monitoring. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

19. Grassdale Rd Water Relocation Engineering

Mr. Forsyth stated the engineering design for relocating the water line along Grassdale Road is complete. The previous task order for this job did not include the bid phase of the project.

In accordance with the Engineering Services agreement dated August 18, 2022, Sweitzer Engineering has submitted Task Order #2A for a not-to-exceed cost of \$30,000 to perform these services.

Approval was recommended. This is a budgeted expense to be paid from account #505.3320.54.1346.

Council Member Roth made a motion to approve the Grassdale Rd Water Relocation Engineering. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting

20. Altitude Valve Replacement Engineering

Mr. Forsyth stated to supply sufficient volume and pressure to the farthest reaches of the City's water system, altitude valves will need to be installed at both the Morningside Drive and Fairview Street water reservoirs.

In accordance with Engineering Services Agreement dated August 18, 2022, with the City, Sweitzer Engineering has submitted Task Order No. 5 to design and bid the appropriate valves for this purpose.

This task order is for a not-to-exceed cost of \$41,000. This is not a budgeted item, but funds are available from Water Department revenue and will be paid by account #505.3320.52.1360.

Council Member Roth made a motion to approve Altitude Valve Replacement Engineering. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting

21. Overlook Gravity Sewer Engineering

Mr. Forsyth stated the current sewer lift station at Overlook Parkway is not adequately located nor does it have sufficient capacity to serve the current and proposed residential development in that area. The City has identified a location for a replacement lift station to properly serve the developable property in this basin. This will require laying approximately 2,100 feet of 12-inch gravity sewer from the current lift station to the proposed new lift station.

In accordance with the Engineering Services agreement dated August 18, 2022, Sweitzer Engineering has submitted Task Order #3 for a not-to-exceed price of \$80,000, which includes the design through the bid phase of the project.

This is not a currently budgeted expense, but it is included in the FY23_24 budget. Funds are available and will be paid by sewer capacity fee revenue.

Council Member Stepp made a motion to approve Overlook Gravity Sewer Engineering. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

22. Overlook Life Station Engineering

Mr. Forsyth stated the construction of a new sewer lift station is necessary to serve the new and proposed developments along Overlook Parkway.

In accordance with the Engineering Services agreement dated August 18, 2022, Sweitzer Engineering has submitted Task Order #4 to provide these services through the bid phase of the project for a not-to-exceed price of \$103,000.

This is not a currently budgeted expense but is included in the proposed FY23_24 budget. Funds are available and will be paid by sewer capacity fee revenue.

Council Member Roth made a motion to approve Overlook Life Station Engineering. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

23. West Side Water Tank Site Survey

Mr. Forsyth stated a water feeder main is currently in design to continue to provide adequate water supply pressure and volume to the West side of the City's distribution system.

In addition to the water line, an additional water storage reservoir will be necessary.

In accordance with the Engineering Services agreement dated August 18, 2022, Sweitzer Engineering has submitted Task Order #6 for a not-to-exceed price of \$41,000 to perform proposed tank location site surveys, including topographical, geotechnical, access/easement requirements, and hydraulic modeling.

This is not a currently budgeted expense, but funds are available from Water system revenues. This project is included in the FY23_24 budget.

Council Member Roth made a motion to approve the West Side Water Tank Site Survey. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

ADDED ITEMS

Council Member Stepp made a motion to add four (4) items to the agenda. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

24. Post Occupancy and Settlement Agreement

Mr. Lovell stated the seller of this property, Joshua W. Gullick, needs the cash from the sale to purchase his next property, and this agreement will need to be approved for the seller to stay in the house for a few more weeks after closing. The purchase of this property will be paid for using ARPA funds. The address of said property is 115 Woodland Drive.

Council Member Stepp made a motion to approve the Post Occupancy and Settlement Agreement. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

25. Maintenance Building for Sports Complex at Sugar Valley Road

Mr. Roberts stated the Parks and Recreation Department has reviewed bids for a maintenance storage building at the Sports Complex which would allow them to store lawnmowing and other equipment onsite to maintain that park. Graham Construction had the lowest and best bid with the total being \$117,112.00.

Council Member Stepp made a motion to approve the Maintenance Building for Sports Complex at Sugar Valley Road. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

26. Pine Grove Acquisitions Dirt Agreement & Douthit Ferry-Walnut Grove Dirt Agreement

Mr. Porta stated that he, Sidney Forsyth, and Keith Lovell had been working with the developer of the property that is across from the new Water Administration Building on Douthit Ferry Road for them to obtain the excess dirt that the city has off of our property, which is more convenient for them and less costly, in exchange for the city to obtain excess dirt off of John Cummings's property that is adjacent to the city's property in the future. Since the city does not have a need for our excess dirt at this time, it was requested to approve these agreements. Note that the removal of the dirt from the city's property will not impact or slowdown the construction of our new Water Administration Building.

Council Member Stepp made a motion to approve both agreements. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Pro-Tem Cooley voting.

FINANCIAL REPORT

27. March 2023 Financial Report

Tom Rhinehart, Finance Director, went over the March 2023 Financial Report and compared the numbers to March 2022.

OTHER BUSINESS

David Holt, 218 West Ave, came forward and stated he would like to be advised when the Quiet Zone' would be implemented. Continuing, he stated he wanted to invest more money in the city but had reservations due to the slow process of the implementation.

Mr. Porta stated the funds are available in the 2020 SPLOST Fund, however, the holdup was with CSX, and we were patiently waiting.

Mr. Holt was not satisfied with this answer and stated he would like to obtain the information regarding this as he had contacts with CSX and would like to attempt to expedite this process.

ADJOURNMENT

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

Meeting Adjourned at 7:40 P.M.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:
/s/ _____
Julia Drake
City Clerk