

City Council Meeting
City Hall – Council Chambers
November 2, 2023
6:00 P.M. – Work Session
7:00 P.M. – Council Meeting

WORK SESSION

Mayor Matthew Santini opened Work Session at 6:11 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Council Member Wren made a motion to go into Executive Session for the purposes of Property, Personnel, and Potential Litigation. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting

Mayor Santini closed Work Session at 6:47 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 Fox.

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 Keith Lovell, City Attorney.

Via Phone: Jayce Stepp, Council Member Ward Two

REGULAR AGENDA

COUNCIL MEETING MINUTES

1. October 19, 2023, Council Meeting Minutes

Council Member Fox made a motion to approve the October 19, 2023, Council Meeting Minutes. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 6-0

SECOND READING OF ORDINANCES

2. T23-04: Amendments to the Zoning Ordinance

Applicant: Switch, LTD

Randy Mannino, Planning and Development Director, stated this text Amendment to Chapter 26, of the City's Zoning Ordinance, is to create a new zoning district, Technology (T) Zoning District. This district would allow data centers and associated uses. Planning Commission recommended approval.

The public hearing was opened.

Brandon Bowen, 15 S. Public Square, came forward to represent the applicant and to give an overview of the text amendment portion of the application. He continued by stating the dark sky provision had been added since the last reading.

Scott Edwards, 451 Lucas Rd., came forward and stated he was in favor of the project but would like to see more of a narrowed focus on the technology district.

Greg Blaylock, 426 Washington Blvd, Dallas, came forward and stated that he encouraged all staff recommendations to be adopted and would prefer the buffer be greater than 100'.

With no one else to speak for or against the application, the public hearing was closed.

Council Member Fox made a motion to approve T23-04, as amended. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 6-0

Reference Ordinance # 73-23

PUBLIC HEARING – 2nd Reading of Zoning/Annexation Requests

3. Z23-03: Rezoning Application

Applicant: Switch, LTD

Mr. Mannino stated this application was to rezone (8) tracts in the Carter Grove Planned Development (P-D) from P-D to T (Technology) District for construction of a data center campus. Planning Commission recommended approval. Since the last reading, the use has been limited to data center use only.

The public hearing was opened.

Mr. Bowen returned to the podium and spoke briefly about the buffers that are provided.

Mr. Blaylock returned to the podium and gave a presentation on how the latter phases will affect the Paulding County residents.

Lori Blaylock, 426 Washington Blvd., Dallas, came forward to present pictures of the Douglasville site.

Marlene Wood, 101 Columbus Ct., came forward to encourage Mayor Santini and the Council Members to visit the southern part of the project.

Steven Wood, 101 Columbus Ct., came forward to request a larger buffer on the southern end of the project.

With no one else to speak for or against the application, the public hearing was closed.

Council Member Wren made a motion to approve Z23-03 as amended. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 6-0

Reference Ordinance 74-23

CONTRACT/AGREEMENTS

4. 49 Westover Lane Distributed Generation Agreement

Derek Hampton, Electric Department Director, stated the residential customer has installed a solar power generation source (roof-mounted solar panels) that will be interconnected with the city's distribution system. When a power generation source connects to our distribution system, such as a solar power system, the Electric Department completes a visual inspection and field test to verify all operations meet our guidelines and do not negatively impact our system. The owner has signed the interconnection agreement and passed the field test. Approval was recommended.

Council Member Wren made a motion to approve the 49 Westover Lane Distributed Generation Agreement. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

5. Salem Trust Revised Fee Amendment

Freddy Morgan, Assistant City Manager, stated that as we migrate to the GMEB pension plan, a revised fee agreement amendment is needed with our current Pension plan custodian (Salem Trust). Salem Trust has agreed to continue as custodian for the existing pension fund investments that are illiquid. Approval was requested to move forward with this amendment.

Council Member Fox made a motion to approve the Salem Trust Revised Fee Amendment. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 6-0

Council Member Hodge made a motion to add two (2) items to the agenda. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 6-0

6. Matthew Hill Park Stadium Steps Renovation

Steve Roberts, Parks and Recreation Director, stated Parks and Recreation is seeking approval of the RFP from Patterson and Dewar Engineers, located in Norcross, GA., to furnish the design and civil documents for the stadium steps and retaining wall renovation at Matthew Hill Park. The RFP was publicized September 13, 2023, through October 18, 2023, and bids opened October 18, 2023. Patterson and Dewar submitted the only proposal for \$133,125.00. The scope of work will

consist of the following: Survey, Schematic Design, Civil Engineering, Design Development, and Construction Administration for the final project.

Council Member Cooley made a motion to approve the Matthew Hill Park Stadium Steps Renovation. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

7. Opioid Litigation Representation

Dan Porta, City Manager, stated this agreement will allow J. Anderson “Andy” Davis and his new law firm to continue to represent the City of Cartersville in the opioid litigation case.

Council Member Fox made a motion to approve the Opioid Litigation Representation. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 6-0

BID AWARD/PURCHASES

8. Gas Meter Purchase

Michael Dickson, Gas Department Director, stated that the Gas System is requesting the purchase of two Sensus 8-inch T-90 turbine meters for the SK America project. Our sole source provider, Equipment Controls Company, quoted \$31,601.50 for the meters. The budgeted items were recommended for approval.

Council Member Roth made a motion to approve the Gas Meter Purchase. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

9. New Vehicles for Police Department

Frank McCann, Police Chief, stated the Police Department is requesting approval to purchase three vehicles from Ginn Motor Company to replace older vehicles in our fleet. This request includes two 2023 Chevrolet Tahoe’s for \$96,830.00, a 2023 Dodge Ram SSV truck for \$42,990.00, and an additional \$21,000.00 to equip these vehicles with lights, sirens, and radios. The total cost will not exceed \$160,820.00. This is a budgeted request and will be paid for by general funds.

Council Member Cooley made a motion to approve the New Vehicles for the Police Department. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

10. Flock LPR Invoice

Chief McCann stated the Police Department is requesting approval to pay an invoice to Flock Safety for six license plate readers (L.P.R.). with an amount not to exceed \$15,000.00. It is a budgeted item, and it will be paid for utilizing federal asset forfeiture funds.

Council Member Wren made a motion to approve the Flock LPR Invoice. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

Council Member Stepp disconnected from the phone call.

11. 2024 City Calendar Bids

Logan Bagley, Public Relations & Communications Manager, stated A New Dimension Graphic Design & Printing Inc. has been selected to provide 2024 City Calendar printing and mailing services, as they were the sole bidder of the project and have completed this project in previous years. The total cost is \$15,769.91 [\$15,182.03 for 10,500 calendars + \$587.88 for mailing services], which includes full-color printing, folding, binding, trimming, hole cutting, and mailing services. The design will be created in-house, using winning citizen-submitted photos from our 2024 City Calendar Photo Contest. It is projected to have the 2024 calendars in citizens' mailboxes no later than Friday, December 29, 2023. This is a budgeted item and was recommended for approval.

Council Member Cooley made a motion to approve the 2024 City Calendar Bids. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

12. Matthews Garage Vehicle Repair

Mr. Porta stated in September, a city vehicle was involved in an accident, and the repair costs totaled \$11,478.44 with the city paying a \$1,000 deductible. Approval was recommended for the vehicle repair with Matthews Garage.

Council Member Fox made a motion to approve the Matthews Garage Vehicle Repair. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

ADDED ITEMS

13. Resolution

Keith Lovell, City Attorney, stated this is a resolution authorizing the City of Cartersville, Georgia to opt out and/or file a request for exclusion from the nationwide class settlements related to PFAS.

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

Reference Resolution 37-23

14. Representation Agreement for Water Litigation

MR. Lovell stated this agreement will allow the city to contract with Davis, Lucas, Carter, LLP and Friedman, Dazzio, & Zulanis, P.C. of Birmingham, Alabama to investigate, research, and prepare claims for the in reference to the PFAS and related substances into the City's drinking water supply.

Council Member Fox made a motion to approve the Representation Agreement for Water Litigation. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 5-0

ADJOURNMENT

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

Meeting Adjourned at 7:49 P.M.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Julia Drake
City Clerk