

City Council Meeting  
City Hall – Council Chambers  
December 21, 2023  
6:00 P.M. – Work Session  
7:00 P.M. – Council Meeting

## **WORK SESSION**

Mayor Matthew Santini opened Work Session at 6:02 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Council Member Hodge made a motion to enter Closed Session for the purpose of Personnel and Property. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 5-0

Mayor Santini closed Work Session at 6:36 P.M.

## **OPENING MEETING**

Mayor Santini called the Council Meeting to order at 7:00 P.M.

Invocation by Council Member Cooley.

Pledge of Allegiance led by Wren.

The City Council met in Regular Session with Matthew 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 David Archer, Assistant City Attorney.

Absent: Jayce Stepp, Council Member Ward Two

## **REGULAR AGENDA**

### **COUNCIL MEETING MINUTES**

#### **1. December 7, 2023, Council Meeting Minutes**

Council Member Cooley made a motion to approve the December 7, 2023, Council Meeting Minutes. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

### **APPOINTMENTS**

#### **2. Convention and Visitor Bureau**

Dan Porta, City Manager, stated Jeff Watkins and Tom Shinall are willing to continue to serve as board members of the Convention and Visitor Bureau with new terms expiring on December 31, 2025, if reappointed.

Council Member Fox made a motion to approve the Convention and Visitor Bureau Appointment. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

### **3. Bartow-Cartersville Second Joint Development Authority**

Mr. Porta stated Malcom Cooley and David Caswell are willing to continue to serve as board members of the Bartow – Cartersville Second Joint Development Authority with a new term expiring on December 31, 2027, if reappointed.

Council Member Hodge made a motion to approve the Bartow-Cartersville Second Joint Development Authority Appointment. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

### **4. Recreation Advisory Board**

Eric Pabst, Parks and Recreation Assistant Director, stated Josh Brock, Ty Mitcham, Monique Hall, and Patrick Jones are willing to continue to serve as board members of the Recreation Advisory Board. Mr. Brock’s new term will expire on December 31, 2025, and all others will expire on December 31, 2027, if reappointed.

Council Member Roth made a motion to approve the Recreation Advisory Board Appointment. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

## **SECOND READING OF ORDINANCES**

### **5. Employee Benefits**

Mr. Porta stated the city Employee Handbook has needed an update for many years and after some extensive review by the Human Resources Director, City Attorney, outside Counsel, and himself are ready to move forward with an updated Employee Handbook with an effective date of January 1, 2024. If adopted, this ordinance will cut any existing employee benefit-related ordinances from the code and allow for minor changes to the Employee Handbook to be done internally by the City Manager. Of course, any major changes to the Employee Handbook will require City Council approval via a Resolution.

Council Member Wren made a motion to approve the Employee Benefits. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Ordinance #79-23

### **6. Adult Entertainment Establishment**

Keith Lovell, City Attorney, stated this Ordinance amendment adds findings, studies, and definitions to Section 10-302, Adult Entertainment Establishments.

Council Member Fox made a motion to approve the Adult Entertainment Establishment Ordinance amendment. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Ordinance #80-23

## **7. Pouring Establishment Requirement**

Mr. Lovell stated This Ordinance Amendment adds and revises language to limit pouring licenses to certain establishments and defines uses not allowed under the Specialty Shop classification.

Council Member Hodge made a motion to approve the Pouring Establishment Requirement Ordinance amendment. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Ordinance #81-23

## **PUBLIC HEARING: 1<sup>st</sup> Reading of Zoning/Annexation Requests**

### **8. SU23-02: 645 Henderson Dr:**

**Applicant: Richard Wiernek**

Randy Mannino, Planning and Development Director stated the applicant requests a Special Use permit to allow automotive and truck sales or rental on the property identified as 645 (659) Henderson Dr, in Land Lot 594 of the 4th District, 3<sup>rd</sup> Section. Tax ID No. C022-0004-011. The approximate land area is 2.85 acres. No outdoor storage of inventory is proposed.

Staff is not opposed to the request with the following conditions:

- 1) The special use permit is only for the applicant and for the applicant's business.
- 2) No outdoor storage or display of inventory.

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

This was a first reading and will be voted on at the next City Council meeting scheduled for January 4, 2024.

## **RESOLUTIONS**

### **9. Capital Improvements Element (CIE) and Community Work Program (CWP) Annual Update and Corresponding Transmittal Resolution**

Mr. Mannino stated Cartersville adopted Impact Fees in the last quarter of 2006. Said fees became effective starting in January of 2007. In accordance with the Development Impact Fee Regulations as outlined by the State, we are required to file an annual update to the Capital Improvements Element (CIE) of the Comprehensive Plan and Community Work Program (CWP). The update gives the impact fee receipts and expenditures (none) for fiscal year 2023 (July 1, 2022, through June 30, 2023), as well as updates the CWP. We must hold a public hearing regarding the update and forward it with a transmittal resolution to the Northwest Georgia Regional Commission (RC) and the Department of Community Affairs (DCA). After review from the RC and DCA, the document then needs to be adopted by the Council, and a copy sent to the RC (just like the Comp Plan process). At this time, the document is in "Draft" form and the final version will be distributed for review and comment prior to adoption.

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

Council Member Hodge made a motion to approve the Capital Improvements Element (CIE) and Community Work Program (CWP) Annual Update and Corresponding Transmittal Resolution. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Resolution #39-23

## **CONTRACTS/AGREEMENTS**

### **10. 15 Spring Street: Lien Release**

Mr. Mannino stated 15 Spring Street was purchased as part of the “First Time Homebuyers Program”. The applicant has fulfilled the obligation of five years’ ownership as set forth in the program. They have requested the attached Quit Claim Deed to be released at this time. This is a standard process, and since the applicant has fulfilled their obligation, staff recommended approval to authorize said release.

Council Member Fox made a motion to approve 15 Spring Street Lien Release. Council Member Roth 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 Roth seconded the motion. Motion carried unanimously. Vote: 5-0

### **11. Fire Station #5: Early Site Release GMP Estimate**

Freddy Morgan, Assistant City Manager, stated this is the early site release GMP estimate from Reeves Young to perform site work for Fire Station #5. We are requesting Council approval to move forward with the sitework portion of the project while Reeves Young finalizes the rest of the project GMP.

Council Member Cooley made a motion to approve Fire Station #5: Early Site Release GMP Estimate. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

## **BID AWARD/PURCHASES**

### **12. Replacement of Two Pick-up Trucks**

Mr. Morgan stated the Water Department is requesting approval to purchase two (2) replacement pick-up trucks. A 2023 Ford F-150 4x4 crew cab in the amount of \$46,937.00 to replace truck #870 a 2007 F-150 with 66,000 miles and a 2023 Ford F-150 extended cab in the amount of \$44,445.00 to replace truck #801 a 2006 F-150 with 142,000 miles. The requested truck replacements are budgeted items.

Council Member Fox made a motion to approve the Replacement of Two Pick-up Trucks. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

### **13. PPE Purchase for Recruits**

Scott Carter, Fire Chief, stated the Fire Department requests approval for the construction and purchase of Personal Protective Clothing (PPE) for the newest firefighters that will begin recruiting school the first week of February 2024. This PPE, known as “turn out gear” is the protective

ensemble that firefighters wear while combating a fire and other hazardous emergencies. Two quotes were obtained. Firemaster quoted a set of PPE at \$2368.76 and Bennet quoted a price of \$2651.00 per set. The lowest quote from Firemaster for the purchase of thirteen sets of PPE was recommended for approval. This comes to a total price of \$30,794.00. This gear will have a construction time of approximately eight weeks from the time of order. This is a budgeted item and within budget.

Council Member Roth made a motion to approve the PPE Purchase for Recruits. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

#### **14. GMA Membership Dues**

Mr. Porta stated this is the 2024 dues for membership in the Georgia Municipal Association (GMA). The total is \$9,131.46 for the year and is based on the City's population. This is a budgeted request.

Council Member Roth made a motion to approve the GMA Membership Dues. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

#### **15. Everbridge Notification System Renewal**

Logan Bagley, Public Relations and Communications Manager, stated the cost for the annual renewal of the Everbridge Notification System is \$12,836.73 and will continue the contract through January 28, 2025. This renewal is submitted for your approval and is a budgeted item.

Council Member Roth made a motion to approve the Everbridge Notification System Renewal. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

#### **16. Firefighters Cancer Insurance Policy Renewal**

Mr. Porta stated Terry Watkins Insurance has provided the city with the annual cancer insurance policy for city firefighters with a premium of \$10,656.00, which is different from the original proposal of \$13,320.00 This is a requirement under Georgia law for the city to provide this insurance and approval was recommended.

Council Member Fox made a motion to approve the Firefighters Cancer Insurance Policy Renewal as amended. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

#### **17. Water Meters for Stock**

Michael De Leon, Water System Engineer, stated the invoice is for 192 (one pallet) of 3/4" Sensus iPerl meters from the sole source supplier, Kendall Supply for \$26,208.60. These are the same meters and equipment being installed in the AMI project. This represents between 4-6 months' supply at present. Approval was recommended to pay this invoice. This is a budgeted item to be paid from account #505.3320.52.2390.

Council Member Fox made a motion to approve the Water Meters for Stock. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

## **CHANGE ORDER**

### **18. Atco-Pettit Creek & JDC Sewer Change Order**

Mr. De Leon stated on June 15, 2023, Council approved a construction contract with UWS, Inc. to replace two aerial sewer crossings of Pettit Creek at Atco and on Jimmy Don Crane (JDC) property. This change order adds \$441,329.81 and 150 days to the total project, divided proportionally between the two sections.

\$87,480.00 was added to the Atco section due to changing to jack & bore from an open cut under the bridge, changing manhole types, and removing an additional aerial crossing at Fairview Drive. \$353,489.81 is added to the JDC section due to a request from Bartow County to increase the size of this sewer from twelve inches to twenty-four inches, as this serves a large portion of the Highway 20 development corridor. Bartow County will reimburse the city for this portion of the change order. This change order was recommended for approval.

Council Member Hodge made a motion to approve the Atco-Pettit Creek & JDC Sewer Change Order. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

## **CERTIFICATION**

### **19. LAP Certification - Letter of Understanding**

Wade Wilson, Public Works Director, stated the Local Administered Project (LAP) Certification covers the uniform practices for authorizing qualified LPA (Local Public Agencies) to manage core activities for Federal aid-funded projects. The City of Cartersville had previously been granted conditional approval.

To allow for better efficiencies and allow local agencies to independently conduct Engineering and Design procurements, the Georgia Department of Transportation is transitioning all conditional local agencies to full approval. The City will gain full approval if the statements confirm the person(s) conducting the procurement fully understands the process and the requirements to maintain compliance.

Public Works Staff have attended or are attending the required courses for LAP approval. As a result, Public Works staff have been educated on the requirements of LAP compliance, which includes engineering and design procurement.

Council Member Fox made a motion to approve the lap Certification – Letter of Understanding. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

## **ADDED ITEMS**

### **20. Right of Way Deed – Jackson Farm Phase 2 Unit 1**

Mr. Lovell stated this Deed of Dedication is recommended for approval.

Council Member Fox made a motion to approve the Right of Way Deed of Dedication. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

## **21. Billing Error – Electric Department**

Mr. Porta stated that there was an error in the billing for electric customers. It was recommended to begin the refund process which totals approximately \$195,000.000.

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

## **MONTHLY FINANCIAL STATEMENT**

### **22. October 2023 Financial Report**

Tom Rhinehart, Finance Department Director, came forward to review the numbers from October 2023 and compared the numbers to October 2022.

## **FINAL COMMENTS**

Mayor Santini stated all City Offices would be closed on Monday, December 25<sup>th</sup>, and Tuesday, December 26<sup>th</sup>.

## **ADJOURNMENT**

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

Meeting Adjourned at 7:24 P.M.

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

ATTEST:

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