

City Council Meeting
City Hall – Council Chambers
October 17, 2024
6:00 P.M. – Work Session / 7:00 P.M. – Council Meeting

WORK SESSION

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

Council Member Hodge made a motion to enter Executive Session for the purpose of Property Acquisition. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

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 Roth.

Pledge of Allegiance led by the Northwest Georgia and Metro Atlanta Young Marines.

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

Absent: Gary Fox, Council Member Ward Five

REGULAR AGENDA

COUNCIL MEETING MINUTES

1. October 3, 2024, Council Meeting Minutes

Council Member Hodge made a motion to approve the minutes from the October 3, 2024, Council Meeting. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 5-0

PROCLAMATIONS

2. Red Ribbon Week

Mayor Santini stated this proclamation was to raise awareness about the dangers of illicit drug use and promote healthy, drug-free lifestyles and introduce Kathea Thibaudeau.

Kathea Thibaudeau, 23 Stoneybrook Ct, came forward to introduce the organization that she

represents. She stated that the Young Marine organization is a non-profit organization that teaches the youth the importance of leadership and leading a drug free life. In closing, Ms. Thibeadeau stated she would like to pass out a gift to each attendee.

Mayor Santini read the proclamation designating October 23-31, 2024, as Red Ribbon Week. Following, Mayor Santini presented the proclamation to YM PFC Michael Lamar on behalf of Northwest Georgia Young Marines Unit Commander and YM First Sargent Alex Mendoza on behalf of Metro Atlanta Young Marines.

Council Member Hodge made a motion to add two (2) items to the agenda. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

ADDED ITEM

3. Historic Preservation Commission Appointment

David Hardegree, Planning and Development Assistant Director stated the Historic Preservation Commission needed to add another member to the Board. Mr. Hardegree recommended Becky Champion to replace Greg Frisbee.

If appointed, her term would expire September 7, 2025.

Council Member Roth made a motion to appoint Becky Champion to the Historic Preservation Commission. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

PUBLIC HEARING – 1st READING OF ZONING/ANNEXATION REQUESTS

4. T25-04 Applicant: Lehmann L. Smith

Randy Mannino, Planning and Development Director, stated this was a Text Amendment to Chapter 26, Zoning, Article IV, General Provisions, Sec. 4.25, and to Article XVI, Special Uses, Sec. 16.4, to amend the ordinance: To allow shipping containers to be used as storage containers on properties zoned G-C, General Commercial, provided the containers meet the standards of a Special Use Permit and that a Special Use permit is granted.

Also, to amend the Zoning Definitions, Sec. 2.2, for Accessory Structure, Outdoor Storage, and Structure, Accessory to include Shipping Containers and to amend Special Use Standards, Sec. 16.4, by adding a new section for Shipping Containers.

Staff is not opposed to the amendment. Planning Commission recommends approval with the following standards to be provided in Sec. 16.4:

1. Container height not to exceed 9ft.-6in.
2. Containers are not permitted to be stacked.
3. Containers must be placed on an impervious or paved surface.
4. The quantity and length of the shipping containers must be disclosed in the application and approved by the City.
5. Containers are only allowed inside or in rear yards.
6. Containers must be set back a min. 5ft. from the side or rear property lines.
7. Containers must be screened from view from all Right-of-Ways Per Sec. 4.17.

8. Containers must be maintained and in good repair.
9. Containers shall not be served by electrical power.

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

This was the first reading and would be voted on at the November 7, 2024, meeting.

5. SU25-03 Applicant: Lehmann L. Smith

Mr. Mannino stated this Special Use Permit is to allow existing shipping containers to be used as storage containers on the property. Zoning for G-C, General Commercial, was approved by City Council on 8-1-24, so the property is now eligible for a special use permit to use shipping containers for storage. The Text Amendment, T25-04, must be approved first.

All proposed special standards can be met. Currently, there are (2) 40ft x 8-1/2ft x 9ft-6in. containers on site.

Staff were not opposed to the special use permit request. Per Text Amendment, T25-03, the following standards are recommended to evaluate Special Use Permits for Shipping Containers:

1. Container height not to exceed 9ft.-6in.
2. Containers are not permitted to be stacked.
3. Containers must be placed on an impervious or paved surface.
4. The quantity and length of the shipping containers must be disclosed in the application and approved by the City.
5. Containers are only allowed inside or rear yards.
6. Containers must be set back a min. 5ft. from the side or rear property lines.
7. Containers must be screened from view from all Right-of-Ways per Sec. 4.17.
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SURLUS EQUIPMENT

6. Donation of Spare Vehicles to Bartow County Coroner's Office

Kevin Cloninger, Deputy Police Chief, stated they received a letter from Bartow County Coroner Joel Guyton in regards to donating spare surplus vehicles. Mr. Guyton requested the donation of unmarked spare police vehicles for use by the Deputy Coroners in his office. Mr. Guyton indicated that the donation of vehicles would help decrease the response times to scenes, which would allow other emergency units to go back into service quickly. This request is to surplus and donate the following vehicles to the Bartow County Coroner's Office:

2013 Dodge Charger 4013 2C3CDXAT9DH647960 BRS5039 107,500

2015 Dodge Durango 48211C4SDJFT1FC796270 106MYH 150,285

These vehicles were purchased with federal asset forfeiture funds.

Council Member Cordell made a motion to approve the Donation of Spare Vehicles to Bartow County Coroner's Office. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

BID AWARD/PURCHASES

7. Cellebrite UFED Premium Core Package

Deputy Chief Cloninger stated he was requesting approval to purchase a Cellebrite Premium core package. This software would be used for downloading cellular phones, tablets, and iPad.

Cellebrite is the sole source item, and the price is as follows:

Cellebrite UFED Premium core package \$11,045.00

The purchase of this software was requested because it has helped resolve criminal cases in a timelier manner. The total amount for software is \$11,045.00. The E-Verify and E-Save documents have been submitted to the police department and are on file. Approval was recommended for this purchase.

Council Member Cordell made a motion to approve the Cellebrite UFED Premium Core Package. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

8. Travelers Insurance Deductible

Dan Porta, City Manager, stated a police officer was involved in an accident in February 2024 and our auto deductible is capped at \$25,000. Currently, we have a deductible due to Travelers Insurance in the amount of \$18,183.51 for this accident. Approval was recommended to pay this invoice and future deductible invoices not to exceed our \$25,000 deductible cap related to this accident.

Council Member Hodge made a motion to approve the Travelers Insurance Deductible. Council Member Cordell seconded the motion. Motion carried unanimously. Vote: 5-0

9. Sewer Lift Station Spare Pump

Sidney Forsyth, Water Department Director, stated of the City's four sewer lift stations, we have spare pumps for three of them. The Waterford #1 station does not currently have a spare pump. The attached quote is from Xylem, the pump station manufacturer for a spare pump for this station for \$16,659.55.

Council Member Cordell made a motion to approve the Sewer Lift State Spare Pump. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

10. WPCP Office Refurbishment

Mr. Forsyth stated the Water Pollution Control Plant staff does not currently have office or other administrative spaces in existing buildings, and the existing laboratory building will be demolished in the upcoming plant expansion. The recently vacated Distribution & Collections building needs to be refurbished to make this the WPCP administrative building.

Quotes for this work were taken from three local contractors to perform the necessary modifications and upgrades needed for this re-purposing of the existing building.

It was recommended to award this work to the lowest bidder, Random Contracting LLC. for \$63,135.00. This is not a budgeted item but will be paid from Water Department revenue.

Council Member Cordell made a motion to approve the WPCP Office Refurbishment. Council Member Roth second the motion. Motion carried unanimously. Vote: 5-0

11. WPCP Instrumentation Service

Mr. Forsyth stated that annual calibration and service are required of both inline and bench-top instrumentation at the Water Pollution Control Plant to control and optimize plant operations. This service is provided by the instrument manufacturer, Hach, and is an annual service agreement including calibration, preventive maintenance, repair labor, and service calls.

Hach has provided a quote of \$18,462.00. Approval was recommended of this annual service agreement. This is a budgeted expense.

Council Member Cordell made a motion to approve WPCP Instrumentation Service. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

CHANGE ORDER

12. Main Street Pump Station Project Closeout

Mr. Forsyth stated the City contracted with Heavy Constructors, Inc. to reconstruct an outdated booster pump station on Main Street for \$2,772,129.00. After a substantial delay due to backup generator and switchgear delivery delays, that project is now complete.

The final reconciliation change order includes an increase in cost of \$45,942.32 due to an unforeseen need to increase the depth of suction and discharge piping at the site, including an additional vault and concrete work. The final cost for the project is \$2,818,071.32. It was recommended to approve this change order to close the project.

Council Member Cordell made a motion to approve the Main Street Pump Station Project Closeout. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

OTHER

13. Right of Entry JDC Sewer Line

Keith Lovell, City Attorney, stated the Right of Entry is for the County and/or its contractors is necessary for the County to begin work on the Jimmy Don Crane sewer line prior to it being transferred to the County. The City Attorney's Office and Water Department recommended approval.

Council Member Cordell made a motion to approve the Right of Entry JDC Sewer Line. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

FIRST READING OF ORDINANCES

14. Grease Trap Ordinance Update

Mr. Forsyth stated this ordinance clarifies language in the Sewer Use Ordinance regarding grease, oil, and sand interceptors to align with current Water Department policy. The specific changes include the installation of a standard 1,000- gallon trap for food service establishments but allows for constructability exceptions. This also specifies minimum cleaning and inspection frequencies and enforcement actions for non-compliance. This was recommended for approval.

This was the first reading and will be voted on at the November 7, 2024, City Council meeting.

Council Member Hodge inquired how this would affect businesses.

Mr. Forsyth stated there will be no change. This ordinance will simply codify the practices that are already in place.

15. Amendment to Chapter 24 – Utilities Rev. 24-212, 24-227, and 24-234

Mr. Lovell stated these ordinances address new industrial customers for whom we do not have capacity for under our current contracts. The City Attorney and Gas Department recommend approval of the amendments.

This was the first reading and will be voted on at the November 7, 2024, City Council meeting.

CONTRACTS/AGREEMENTS

16. Service Delivery Strategy (SDS) Amendment

Mr. Porta stated Bartow County is working with Tranquility House to apply for a CDBG Grant to assist them, however, to meet the Department of Community Affairs (DCA) grant eligibility guidelines, the service provided by Tranquility House must be identified in the Service Delivery Strategy (SDS). Any change to the SDS requires approval of all the cities within the county and Bartow County. Seeing that this is a valuable service for our citizens, it was recommended to approve this agreement.

Council Member Cordell made a motion to approve the Service Delivery Strategy (SDS) Amendment. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

ADDED ITEM

17. Cartersville Development Authority and Development Authority of Cartersville Appointment

Mr. Lovell stated that both Boards have vacancies and recommended Dan Porta to fill a vacancy on both of the Boards.

Council Member Cordell made a motion to appoint Dan Porta to the Cartersville Development Authority and the Development Authority of Cartersville. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

SECOND READING OF ORDINANCES

18. FY2024 Budget Ordinance Amendment

Tom Rhinehart, Finance Department Director, stated After Completion of the Fiscal Year 2023-24 close, the General Fund, Special Revenue funds, and the SPLOST Fund's budgets need to be amended. The process of amending these budgets is done annually before the year-end closes and will bring the city General Fund, Special Revenue Funds, and SPLOST Funds into compliance with Generally Accepted Accounting Principles (GAAP) standards. These adjustments reflect the necessary changes needed to bring the budgets back into balance where the revenues equal expenses and mirror the actual year-to-date revenues and expenses in each of the funds. It was recommended to approve the attached ordinance amendment.

Council Member Cordell made a motion to approve the FY2024 Budget Ordinance Amendment. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Ordinance # 45-24

MONTHLY FINANCIAL STATEMENT

19. August 2024 Financial Report

Mr. Rhinehart reviewed the August 2024 Financial Report and compared the numbers to August 2023.

ADJOURNMENT

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

Meeting Adjourned at 7:27 P.M.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Julia Drake
City Clerk