

City Council Meeting
10 N. Public Square
August 18, 2022
6:00 P.M. – Work Session
7:00 P.M. – Council Meeting

WORK SESSION

Mayor Matthew Santini opened Work Session at 6:00 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Council Member Stepp made a motion to enter into Executive Session for the purposes of Litigation and Property Acquisitions. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

Mayor Santini closed Work Session at 6:35 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 Cooley.

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; Dan Porta, City Manager; Julia Drake, City Clerk; and David Archer, City Attorney.

Absent: Taff Wren, Council Member Ward Six

REGULAR AGENDA

COUNCIL MEETING MINUTES

1. August 4, 2022; August 11, 2022 Special Called; and August 18 Special Called Meeting Minutes

Council Member Roth made a motion to approve the August 4, 2022; August 11, 2022 Special Called; and August 18, 2022 Special Called Meeting Minutes. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

PUBLIC HEARING

2. City of Cartersville M&O Millage Rate Set at 2.910 Mills for 2022

Mayor Matthew Santini stated the property taxes received from the Cartersville M&O property tax collections are used for the general city government operations, which include police, fire, recreation, public works, etc.

The proposed 2022 millage rate is set at 2.910 mills and is not the rollback rate (rollback rate was 2.589 mills). As a result, the rate of 2.91 mills is considered to be a property tax increase of 12.40% over the rollback rate. The tax increase on a house that has a fair market value of \$125,000 would be approximately \$16.05. Furthermore, the city is required to hold three public hearings for the citizens to voice their opinions regarding the proposed property tax increase.

The first public hearing was held on August 11, 2022 at 5 PM. The second public hearing was held on August 18, 2022 at 8 AM, and this was the third public hearing. Approval was recommended of the Cartersville M&O property tax millage rate of 2.910 mills for 2022.

Public hearing opened and with no one to come forward, the public hearing was closed.

Dan Porta, City Manager, explained the estimated increase of property taxes for a potential resident with a home valued at \$500,000. Furthermore, he explained the benefits of the City and all that the City has to offer.

Council Member Fox made a motion to approve the City of Cartersville M&O Millage Rate. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

3. Cartersville Business Improvement District Millage Rate Set at 1.120 Mills for 2022

Mayor Santini stated The Cartersville Business Improvement District (BID) is made up of the Downtown Cartersville Business District. These business owners have been self-assessing a property tax for many years to raise funds for use in the downtown area. The Downtown Development Authority (DDA) works with local businesses to use the funds to improve the downtown area. The DDA Board requests the City Council approval of their recommended BID's property tax millage of 1.120 mills for 2022. This is the rollback rate. Approval was recommended of the Cartersville Business Improvement District property tax millage of 1.120 mills for 2022.

Public hearing opened and with no one to come forward, the public hearing was closed.

Council Member Stepp made a motion to approve the Cartersville Business Improvement District Millage Rate. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

4. GO Parks & Recreation Property Tax Millage Rate Set at 0.624 Mills for 2022

Mayor Santini stated the citizens of Cartersville approved a referendum in November of 2014 authorizing the city to issue bonds to be used to pay for renovations and improvements to the parks and recreation buildings and properties. The bonds were issued with a ten-year payback period. In order to make the scheduled bond payments, the city is assessing a property tax millage of 0.624 mills (below the rollback rate of .656 mills) for 2022, also approved by the citizens. The millage rate for this will fluctuate over the ten years and will need to be set with a millage large enough to cover the semi-annual bond payments. Approval was recommended of the Cartersville GO Parks and Recreation Bond tax millage rate of 0.624 mills for 2022.

Public hearing was opened.

Mike Lusk, 20 Twinleaf Ct., came forward to inquire about the funds.

With no one else to come forward, the public hearing was closed.

Mr. Porta reviewed the updates to the parks that had been completed.

Council Member Stepp made a motion to approve the GO Parks & Recreation Property Tax Millage Rate. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

5. Cartersville School System Millage Rate Set at 13.906 Mills for 2022

Mayor Santini stated the Cartersville City School System has recommended to their Board to adopt the millage rate of 13.906 mill for 2022. The rollback rate is 12.277 mills. As a result, the rate of 13.906 mills is considered to be a property tax increase of 13.27% over the rollback rate. The tax increase on a house that has a fair market value of \$125,000 would be approximately \$49.65.

Furthermore, the city is required to hold three public hearings for the citizens to voice their opinions regarding the proposed property tax increase. The first public hearing was held on August 11, 2022 at 5 PM. The second public hearing was held on August 18, 2022 at 8 AM, and the third public hearing was held on August 18, 2022 at 7 PM. The City Council approves the School Board's recommended tax millage rate for city residents where all the property taxes collected are used by the Cartersville City School System. Approval was recommended of the Cartersville City School System property tax millage rate of 13.906 mills for 2022.

Public hearing was opened.

Raleigh Chastine, 107 Twelve Oaks Dr., came forward to propose lower school taxes for seniors over the age of 65 due to limited income as a retiree.

With no one else to come forward, the public hearing was closed.

Council Member Stepp made a motion to approve the Cartersville School System Millage Rate. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

APPOINTMENTS

6. Historic Preservation Commission

Mr. Porta stated Brad Galland and Greg Frisbee are currently serving on the Historic Preservation Commission. Their current term will expire on September 7, 2022 and they would like to continue serving. Their new term would expire on September 7, 2025 if they are reappointed.

Council Member Hodge made a motion to approve the Historic Preservation Commission Appointment. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

7. Etowah Area Consolidated Housing Authority

Mr. Porta stated Ms. Hazel Stephenson has resigned from the Housing Authority. Ty Mitcham would like to serve on the Authority and his application is included. If appointed, his new term would end on April 1, 2026.

Council Member Cooley made a motion to approve the Etowah Area Consolidated Housing Authority Appointment. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 5-0

CONTRACTS/AGREEMENTS

8. Local Option Sales Tax Agreement

Mr. Porta stated over the past month, we have had a few meetings with cities within Bartow County and joint meetings with Commissioner Taylor and all cities to come to an agreement on how the Local Option Sales Tax (LOST) will be distributed. In the past couple of distributions, LOST was split according to the decennial census, and sometimes Cartersville and Bartow County each gave up some percentage so smaller cities within the County would not be hurt by smaller LOST dollars distributed to them. The most recent census has Cartersville growing to 21.292% from 19.3% just using population. After discussing this with Bartow County and the other cities, other factors were used to determine how these funds will be distributed and after a couple of meetings, Cartersville's percentage, if approved, will be 22.75%. The new LOST percentage will be effective on January 1, 2023 and approval was recommended of the 22.75% distribution for the City of Cartersville.

Council Member Fox made a motion to approve the Local Option Sales Tax Agreement. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

9. 32 Ann Circle

John Dooley, Electric Department Assistant Director, stated the Electric Department recommends Council approve and sign the interconnection agreement.

Council Member Fox made a motion to approve 32 Ann Circle. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

10. Piana Nonwovens

Mr. Dooley stated the Electric Department recommends Council approve and sign the interconnection agreement.

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

11. Sweitzer Engineering Agreement

Sidney Forsyth, Water Department Director, stated the Engineering Services Agreement between the City and Sweitzer Engineering, Inc. has expired and needs to be renewed in order to continue hiring this firm for engineering services. This is a standard form of agreement used between the City and other engineering firms.

Task Order 1 is for general consultation services. This is necessary due to Sweitzer Engineering holding, updating and operating the City's water system hydraulic model. When model scenarios are needed, the Water Department requests reports from Sweitzer based on hourly rates in the Agreement. Invoices for this work are typically less than \$1,000.00.

Task Order 2 is for specific water line relocation/replacement design services related to the roadway improvements on Grassdale Road between Cassville Road and Joe Frank Harris Parkway. The cost for this task order is estimated at \$15,000.00.

Approval was recommended of the Agreement and both Task Orders. Task Order 2 is a budgeted expense to be paid from account 505.3320.54.3396.

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

BID AWARD/PURCHASES

12. Absolute Environmental Sewer Meter Installation

Mr. Forsyth stated The Water Department needs to install a sewer meter and associated vault and plumbing for a centralized sewage treatment facility at 225 Industrial Park Road. This is a larger project than can be performed by City crews, and must be contracted out. The 6" meter has been purchased and is AMI compatible.

We requested quotes for this work and received two (2) bids, the lowest being from Lanning Contracting, LLC for \$13,750.00. The full cost of installation is reimbursable from the customer and will be required in order to continue service and maintain an Industrial Sewer Discharge Permit, issued to this customer by the City.

Approval was recommended to award the job to Lanning Contracting, LLC for \$13,750.00. This is a budgeted expense to be paid from account 505.3320.52.2390.

Council Member Roth made a motion to approve the Absolute Environmental Sewer Meter Installation. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

13. Absolute Environmental Sewer Meter Vault

Mr. Forsyth stated The Water Department needs to install a sewer meter and associated vault and plumbing for a centralized sewage treatment facility at 225 Industrial Park Road. This is a larger project than can be performed by City crews and must be contracted out. The 6" meter has been purchased and is AMI compatible.

A quote was received from the sole source provider, Fortiline Waterworks for a pre-fabricated concrete vault, completely assembled with all necessary piping for the meter installation.

Approval was recommended to purchase this meter vault assembly for \$14,024.00 from Fortiline Waterworks. This expense is fully reimbursable to the City by the customer.

This is a budgeted expense to be paid from account 505.3320.52.2390.

Council Member Roth made a motion to approve the Absolute Environmental Sewer Meter Vault. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

14. Watch Guard Replacement Camera System

Mayor Santini stated this item would be removed from the agenda.

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

15. Vehicle Purchases

Freddy Morgan, Assistant City Manager, stated the vehicle bids enclosed in your packets are recommended for approval and are for our Planning and Development and Parks and Recreation Departments. These are budgeted items and will be purchased using funds from operating revenue.

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

16. United Healthcare Senior Supplement and Group Prescription Drug Plan Renewal

Mr. Porta stated that we had received the 2023 Senior Supplement health insurance renewal for retirees covered by United Healthcare and the rates are increasing from \$342.53 per month to \$351.09 per month with the city paying 85% of the premium for single retirees and 75% for family retirees. The UHC plan provides good coverage for our retirees and approval was recommended.

Council Member Stepp made a motion to approve the United Healthcare Senior Supplement and Group Prescription Drug Plan Renewal. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

17. Second Quarter 2022 Motorola Radio Invoice

Mr. Morgan stated Bartow County has submitted the second quarter 2022 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 the invoice in the amount of \$38,259.81.

Council Member Hodge made a motion to approve the Second Quarter 2022 Motorola Radio Invoice. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

SURPLUS EQUIPMENT

18. Surplus Equipment

Mr. Morgan stated the following list of vehicles/equipment are deemed as surplus by our departments. Approval of this list was recommended as surplus in order to be sold on GovDeals.com

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

ADDED ITEMS

19. Federal Annual Report

Frank McCann, Police Chief, stated the Cartersville Police Department has 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. This report is for fiscal year starting July 1, 2021 and ending June 30, 2022. This report was prepared by the police department with the assistance of Tom Rhinehart, Finance Director.

Council Member Stepp made a motion to approve the Federal Annual Report. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

20. Ante Litem Notice – Tomas Reyes Sanchez

21. Ante Litem Notice – Leticia Guadalupe Montiel

22. Ante Litem Notice – Brayden Reyes

David Archer, City Attorney stated they had received an Ante Litem notice from Hart & Associates regarding an automobile accident that involved the three (3) occupants, Tomas Reyes Sanchez, Leticia Guadalupe Montiel, Brayden Reyes and a Cartersville Police Officer.

Furthermore, Mr. Archer stated that the State Patrol Officer was unable to question the CPD Officer due to hospitalization but proposed denial of the Ante Litem Notice.

Council Member Roth made a motion to deny all three (3) Ante Litem Notices. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0


RESOLUTION NO. 22-22

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, GEORGIA

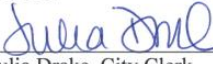
WHEREAS, on or about August 5, 2022, the City of Cartersville received an Ante Litem Notice dated July 29, 2022, from Hart & Associates, concerning Tomas Reyes Sanchez's alleged claims against the City relating to an incident which occurred on or about July 1, 2022.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and City Council that the City of Cartersville denies the Ante Litem Notice claim submitted as referenced above, based on the information currently available to it, and directs the City Attorney's Office to inform Hart & Associates of said denial.

BE IT AND IT IS HEREBY RESOLVED this 18th day of August, 2022.

/s/ 
Matthew J. Santini, Mayor
City of Cartersville, Georgia

ATTEST:

/s/ 
Julia Drake, City Clerk
City of Cartersville, Georgia




RESOLUTION NO. 23-22

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, GEORGIA

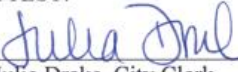
WHEREAS, on or about August 5, 2022, the City of Cartersville received an Ante Litem Notice dated July 29, 2022, from Hart & Associates, concerning Leticia Guadalupe Montiel's alleged claims against the City relating to an incident which occurred on or about July 1, 2022.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and City Council that the City of Cartersville denies the Ante Litem Notice claim submitted as referenced above, based on the information currently available to it, and directs the City Attorney's Office to inform Hart & Associates of said denial.

BE IT AND IT IS HEREBY RESOLVED this 18th day of August, 2022.

/s/ 
Matthew J. Santini, Mayor
City of Cartersville, Georgia

ATTEST:

/s/ 
Julia Drake, City Clerk
City of Cartersville, Georgia




RESOLUTION NO. 24-22

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, GEORGIA

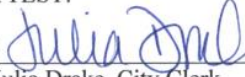
WHEREAS, on or about August 5, 2022, the City of Cartersville received an Ante Litem Notice dated July 29, 2022, from Hart & Associates, concerning a minor child, Brayden Reyes' alleged claims against the City relating to an incident which occurred on or about July 1, 2022.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and City Council that the City of Cartersville denies the Ante Litem Notice claim submitted as referenced above, based on the information currently available to it, and directs the City Attorney's Office to inform Hart & Associates of said denial.

BE IT AND IT IS HEREBY RESOLVED this 18th day of August, 2022.

/s/ 
Matthew J. Santini, Mayor
City of Cartersville, Georgia

ATTEST:

/s/ 
Julia Drake, City Clerk
City of Cartersville, Georgia



23. Ante Litem Notice – Jack House, Myrtle shook, and Donovan and Tracy Shook

Mr. Archer stated they had received an Ante Litem Notice from Evans Law Firm regarding damage caused to their properties by the construction of the new Cartersville Primary School on property owned by City of Cartersville at 200 Carter Grove Blvd. Their claim is that silt has left the construction site and damaged their properties. It was proposed to deny the Ante Litem Notice.

Council Member Fox made a motion to deny the Ante Litem Notice. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0


RESOLUTION NO. 25-22

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, GEORGIA

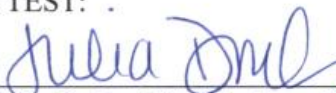
WHEREAS, on or about July 27, 2022, the City of Cartersville received an Ante Litem Notice dated July 26, 2022, from the Evans Law Firm, concerning alleged claims against the City relating to an incident(s) which occurred during the month of February 2022, to the properties owned by Jack House, Myrtle Shook, and Donovan and Tracy Shook.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and City Council that the City of Cartersville denies the Ante Litem Notice claim submitted as referenced above, based on the information currently available to it, and directs the City Attorney's Office to inform the Evans Law Firm of said denial.

BE IT AND IT IS HEREBY RESOLVED this 18th day of August, 2022.

/s/ 
Matthew J. Santini, Mayor
City of Cartersville, Georgia

ATTEST: .

/s/ 
Julia Drake, City Clerk
City of Cartersville, Georgia



MONTHLY FINANCIAL STATEMENT

24. June 2022 Financial Report

Tom Rhinehart, Finance Director, came forward to review the June 2022 Financial Report and compared the numbers to June 2021.

OTHER

Mayor Santini asked if there was any other business to come before Council.

Cate Conway, 19 Akron St., came forward with concerns of the Atco Community regarding Code Enforcement issues. She stated that there is a boat parked in the street that is hindering traffic and sight, there is glass in the alley, and fallen trees in the city right-of-way and asked that the City please look into these issues.

Leslie Crawford, 25 Litchfield St., came forward to voice her concerns regarding Atco Community as well stating that there is unsanitary trash piled up at some of the residences, non-operational vehicles, appliances in yards and on decks/porches.

Mayor Santini responded with the time frame that is given to property owners to respond to code enforcement violations.

Ryan Roney, 22 Akron St., came forward to reiterate the sentiments from the previous two (2) speakers had. In addition, he did thank the city for their improvements and efforts in helping to preserve the Atco Community.

Council Member Hodge stated that she appreciates all of the comments and enjoys seeing the resident's involvement in the communities across the city. In closing, she recognized that the concerns from the citizens had been heard and were much appreciated.

Council Member Roth stated that as a member of Council, they are always working to improve our community and strive to help it grow.

ADJOURNMENT

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

Meeting Adjourned at 8:12 P.M.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Julia Drake
City Clerk