

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

## **WORK SESSION**

Mayor Matthew Santini opened Work Session at 6:04 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Council Member Roth made a motion to enter Executive Session for the purpose of Potential Litigation and Property Acquisitions. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting.

Mayor Santini closed Work Session at 6:53 P.M.

## **OPENING MEETING**

Mayor Santini 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 Mathew Santini, Mayor, presiding, and the following present: Kari Hodge, Council Member Ward One; Cary Roth, Council Member Ward Three; 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, City Attorney.

Absent: Jayce Stepp, Council Member Ward Two

## **REGULAR AGENDA**

### **COUNCIL MEETING MINUTES**

#### **1. August 17, 2023, Council Meeting Minutes**

Council Member Hodge made a motion to approve the August 17, 2023, Council Meeting Minutes. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

### **PUBLIC HEARING – 2<sup>nd</sup> READING OF ZONING.ANEXATION REQUESTS**

#### **2. AZ23-02: Allatoona Dam Road**

**Applicant: City of Cartersville**

Randy Mannino, Planning and Development Director, stated the applicant requests the annexation of multiple city-owned properties in unincorporated Bartow County and the City of Emerson. The proposed zoning is P-I (Public Institutional). These tracts are associated with the

City's Water Treatment Plant. The only change since the last reading was that the final survey was received for the 50' strip. The Planning Commission recommended approval 6-0.

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

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

Council Member Fox made a motion to approve the annexation portion of AZ23-02. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

Council Member Fox made a motion to approve the zoning portion of AZ23-02. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Ordinance # 68-23 and 69-23

## **CONTRACTS/AGREEMENTS**

### **3. Grassdale Road Sidewalk Supplemental Agreement No. 2**

Steven Foy, City Engineer, stated the City of Cartersville has a supplemental agreement from Southeastern Engineering to have the environmental documentation reevaluated due to changes made to the project footprint. The changes to the project footprint were made to address comments brought up by GDOT reviewers during the final field plan review stage of the project. This requirement to reevaluate the environmental document is a part of the plan development process for every non-exempt GDOT project receiving state or federal funding. The reevaluation process includes updates to special studies (e.g., History, Archaeology, Ecology, Air, and Noise) and the main environmental document (NEPA document) itself.

The total of the agreement from Southeastern Engineering is \$38,477.12. This is a non-budgeted item that will be paid for by SPLOST and split between Bartow County and the City of Cartersville. Public Works recommended approval of this agreement.

Council Member Hodge made a motion to approve the Grassdale Road Sidewalk Supplemental Agreement No. 2. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

### **4. Case Management Software Agreement**

Freddy Morgan, Assistant City Manager, stated our existing contract for case management services is up for renewal. Our current provider is server based (on a server that the City provides) and the new provider is Cloud based which will free up FiberCom server space. Additionally, the current provider has proposed a cost increase above what i3 Verticals proposes. Case management and payment services (online, phone, and POS) will be provided through i3 Verticals.

Council Member Cooley made a motion to approve the Case Management Software Agreements. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

## **5. Customer Portal Agreement**

Mr. Morgan stated authorization was requested to utilize Spry Point's Customer Engagement Portal (Spry Engage). This software solution will help us provide enhanced customer services by providing easy 24/7 access to information, integrated customer self-service capabilities, customer service metrics, and user-friendly reporting/dashboarding tools.

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

## **6. Construction Manager at Risk (CMAR) Electric Department Renovation**

Mr. Morgan stated This is the professional services agreement between the City and Pennant Construction Management to perform CMAR services for the renovation of the Electric department administrative facility.

Council Member Wren made a motion to approve the Construction Manager at Risk (CMAR) Electric Department Renovation. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

## **BID AWARD/PURCHASES**

### **7. Second Quarter 2023 Motorola Radio Invoice**

Mr. Morgan stated Bartow County has submitted the second quarter 2023 invoice for the Motorola radio system that is used by our Police, Fire, FiberCom, Gas, Electric, Public Works and Recreation Departments. This is a budgeted item and approval was recommended to pay this invoice in the amount of \$37,150.83.

Council Member Roth made a motion to approve the Second Quarter 2023 Motorola Invoice. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

## **PROPOSALS**

### **8. Design Proposal Fire Station 5**

Scott Carter, Fire Chief, stated this request is for the approval of a design proposal with Croft and Associates. This proposal is to provide architectural and engineering services for a 62' x 62' building located on the future site of Fire Station #5. This three-bay building will house reserve apparatus, a fire safety house, and future water rescue assets for our swift water program. This building will be constructed with Fire Station #5 and is currently included in the scope of work for Reeves-Young as construction managers at risk.

The total cost for the design proposal is \$37,700.00, included in the overall budgetary numbers provided for this project. Initially, we were unable to determine the feasibility of this request, so it was not on the original scope of the work. Now that the CMR is on board and all hydrology and survey work is complete, we feel it is fiscally responsible to include this as part of the project.

Council Member Hodge made a motion to approve the Design Proposal Fire Station 5. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

## **BID AWARD/PURCHASES**

### **9. Joint Training Center Repairs Project**

Mr. Carter stated last June, a certification inspection occurred on the burning building at the Joint Fire Training Center on Paga Mine Rd, which revealed several areas did not receive certification to allow burning. The building was constructed in 2009 and has only received routine maintenance. The sole bidder, Abuck Inc., quoted \$34,056.00 for the repairs. They have an extensive history of working on metal buildings and have completed other projects for the City of Cartersville. It is referenced that when repairs begin, they may uncover additional issues that were not addressed in the report.

Approval was recommended of an amount not to exceed \$40,000.00. Peter Olson, Bartow County Commissioner, has agreed to reimburse 50% of the total repair cost. This is a budgeted repair project anticipated in our FY 23/24 budget.

Council Member Roth made a motion to approve the Joint Training Center Repairs Project. 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 Fox seconded the motion. Motion carried unanimously. Vote: 5-0

### **10. Fiber Pathway Installation – Constellium Automotive**

Steven Grier, FiberCom Director, stated this item is for the construction and installation of a fiber pathway to provide internet services to Constellium Automotive at 1 Constellium Dr.

The total amount is \$12,027.62 from NCI. A portion of this installation will be paid for by the customer. This is not a budgeted item but will be funded with the 2020 SPLOST. Approval was recommended.

Council Member Fox made a motion to approve the Fiber Pathway Installation – Constellium Automotive. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

### **11. Gas Main Relocation – State Route 293**

Michael Dickson, Gas Department Director, stated A GDOT bridge replacement project on State Route 293 in Floyd County requires the relocation of existing natural gas facilities in conflict with the bridge construction. Sealed bids were requested for this work, and two were received. The low bidder submitted a bid with conditions to negotiate the terms of the contract, which were unacceptable, so the Gas System recommended accepting the second bid of \$530,601.41 from Pride Utility Construction Company of Gainesville, Georgia.

The city previously entered into a force account agreement with GDOT for this project since a portion of the City's facilities are located within a prescribed easement. There is a reimbursable amount of 9.82% of the total construction cost associated with the relocation of these existing natural gas facilities estimated to be approximately \$60,669.99.

Council Member Fox made a motion to approve the Gas Main Relocation – State Route 293. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

## **12. Purchase of Six Replacement Stalker Lidar Units**

Frank McCann, Police Chief, stated the Police Department is requesting approval to purchase six Stalker Lidar units to replace lidar units that are 15 years old and in constant need of repair.

Approval was recommended to purchase the units from Stalker Radar Applied Concepts for \$14,679.00. This is a budgeted item paid for by federal asset forfeiture funds. E-Verify and E-Save documents are on file.

Council Member Fox made a motion to approve the Purchase of Six Replacement Stalker Lidar Units. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

## **OTHER**

### **13. Federal Annual Report Fiscal Year 2022/2023**

Mr. McCann stated the Cartersville Police Department had to complete the federal annual report for the U.S. Department of Justice each year to account for the federal asset forfeiture money received and spent. The report is for the fiscal year starting July 1, 2022, and ending June 30, 2023. This report was prepared by the Police Department with the assistance of Tom Rhinehart, Finance Director.

Approval was recommended of the annual report and authorization for the mayor to sign it on behalf of the City of Cartersville.

Council Member Fox made a motion to approve the Federal Annual Report Fiscal Year 2022/2023. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

### **14. Bartow County Health Department Permit Fee**

Dan Porta, City Manager, stated Bartow County requests the city to waive the building permit fee of \$17,062.50 for the renovation of the Health Department, which serves city and county residents. The remodel is funded with \$1.5 million from County SPLOST funds and a \$1 million CDBG grant. Approval was recommended.

Council Member Hodge made a motion to approve the Bartow County Health Department Permit Fee. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

## **ENGINEERING SERVICES**

### **15. Lindsey Engineering Services Agreement**

Sidney Forsyth, Water Department Director, stated the city will be required by the Georgia Environmental Protection Division, as of January 1<sup>st</sup>, 2024 to have a documented asset management program for its water system. Documentation of this program must be submitted before the renewal of the City's water withdrawal or water system operating permits.

Lindsey Engineering has specific expertise in preparing water system asset management programs and approval was recommended.

Council Member Roth made a motion to approve the Lindsey Engineering Services Agreement. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

## **BID AWARD/PURCHASES**

### **16. Laboratory Fume Hood**

Mr. Forsyth stated the current fume hood in the wastewater laboratory is fifteen years old and needs frequent maintenance to remain certified and usable. It is the intent of the department to maintain it until the lab moves to the new Water Department Admin Complex next May, at which time should be replaced. Since this is a specialty lab item, we chose to specify and bid on this unit separately from the lab construction.

Four quotes were received for this unit, with the lowest bid, including factory installation from Avantar/VWR for \$19,656.41.

Council Member Fox made a motion to approve the Laboratory Fume Hood. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

### **17. Land Application Farm Tree Clearing**

Mr. Forsyth stated for over 40 years, the Water Department has land-applied biosolids as a beneficial reuse of residual solids produced at the Water Pollution Control Plant. We currently have 1,280 permitted acres of private and City-owned land to apply these solids. Recently, two landowners representing 509 acres of permitted land informed the City that they no longer wish to have biosolids applied to their property. At a minimum, 500 acres are needed for this process.

The city-owned farm on Wade Road in Taylorsville has only 285 of its total 499 acres permitted for biosolids application. Bids were solicited from local contractors to remove trees and thus convert an additional 200 acres to pasture. After the land has been cleared and converted to pasture, we will submit the additional acreage to the State for permitting, which will likely take up to a year to obtain.

Three contractors submitted bids, and it was recommended to award this work to Hickory Ridge Land Management LLC for a cost not to exceed \$200,000.00. This is not a budgeted cost, but funds are available from Water Department Revenues.

Council Member Wren made a motion to approve the Land Application Farm Tree Clearing. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

### **18. Replacement Biosolids Spreader**

Mr. Forsyth stated the current spreader used for biosolids land application is a 2010 model that has served well but is nearing the end of its useful life. It will need substantial, costly refurbishment to continue in everyday use.

Three bids were received for a replacement spreader, with the lowest qualifying bid submitted by Smith Family Farm Equipment LLC of Calhoun, GA, for \$67,000.00. Approval was recommended to purchase this spreader from the low bidder. This is a budgeted item to be paid from account #505.3330.54.2100.

Council Member Fox made a motion to approve the Replacement Biosolids Spreader. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

## **ADDED ITEMS**

### **19. Specialty Shop Moratorium Extension**

Keith Lovell, City Attorney, stated that the City Council had previously approved a moratorium on special shops which was to expire on October 4, 2023. However, the revision of the ordinance will not come before the Council for approval until November. Therefore, it was requested to extend the moratorium until December 31, 2023.

Council Member Fox made a motion to approve the Specialty Shop Moratorium Extension. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

### **20. Adult Entertainment Moratorium Extension**

Mr. Lovell stated that the City Council had previously approved a moratorium on adult entertainment which was to expire on September 30, 2023. However, the revision of the ordinance will not come before the Council for approval until November. Therefore, it was requested to extend the moratorium until December 31, 2023.

Council Member Fox made a motion to approve the Adult Entertainment Moratorium Extension. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

## **OTHER**

Chief Carter stated that on Saturday, September 9, 2023, the 9/11 Race to Remember 5K would start in the downtown area at started at 8:00am and encouraged all to join in the festivities in remembering the victims and fallen heroes of 9/11/2001.

## **ADJOURNMENT**

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

Meeting Adjourned at 7:23 P.M.

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

ATTEST:

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