

City Council Meeting
City Hall – Council Chambers
February 1, 2024
6:00 P.M. – Work Session
7:00 P.M. – Council Meeting

WORK SESSION

Mayor Matthew Santini opened Work Session at 6:03 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

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 Roth.

Pledge of Allegiance led by 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; Alyssa Cordell, 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. January 18, 2024, Council Meeting Minutes

Council Member Cooley made a motion to approve the January 18, 2024, Council Meeting Minutes. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 6-0

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

APPOINTMENTS

2. Board of Zoning Appeals

Randy Mannino, Planning and Development Director stated Jacqueline Hendricks will be replacing Malcom Cooley on the Board of Zoning Appeals, her term will expire on June 1, 2027.

Council Member Fox made a motion to approve the Board of Zoning Appeals Appointment. Council Member Roth seconded the motion. Vote: 6-0

PUBLIC HEARING – 2nd READING OF ZONING/ANNEXATION REQUESTS

3. Z23-06: Rezoning Application Center Road Townhomes

Mr. Mannino stated this request is for the rezoning of approx. 103.85 acres from R-20 (Single Family Residential) to RA-12 (Residential Attached) for the development of approximately 199 Townhouse units on Center Rd adjacent to I-75. The Planning Commission recommends denial, 4-0.

Staff does not oppose the rezoning and recommends the following conditions if the zoning is approved:

- 1) No more than 199 lots/units shall be built in Etowah Preserve Phase 2 as presented in this application and on the concept plan.
- 2) No development or Finished Floor Elevation (FFE) is to occur above the 1050 ft elevation without the review and approval of the Water Department.
- 3) A 50ft. buffer must be provided between the development and the Proposed Center Road Re-alignment.
- 4) A 50ft. buffer must be provided between the development and the Right-of-Way for Interstate 75.
- 5) Developer to provide necessary easements for a natural gas line extension on the property from Center Rd to Hwy 20.
- 6) As referenced in the letter from Commissioner Steve Taylor, the owner/developer is required to leave in place the unnamed county service road on property identified as Tax Parcel C108-0001-001 and access to Center Road from adjoining properties, identified as Tax Parcel ID Nos. 00780172-001 and 0078-0101-001, or to provide an alternative solution for access to Center Road for said adjoining properties.
- 7) Incorporate the A&R Engineering, Inc traffic study recommendations dated April 20, ,2023 into the approved site plans.

Mayor Santini opened the public hearing.

Karl Lutjens, 114 Old Mill Rd., came forward to represent the applicant and stated there had been no opposition from the public.

Robert Walker, 15 S. Public Square, came forward to represent Tilley Properties and stated they were in favor of the application.

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

Council Member Cordell made a motion to approve Z23-06 with the conditions set forth by staff members. Council Member Hodge seconded the motion. Motion carried. Vote: 5-1 with Council Member Roth in opposition of the approval.

Reference Ordinance # 02-24

4. Z24-01: 109/111 Douglas Street

Mr. Mannino stated the applicant requests a change in zoning from P-S (Professional Services) to M-U (Multiple Use) for approximately 0.5 acres located at 109 & 111 Douglas St. in Land Lot 410 of the 4th District, 3rd Section. Tax ID No. C004-0011-009. The applicant proposes the

rezoning to allow a landscape company to operate and have outdoor storage of landscape supplies. A Special Use permit, SU24-01, is also to be reviewed per the M-U ordinance requirements.

Staff does not oppose the rezoning. The Planning Commission recommended approval 3-0.

Mayor Santini opened the public hearing.

Billy Jones, 478 Mission Road, owner of Appalachian Landscape, came forward to represent the application. Continuing, he stated upon approval, it would be his business that would be occupying the property and planned to landscape the area to ensure that the aesthetics of the lot would be pleasing to the neighborhood and community.

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

Council Member Roth inquired from Mr. Mannino if rezoned to M-U, what are the possibilities of future developments. Mr. Mannino stated the options are far more extensive, including multi-family residential. Council Member Roth stated this is a major concern for the future of this area.

Council Member Roth made a motion to deny Z24-01: 109/111 Douglas Street. Council Member Hodge seconded the motion. Motion carried. Vote: 5-1 with Council Member Stepp in opposition of the denial.

5. SU24-01: 109 Douglas St.

Due to Z24-01 being denied, this case is obsolete and was deleted from the agenda.

6. T24-01: Heavy Industrial

Mr. Mannino stated this is a text amendment to Chapter 26, Zoning, Article X, Industrial district Regulations, Section 10.2, Heavy Industrial District, to add "Automotive storage yards and wrecker service" as a permitted use in Sec. 10.2.2 (A).

This use is allowed in the Light Industrial zoning district, but not in Heavy Industrial. Staff is not opposed to the amendment. The Planning Commission recommended approval 4-0.

Mayor Santini opened the public hearing.

Leah Harper, H & H Realty, 107 Stoker Rd., came forward to speak in favor of this application.

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

Council Member Fox made a motion to approve T24-01. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 6-0

Reference Ordinance # 04-24

RESOLUTIONS

7. Annual Adoption of CIE/CWP

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 because we collect said impact fees and/or have an adopted impact fee ordinance. As you are aware, we held the required public hearing for the updated information on December 21, 2023, and Council also approved a resolution allowing this item to be transmitted to the Northwest Georgia Regional Commission (NWGRC) and the Department of Community Affairs (DCA) for their review and approval. They have approved the document, and we are required to formally adopt it. Staff recommends approval of this resolution.

Council Member Fox made a motion to approve the Annual Adoption of CIE/CWP. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 6-0

Reference Resolution # 04-24

CONTRACTS/AGREEMENTS

8. CivicPlus Agreement

Julia Drake, City Clerk, stated this is an updated agreement with CivicPlus that will restructure the billing schedule for Municode Codification of approved ordinances. Approval was recommended.

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

Council Member Stepp left the meeting (call disconnected) at 7:20PM.

9. Development of 10-year Master Plan for Parks and Recreation

Steve Roberts, Parks and Recreation Director, stated Cartersville Parks and Recreation Department is seeking approval for CPL Architecture, Engineering and Planning to develop a 10-year Master Plan. Parks and Rec released the RFQ on January 10, 2024, and reviewed the packages on January 23, 2024.

The objective of the Parks and Recreation Master Plan is to express the community's objectives, needs and priorities for leisure space, programs, services, and facilities. This plan will act as a guide for local policy formulation, decisions and discussion-making process for future Parks and Recreation Department green space and programs, to meet the needs of the residents of Cartersville. The scope of work is attached.

We received three proposals in total. AEI based out of Acworth, Georgia for \$120,000.00. Brandsetter Carroll INC based out of Lexington, Kentucky for \$129,500.00, and CPL Architecture, Engineering and Planning based out of Woodstock, Georgia for \$117,950.00.

After evaluating the proposals, the Parks and Recreation Director recommends using CPL to develop the 10-Year Master Plan. This request was not budgeted, but funds are available in the General Fund.

Council Member Cooley made a motion to approve the Development of 10-Year Master Plan for Parks and Recreation. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

10. GDOT Transition Plan Design Services

Dan Porta, City Manager, stated approximately every 10 years, Georgia DOT requires the city to update our plans for handicap accessibility for city facilities that may be lacking, and I am requesting approval to hire Croft at a cost of \$14,800.00 to provide consulting services to assist the city in responding to GDOT. This was not a budgeted item, but funds are available for this consulting work.

Council Member Fox made a motion to approve the GDOT Transition Plan Design Services. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

11. GA Power Encroachment Agreement

Keith Lovell, City Attorney, stated this is the Encroachment Agreement between the City and Georgia Power. This encroachment agreement is necessary for the Water Department's project within Georgia Power's right of way. This agreement has been reviewed and approved by the City Attorney's office and it is recommended for Council's approval.

Council Member Hodge made a motion to approve the GA Power Encroachment Agreement. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

SECOND READING OF ORDINANCES

12. Water and Sewer Capacity Fee Update

Sidney Forsyth, Water Department Director, stated on May 25, 2000, the City adopted a water and sewer capacity fee ordinance in addition to its normal rates for water and sewer service. The water and sewer capacity fees are deposited into a dedicated City account to fund the expansion and extension of the City's water, wastewater, and sewer facilities and/or capacity.

Since the initial ordinance adoption, these capacity fees have not been amended. The City contracted with Hazen & Sawyer to study and update these fees. The resulting recommendations are reflected in this ordinance update. The fee changes reflect the actual cost of capacity expansion and extension of City water and sewer facilities and treatment. The increase in this one-time fee, based on a single-family home inside the city, with ¾" meter service will increase by \$160.00 for water and \$170.00 for sewer.

Fees for services with meters 4" and larger will be based on an equivalent residential unit (ERU) cost per gallon of capacity requested. Since the first reading, the "Sewer – Outside City" fee column has been adjusted to correct an error in the calculation, reflecting an increase in the fees for meters 2" and smaller. Additionally, the "Water – City" fees for 1", 1.5", and 2" meters have been adjusted by \$1.00 to reflect the final recommendation from Hazen.

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

Mr. Porta stated for the record that this update is needed every five (5) years, and the City of Cartersville has not had an update in 23 ½ years.

Council Member Hodge made a motion to approve the Water and Sewer Capacity Fee Update as amended. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Ordinance # 01-24

RESOLUTIONS

13. Water Department Administrative Building Name

Mr. Forsyth stated the new Water Department Administrative Complex is scheduled for completion in June 2024. The Water Department and City Administrative Staff believe it is proper to name the building Robert S. “Bob” Jones in his honor. During his tenure as Director, many important water and sewer improvement projects were completed, but his life on Earth was cut too short to see this facility, which was always on his mind and close to his heart, constructed.

As Bob’s former Assistant, constant admirer, and forever friend, Mr. Forsyth wholeheartedly recommended this resolution for your approval.

Mr. Porta stated this is a great way to honor our former Water Department Director, Bob Jones, who was taken far too soon.

Mayor Santini stated this is well deserved.

Council Member Cooley shared a fond memory of the late Bob Jones.

Council Member Cooley made a motion to approve the Water Department Administrative Building Name. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

Reference Resolution # 05-24

BID AWARD/PURCHASES

14. ArcGIS Enterprise

Steven Grier, FiberCom Department Director, stated this item is the purchase of ArcGIS enterprise software. This software application is used for creating, managing, and analyzing geographic data for all city departments. The total amount is \$39,700.00 from ESRI. This is not a budgeted item but will be funded with the 2020 SPLOST. Approval was recommended.

Council Member Roth made a motion to approve the ArcGIS Enterprise purchase. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

15. Duo MFA Support Renewal

Mr. Grier stated FiberCom is requesting approval to pay \$11,039.00 to CDWG for annual support of our Cisco 2 factor authentication system. This system is used on all city computers and servers for added login security. This is a budgeted item, and it is recommended for your approval.

Council Member Roth made a motion to approve the Duo MFA Support Renewal. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

16. General Municipal Election Invoice

Mrs. Drake stated Bartow County Elections has submitted their invoice for the services provided at the November 7, 2023, Municipal Elections in the amount of \$14,364.74. This is budgeted and was recommended for approval.

Council Member Cooley made a motion to approve the General Municipal Election Invoice. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

17. 2S Stratus IQ Electric Meter Purchase

Derek Hampton, Electric Department Director, stated the Electric System is requesting authorization to purchase (224) Form 2S meters for stock. These are the standard Sensus meters from Equipment Controls Company Inc. that were selected for use in conjunction with the ongoing AMI project. These meters will be used at various new residential or small commercial developments.

The total price for the (224) units is \$40,053.44. This budgeted expense was recommended for approval.

Council Member Cooley made a motion to approve the 2S Stratus IQ Electric Meter Purchase. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

ADDED ITEM (1)

18. Purchase of 500kVA, 300kVA and 150kVA Transformers

Mr. Hampton stated that the Electric Department needs to purchase three transformers. The first is a 300kVA/480-277V transformer needed to provide service to a new customer. The remaining two transformers are a 150kVA and a 500kVA, 208-volt transformer for stock. We received at least three bids on each and deemed the bids from Gresco to be the best bid based on price, delivery time, and positive past experiences with that brand of transformer. We are requesting authorization to purchase the three units from Gresco for a total of \$70,961. This is a budgeted expense.

Council Member Roth made a motion to approve the purchase of 500kVA, 300 kVA and 150kVA transformers. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

19. Fourth Quarter 2023 Motorola Radio Invoice

Freddy Morgan, Assistant City Manager, stated Bartow County has submitted the fourth 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 requested to pay this invoice in the amount of \$37,150.83.

Council Member Roth made a motion to approve the Fourth Quarter 2023 Motorola Radio Invoice. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

CONTRACTS/AGREEMENTS

20. Fire Station #5 Guaranteed Maximum Price (GMP) from Reeves Young

Mr. Morgan stated this is the GMP provided by Reeves Young for Fire Station #5. We are seeking approval of the \$7,413,153.00 GMP plus additional cost incurred for items outside of Reeves Young's scope of \$787,127.41 for a total ask of \$8,200,280.41 to be paid from the General Fund.

Council Member Hodge made a motion to approve the Fire Station #5 GMP from Reeves Young. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

RESOLUTIONS

21. Mission Road Sidewalk TAP Grant Application

Wade Wilson, Public Works Department Director, stated Leadership within the City of Cartersville has expressed an interest in providing pedestrian and/or connectivity along W. Cherokee Avenue/Mission Road from where the existing sidewalk along W. Cherokee Avenue ends at Charles Street to the existing sidewalk approximately 660 feet west of Duncan Drive in two phases.

Phase 1 of the sidewalk expansion extends the sidewalk from Charles Street to existing sidewalk near Stately Oaks Drive and will require significant preliminary engineering (PE) work to be done before construction can occur since Phase 1 requires a bridge to be replaced, a pedestrian crossing at the railroad tracks, and significant grading and drainage work to be done in flood plain areas. It is estimated that the preliminary engineering associated with Phase 1 could be approximately \$1,400,000.00.

Permission is sought for the mayor to sign all related TAP (Transportation Alternatives Program) Grant application documents necessary for the February 9, 2024, grant submittal to request 80% funding for the needed preliminary engineering work to be done for Phase 1. The 20% match amount from the City of Cartersville is estimated to be around \$280,000.00. If the grant application is approved, an engineer will be selected based on the required procurement process for federally funded projects.

Council Member Fox made a motion to approve the Mission Road Sidewalk TAP Grant Application. Council Member Roth seconded the motion. Motion carried. Vote: 4-1 with Council Member Hodge in opposition of the approval.

Reference Resolution # 06-24

BID AWARD/PURCHASES

22. Grapple Truck Bid Award

Mr. Wilson stated sealed bids were opened for the intended purchase of a 27-Yard Grapple Truck on January 24, 2024. The advertisement for bid was posted on the City of Cartersville Website and the Georgia Procurement Registry. Seven bid proposals were received and ranged from \$204,000.00 to \$255,295.00. Delivery time ranged from 10 to 300 days.

After evaluation by staff, Public Works recommends the purchase of a Peterson TL3 body mounted on a Freightliner M2 chassis at a price of \$212,842.00 with a 10-day delivery from Environmental Products Group, Inc. This vehicle was the best bid due to quality and delivery time.

This truck will be replacing the 2008 grapple truck that needs major repairs. It is a non-budgeted item but will be paid for through the General Fund.

Council Member Roth made a motion to approve the Grapple Truck Bid Award and place the surplus on GovDeals. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

23. Erwin/Leake Street Stormwater Improvement Notice of Award

Mr. Wilson stated over the last several years, the area along Leake Street and Erwin Street has experienced localized flooding. CTI Engineers, Inc., provided stormwater improvement plans to minimize flooding in this area. This improvement project was bid twice in 2023. The first bid results on June 20, 2023, resulted in no bids. The second call for bids on October 12, 2023, resulted in three bids ranging from \$773,430.00 to \$2,303,395.00.

The low bidder, Baker Contracting Co, LLC withdrew their bid. The second lowest bidder, Site Engineering, Inc. was contacted by our engineering consultants to negotiate the price, as the bid was higher than expected. Site Engineering, Inc. has deducted their original bid of \$2,166,530.00 to \$1,890,280.00. It is recommended by our consultant and Public Works to accept this original bid with a deductive change order. In doing so, we recommend the mayor's signature on the notice of award and to enter an acceptable contract and change order with Site Engineering, Inc. that will be reviewed by our City Attorney.

Public Works will utilize America Rescue Plan Act (ARPA) Funds for this project. To qualify for these funds, we feel that this project would help our stormwater division "manage, reduce and recapture stormwater" drainage that would result in reduced flooding at this location. Therefore, this project would meet the requirements for eligibility of ARPA funds.

An estimated \$262,080.00 will utilize water/sewer funds, while the remaining \$1,625,900.00 will be funded by ARPA funds. The \$262,080.00 water/sewer portion is not budgeted but will be paid from sewer revenue.

Council Member Fox made a motion to approve the Erwin/Leake Street Stormwater Improvement Notice of Award. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

ENGINEERING SERVICES

24. Leake Street and Erwin Street Stormwater Engineering Services

Mr. Wilson stated in December 2021, Public Works received approval from Mayor and Council to contract with CTI Engineers to perform engineering design of the storm system in the Leake Street and Erwin Street areas. In addition, in October of 2022 an amendment was signed allowing CTI to perform needed sewer design in this area.

CTI has completed design, and the project is slated to begin as soon as the contract with the bidding contractor is signed. CTI is proposing to fulfill duties as a resident project representative (RPR) for this project on behalf of the city of Cartersville. These RPR duties will include schedule management, conference representation, liaison with the contractor, reviewer of shop drawings and samples, and basic construction management.

The proposed amendment will result in compensation for construction administrative services of \$16,000.00 and RPR services of \$56,000.00.

This amendment will be paid out of the American Rescue Plan Act (ARPA) Funds. This is not a budgeted item, but it has been determined that these services would qualify for ARPA funding, as the city feels that this project would help our stormwater division “manage, reduce and recapture stormwater” drainage that would result in reduced flooding at this location. Therefore, this project would meet the requirements for eligibility of ARPA funds. This is a budgeted item. Public Works recommended approval of this amendment.

Council Member Hodge made a motion to approve the Leake Street and Erwin Street Stormwater Engineering Services. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

CERTIFICATION

25. Signature Authorization Form for EPD

Mr. Wilson stated the City of Cartersville Stormwater Program continues to comply with NPDES Permit No. GAG610000 for Phase II Municipal Storm Sewer Systems (MS4). Every year, an annual report and potential revisions are submitted to EPD for approval. The Public Works Director will be allowed to sign supervisory documentation with these submittals if permission is granted through the mayor by his signature on the attached letter.

Council Member Hodge made a motion to approve the Signature Authorization Form for EPD. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

ADDED ITEMS (5)

26. Seventh Amendment to PSA – 178 W. Main St.

Mr. Porta stated this is the seventh amendment to the agreement for 178 W. Main St. The amendment is to change the closing date to on or before February 16, 2024. Approval was recommended.

Council Member Fox made a motion to approve the Seventh Amendment to PSA – 178 W. Main St. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

27. Primary School MOU

Mr. Lovell stated this Memorandum of Understanding is with the State and School System for the use of the old Cartersville Primary School located at 315 Etowah Dr. Quick Start will be utilizing the establishment for training for the QCells and SK projects.

Council Member Fox made a motion to approve the Primary School MOU. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

28. Manor Restorations (Walnut Grove Property)

Dan Porta, City Manager, stated this is the old water department building and Manor Restorations wants to purchase this property for \$71,400 for .29 acres to become part of a future townhome community.

Council Member Cooley made a motion to approve the Manor Restorations (Walnut Grove Property). Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

29. Resolution to Update Two GA Fund 1 Accounts

Mayor Santini asked if both these accounts could be voted on together, to which Mr. Lovell replied yes.

Tom Rhinehart, Finance Department Director, stated there are two resolutions from US Bank to update two of the city's existing GA Fund 1 Accounts. The resolution updates the signatures, updates those individuals authorized to conduct business on these accounts and updates the banking information from Truist Bank to Ameris Bank. Approval was recommended.

Council Member Fox made a motion to approve the Resolution to Update Two GA Fund 1 Accounts. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

ADJOURNMENT

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

Meeting Adjourned at 7:48 P.M.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Julia Drake
City Clerk