

City Council Meeting  
City Hall – Council Chambers  
June 15, 2023  
6:00 P.M. – Work Session  
7:00 P.M. – Council Meeting

## **WORK SESSION**

Mayor Matthew Santini opened Work Session at 6:06 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Mayor Santini closed Work Session at 6:26 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 Mathew Santini, Mayor, presiding, and the following present: Kari Hodge, Council Member Ward One (Via Phone); Cary Roth, Council Member Ward Three; Calvin Cooley, Council Member Ward Four; Taff Wren, Council Member Ward Six; Dan Porta, City Manager; Julia Drake, City Clerk; and Keith Lovell, Assistant City Attorney.

Absent: Jayce Stepp, Council Member Ward Two and Gary Fox, Council Member Ward Five

## **REGULAR AGENDA**

### **COUNCIL MEETING MINUTES**

#### **1. June 1, 2023, Council Meeting Minutes**

Council Member Cooley made a motion to approve the June 1, 2023, Meeting Minutes. Council Member Roth seconded the motion. The motion carried unanimously. Vote: 4-0

### **APPOINTMENTS**

#### **2. Swearing in of Deputy City Clerk**

Julia Drake, City Clerk, stated that Ashley Peters had been hired as the new Deputy City Clerk, and upon approval by Mayor and City Council, Ms. Peters would be sworn in.

Council Member Wren made a motion to approve swearing in of the new Deputy City Clerk. Council Member Cooley seconded the motion. The motion carried unanimously. Vote: 4-0

Mrs. Drake swore in Ms. Peters as the Deputy City Clerk.

### **3. Library Board**

Dan Porta, City Manager, stated if approved, Sydney Lutjens will replace Karen Barnhart on the Library Board and her new term will expire June 30, 2026.

Council Member Roth made a motion to approve the Library Board Appointment. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 4-0

### **4. Alcohol Control Board**

Randy Mannino, Planning and Development Director, stated if approved, Richard Napps was willing to serve as the Mayor's appointee on the Alcohol Control Board for another term which would expire June 3, 2025.

Council Member Cooley made a motion to approve the Alcohol Control Board appointee. Council Member Roth seconded the motion. Motion carried unanimously. Vote:4-0

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

### **5. ZMA23-01: Zoning Map Amendment**

Mr. Mannino stated this was the Annual Zoning Map Amendment that includes (1) de-annexation and (3) zoning cases approved by Council in 2022. Planning Commission approved 6-0. Staff recommends approval.

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

This was a first reading and would be voted on at the next City Council meeting scheduled for July 6, 2023.

### **6. T23-03: Amendments to the Zoning Ordinance**

Mr. Mannino stated this was for multiple amendments to Chapter 26, of the City's Zoning Ordinance in response to revisions to the State of Georgia's Zoning Procedures Law, O.C.G.A. Title 36, Local Government, Chapter 66, Zoning Procedures. HB1405 (2022).

Key revisions to the City Ordinance include:

- Removing the administrative variance option;
- Defining "Quasi-Judicial" (board or action)
- Increasing the public notification period from 15 days to 30 days for variance hearings;
- Incorporating the ten (10) Standards for governing the exercise of zoning power for review of variance and special use permit applications;
- Clarifying public notification process for single family to multi-family zoning decisions; and,

- Updating the judicial appeals process.

Staff recommends approval. Planning Commission approved 6-0.

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

This was a first reading and would be voted on at the next City Council meeting scheduled for July 6, 2023.

## **RESOLUTIONS**

### **7. Agreement to Settle Opioid Litigation**

Keith Lovell, Assistant City Attorney, stated this resolution is the agreement to settle with Publix Super Markets, Inc. concerning the prescription opioid litigation.

Council Member Roth made a motion to approve the Agreement to Settle Opioid Litigation. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0.

Reference Resolution #13-23.

### **8. Acceptance of Grant Award**

Kevin Cloninger, Deputy Chief of Police, stated this resolution is for the acceptance of a grant from the State which will allow the purchase of tasers for the Police Department and allows all associated documents to be signed.

Council Member Wren made a motion to approve the Acceptance of Grant Award. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

Reference Resolution #14-23.

### **9. Repeal Ordinance 22-23**

Mr. Lovell stated this item will become a first reading and that the Gas Department requests to repeal Ordinance 22-23, which was approved at the May 18, 2023, City Council meeting due to incorrect billing rates.

As stated previously, this was a first reading and will be voted on at the July 6<sup>th</sup>, 2023, City Council Meeting.

## **FIRST READING OF ORDINANCES**

### **10. Correction of Ordinance 22-23**

Mr. Lovell stated this is an Ordinance revision to amend Article IX.-Gas System Division 2.-Rates Sec 24-223, to correct the consumption price contained within the chart.

This is the first reading and will be voted on at the July 6<sup>th</sup>, 2023, City Council Meeting.

## **SECOND READING OF ORDINANCES**

### **11. Budget Ordinance for the Fiscal Year 2023-2024**

Mr. Porta stated the fiscal year 2023-24 budget ordinance is attached. The proposed budget is a balanced budget and increased \$37,565,020 over the fiscal year 2022-23 budget which equates to a 20.92% increase. The proposed budget includes salary adjustments, a small increase in the City's property tax millage rate, an increase in health insurance premiums for both the city and the employees, and a small increase in the water and sewer rates.

Budget comparison by type for the FY 2024 proposed budget compared to the FY 2023 budget include: personnel expenses decrease by \$47,155; operating expenses increased \$2,985,455; purchase of commodities increased by \$11,145,005; debt service expenses increased \$1,952,165; capital expenses increased \$20,559,550, and transfers to the general fund increased \$970,000. Approval was recommended of the proposed FY 2023-24 budget as presented.

Council Member Cooley made a motion to approve the Budget Ordinance for Fiscal Year 2023-2024. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

Reference Ordinance #31-23

### **12. Amendment to Utilities Ordinance Regarding Water and Sewer Rate**

Mr. Porta stated the proposed fiscal year 2023-24 budget includes an increase in the Water and Sewer Fund to help address the maintenance and capital issues of the water fund. The increase is as follows: a 2% increase in the residential water and sewer rates for both inside and outside the city limits customers.

The 2% increase will allow the Water Department to continue the maintenance of the existing water and sewer system as well as update/expand the system to fulfill the needs of existing customers. For residential customers, the water and sewer rate increase equate to \$0.18 per 1,000 gallons used for city residents. The total estimated increase for a residential water and sewer customer is \$1.27 per month for 7,000 gallons consumed.

With the proposed increase in the water and sewer rates, the City of Cartersville residents will remain one of the lowest in the surrounding municipalities. The increase is needed to maintain the existing system and plan for any necessary future expansions. Approval is recommended to increase water and sewer rates beginning July 1, 2023.

Council Member Cooley made a motion to approve the Amendment to Utilities Ordinance Regarding Water and Sewer Rate. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

## **CONTRACTS/AGREEMENTS**

### **13. Contracts for Performing Services**

Mr. Porta stated this item includes the Contracts for Performing Services for the agencies that are awarded funds each year as part of the annual budget.

The agencies and amounts for this year are:

- Cartersville-Bartow Library/ \$469,500.00
- Cultural Arts Alliance/ \$41,000.00
- Juvenile Court/ \$15,000.00
- Bartow Health Access/ \$2,000.00
- Good Neighbor Homeless Shelter/ \$15,000.00
- Eddie Lee Wilkins Youth Association/ \$18,000.00
- Bartow-Cartersville Joint Development Authority/\$250,000.00
- Downtown Development Authority/ \$ 220,000.00
- Bartow County Library Inc./ \$10,000.00
- Bartow Recovery/ \$10,000.00

All these contracts are budgeted in FY2023.

Council Member Cooley made a motion to approve Contracts for Performing Services. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

### **14. Dedication and Maintenance Agreement – Crown Inn**

Mr. Lovell stated this is the Certificate of Dedication and Maintenance Agreement of water and sewer lines for the Crown Inn Sewer Project on Tennessee Street. It was recommended for approval.

Council Member Wren made a motion to approve the Dedication and Maintenance Agreement – Crown Inn. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

## **BID AWARD/PURCHASES**

### **15. Atco-Pettit Creek & JDC Sewer Replacement**

Sidney Forsyth, Water Department Director, stated the Atco-Pettit Creek 12-inch aerial sewer crossing near Cassville Road needs replacement as the pipe supports have been undermined by stream flows. The sub-surface sanitary sewer crossing of Pettit Creek near Industrial Park Road (Jimmy Donn Crane – JDC sewer) is an exposed section of pipe in the

creek. This pipe shifts periodically with creek flows and appears to be taking inflow from the creek. As both the Atco-Pettit Creek and JDC sewer projects are similar in scope, they were bid as a single project to minimize mobilization and overhead costs.

Bids for this combined project were opened on May 11, 2023. Of three bid submissions, the low bidder was Utility & Water Services, Inc. for \$990,245.00. This bid is within the budgeted costs for these projects and a contract award recommendation letter has been issued by the City's engineering consultant, Rindt Engineering & Environmental. Approval was recommended of this budgeted capital project.

Council Member Roth made a motion to approve the Atco-Pettit Creek & JDC Sewer Replacement. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0

## **16. Meters for Satterfield Townhomes**

Mayor Santini stated that when the agenda was sent out, the item was referenced as Saddlefield Townhomes instead of Satterfield Townhomes.

Derek Hampton, Electric Department Director, stated the Electric Department is requesting authorization to purchase (112) Sensus 2S meters from Equipment Controls Company, Inc. This purchase is necessary to serve power to the Satterfield townhome community. The total cost is \$18,887.60. This is a budgeted expense recommended for approval.

Council Member Cooley made a motion to approve the Meters for Satterfield Townhomes. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

## **17. Additional Sod at Soccer Complex**

Steve Roberts, Parks and Recreation Director, stated Southern Soccer Academy contracted with Kent Quinn Turf Management, LLC. to purchase and install 36,000 sq ft. of sod for the Soccer Complex. However, an additional 18,000 sq ft at \$0.85 per sq ft for sod, prep and installation is needed to complete the project. The total for the additional sod and work will be \$15,300. This is not a budgeted item; however, the funds are available in the Operating Expenses, 100-5100-52-2341.

Council Member Wren made a motion to approve Additional Sod at Soccer Complex. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0

## **18. Fiber Optic Cable**

Steven Grier, FiberCom Director, stated this item is the purchase of 40,000 feet of 60 count fiber optic cable for stock. This is a budgeted item. The total amount is \$31,273.00 from Wholesale Electric Supply and was recommended for approval.

Council Member Roth made a motion to approve Fiber Optic Cable. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0

Council Member Wren made a motion to add three items to the agenda. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

### **19. Residential Garbage Carts**

Wade Wilson, Public Works Director, stated Solid Waste is requesting to purchase residential garbage carts from Toter Carts in the amount of \$37,659.00 which includes shipping. This is a budgeted item and recommended for approval.

Council Member Cooley made a motion to approve the Residential Garbage Carts. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

### **20. 8-Yard Slant Front Dumpster**

Mr. Wilson stated Solid Waste is requesting to purchase sixteen (16) 8-yard slant front dumpsters in the amount of \$16,390.00 including freight. This is a budgeted item and recommended for approval.

Council Member Cooley made a motion to approve 8-Yard Slant Front Dumpster. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

### **21. Contractor Labor for Tapping and Stopping**

Michael Dickson, Gas Department Director, stated as part of the relocation of City facilities for GDOT's road project on Old Alabama Road, this project requires the tapping and stopping of two (2) 6" line stopper fittings. Gas System does not have the tools nor expertise to perform this operation, therefore, we requested a quotation from a local contractor who performs this operation as a sole source provider to the Gas System for this work. Southeastern Natural Gas Services of Rome, Inc. of Lindale, Georgia provided a quotation in the amount of \$9,000.00 to perform the tapping and stopping operation labor. This is a budgeted item recommended for approval.

Council Member Roth made a motion to approve the Contractor Labor for Tapping and Stopping. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0

### **22. Gas Meter Purchase**

Mr. Dickson stated the Gas Department requested a quote for two hundred, Sonix IQ 250 gas meters for stock. The sole source provider of these meters is Equipment Controls Company, Inc. of Norcross GA and they provided a quote of \$64,258.00. This is a budgeted purchase and Council's approval was recommended.

Council Member Wren made a motion to approve Gas Meter Purchase. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0

### **23. Travelers Insurance Fiduciary Coverage**

Mr. Porta stated the renewal is due for the City’s Fiduciary Insurance policy in the amount of \$11,592.00. This policy provides coverage to all City Boards. This is a budgeted expense and recommended for approval.

Council Member Wren made a motion to approve the Travelers Insurance Fiduciary Coverage. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0

**24. 19 N. Erwin Building Study**

Mr. Porta stated that he and Chief Carter met with Jim Croft and Chris Mullinax with Croft to walk through the old fire station to look at the existing structure and discuss some options for this building. From this meeting, Jim Croft has provided a proposal to provide architectural and engineering services for this project in the amount of \$56,500.00. Since we are dealing with such an old structure, this is the first step we need to take to see what our best course of action is on rehabbing this structure.

Council Member Cooley made a motion to approve the 19 N. Erwin St. Building Study. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

**25. First Quarter 2023 Motorola Radio Invoice**

Freddy Morgan, Assistant City Manager, stated Bartow County has submitted the first 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 Wren made a motion to approve the First Quarter 2023 Motorola Radio Invoice. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

**SURPLUS EQUIPMENT**

**26. Surplus Equipment**

Mr. Morgan stated this is a list of vehicles/equipment deemed as surplus by our departments. It was requested this list be approved as surplus to be sold on GovDeals.com.

Surplus assets-vehicles April 2023					
Department	Asset #	VIN/Serial #	Description	Mileage	Problems
1520 Customer Service	103	1FTRF12W05NA55412	2005 Ford F150	146,205	Cost of repairs and age
	105	2FTRF17W64CA56061	2004 Ford F150	109,834	Cost of repairs and age
510 Electric	505	1GTPKTEA8AZ267525	2010 GMC K1500	177,805	Runs rough, age, mileage
	510	1FTRF14W16NB73497	2006 Ford F150	174,474	Runs rough, age, mileage
3100 Public Works	6014	1GC/GC24R4WZ206310	1998 Chevrolet C2500	87,296	Age
	N/A	ND2146	Exmark Lazer Z Mower 60"	2,843	Age and cost of repairs
	N/A		Asphalt tar kettle trailer		Age and cost of repairs

Council Member Roth made a motion to approve Surplus Equipment. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0



## **RESOLUTIONS**

### **27. Pension Plan Resolution and Amendments**

Mr. Morgan stated this resolution and subsequent amendments are written to align us with the master plan of the Georgia Municipal Employee Benefit System (GMEBS) and are needed for our entrance into the GMEBS retirement fund. The intent is to amend the 2017 Plan to clarify early retirement qualifications, modify the commencement of participation, increase the normal retirement multiplier, remove the bonus payment and domestic relations order provisions, and modify vesting requirements and provisions regarding the city's right to amend or terminate the Plan. Our pension attorney has provided the language to address each amendment and the Pension Board has approved of each.

Council Member Cooley made a motion to approve the Pension Plan Resolution and Amendments. Council Member Roth seconded the motion. Motion carried unanimously.  
Vote: 4-0

Reference Resolution #16-23

Mayor Santini recognized Freddy Morgan as he received the Excellence award to Breaking Barriers and Council Member Cooley for receiving the Leadership Award.

## **ADDED ITEMS**

### **28. Encroachment Agreement for Main St. Pump Station**

Mr. Lovell stated this is an agreement for the Main St. Pump Station to allow for encroachment for GA Power.

Council Member Wren made a motion to approve the Encroachment Agreement for Main Street Pump Station. Council Member Roth seconded the motion. Motion carried unanimously.  
Vote: 4-0

### **29. Property, Casualty and Workers Compensation Insurance Renewals**

Mr. Porta stated that this is the renewal with USIS, INC, our annual rate will increase by 12%. The total with workers comp will be \$1,267,577.00.

Council Member Wren made a motion to approve the Property, Casualty, and Workers Compensation Insurance Renewal. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

### **30. Gabe Agan, Raymond James Proposal Agreement - Letter of Intent**

Mr. Porta stated this is an engagement agreement to discuss bonds for the water and sewer project.

Council Member Wren made a motion to approve the Gabe Agan, Raymond James Proposal Agreement. Council Member Roth seconded the motion. Motion carried unanimously.

Vote: 4-0

## **MONTHLY FINANCIAL STATEMENT**

### **31. April 2023 Financial Report**

Mr. Porta presented the April 2023 Financial Report and compared the numbers to April 2022.

## **OTHER BUSINESS**

Mike Lusk, 4 Twin Leaf Court, came forward to inquire on the upcoming millage rate. Mayor Santini stated there would be no rollback. Mr. Porta added that the 2.91% rate would remain the same.

David Holt, 218 West Avenue, thanked Mr. Porta for the help on the Quiet Zone. Continuing, Mr. Holt suggested the city hire an outside consulting firm to determine a future plan for the City of Cartersville.

## **ADJOURNMENT**

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

Meeting Adjourned at 7:38 P.M.

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

ATTEST:

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